

Sandgate Bowls Club Inc.

CONSTITUTION

December 2016

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RULES

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RULES

SECTION A – THE CLUB

1 NAME

The name of the incorporated club is The Sandgate Bowls Club Incorporated (hereinafter referred to as “the Club”).

2 DEFINITIONS

In these Rules, the words and phrases unless the context otherwise requires bear the following meaning:

- (a) **BA** means Bowls Australia Limited (National Authority) or its successor
- (b) **BQ** means Bowls Queensland Limited (State Authority) or its successor
- (c) **Board of Management** (hereinafter referred to as the “Board”) means the Directors for the time being of the Board of Management of the Club as constituted in accordance with these Rules and By-Laws and is the controlling body of the Club subject only to any direction of Members at a General Meeting. The “Board” and/or “Board of Management” referred throughout this Constitution means a Management Committee as provided for in the *Associations Incorporation Act 1981*.
- (d) **Book** means a book or an electronic database.
- (e) **Deed** means the Deed of Consent to Assignment of the **Lease** from Sandgate Bowls Club Incorporated to the Sandgate RSL Memorial Club, signed by both parties and the Brisbane City Council; made 7 January 2010.
- (f) **By-Laws** means, the current By-Laws of the Club unless the context indicates otherwise.
- (g) **Chairman** means Chairperson of the Board as hereinafter provided.
- (h) **Club** means Sandgate Bowls Club Incorporated.
- (i) **Constitution** means Constitution of the Club in force for the time being unless the context indicates otherwise.
- (j) **DBA** means District Bowls Association or District Ladies Bowling Association.
- (k) **Director** means a member of the Board of Management.
- (l) **Employee** means a person engaged to carry out works for the Club including by way of an enterprise agreement and the like but not an independent contractor.
- (m) **Executive Committee** means the Chairman, Secretary and Treasurer of the Board, Men’s President and Ladies’ President.
- (n) **Gender** references include the opposite gender unless the context indicates otherwise.
- (o) **Ladies’ Division** means the members for the time being of the Sandgate Bowls Club Inc. Ladies’ Division as provided for in accordance with this Constitution.
- (p) **Lease** means registered lease no. 710945758 of the premises, that is, the buildings and part of the land at Second Lagoon Reserve, leased by the Brisbane City Council to the Sandgate Bowls Club Incorporated, approved by the Minister for Natural Resources and Water 16 July 2007 and assigned by the **Deed** to the Sandgate RSL Memorial Club.
- (q) **Member** means any Ordinary, Honorary, Junior and/or Life member of the Club and Social members as defined herein.



- (r) **Men's Division** means the members for the time being of the Sandgate Bowls Club Inc. Men's Division as provided for in accordance with this Constitution.
- (s) **Month** means calendar month.
- (t) **MOU** means the Memorandum of Understanding signed on behalf of the Sandgate Bowls Club Incorporated and the Sandgate RSL Memorial Club on 1 June 2009.
- (u) **Notice of Motion** means a prior prepared resolution for any legal purpose within the scope of the Club's activities dealt with in accordance with the provisions contained herein.
- (v) **Singular** includes the plural unless the context indicates otherwise.
- (w) **RSL Club** means the Sandgate RSL Memorial Club which trades as Club Sandgate
- (x) **Special Resolution** means a resolution requiring the affirmative vote of at least 75% of the Members present at a meeting and entitled to vote.
- (y) **Written and in writing** means printed on paper, or transmitted by email or other electronic means, or stored electronically, except where otherwise specified.

3 OBJECTS

The Objects of the Club are:

- (a) to promote and enhance the game of bowls in the local community;
- (b) to provide a safe environment and a high standard of facilities for community use and for Members for the social and competitive playing of the game of bowls in accordance with the laws of the game prescribed by Bowls Australia;
- (c) to provide, develop and promote such activities as from time to time are deemed appropriate to provide good fellowship between all Members of the Club and the community.

4 CLUB INCORPORATED

The Club is incorporated under the provisions of the Associations Incorporation Act 1981 (as amended) and will comply with the Act and its Regulations. A word or expression that is not defined in these Rules, but is defined in the Act has, if the context permits, the meaning given by the Act.

5 SUBSIDIARY DIVISIONS

- (a) There shall be formed within the authority of the Club, the following subsidiary bowls Divisions, in accordance with *Rule 18.4*:
 - (i) Sandgate Bowls Club - Men's Division
 - (ii) Sandgate Bowls Club - Ladies' Division
- (b) The Divisions shall be administered by the Club's By-Laws prepared for such purpose. The By-Laws may include provisions unique to each Division.
- (c) All male Members are automatically members of the Men's Division and all female Members are automatically members of the Ladies' Division.
- (d) Each Division is responsible for the control of its games through an elected president, games committee and selectors and whatever other bowling matters such as open (mixed) games and major events, that the Board may direct.
- (e) The president of the appropriate Division shall act for the Club's Chairman on days that involve bowls events only.



6 AFFILIATION

The Club wholly or representing its Men's or Ladies' Division shall:

- (a) affiliate with BA, BQ and the DBA and accept and abide by its Constitution and By-Laws in so far as they apply to the game of bowls
- (b) renew its affiliation with BA and BQ each year in accordance with the Articles of Association of those bodies and pay the annual affiliation fees
- (c) renew its affiliation with the DBA each year in accordance with the Rules of the DBA and pay the annual affiliation fees
- (d) elect a delegate to the DBA in accordance with the Rules and By-Laws of the DBA
- (e) provide to BQ and to the DBA any returns that are required by those bodies
- (f) provide advice to the BQ and to the DBA within 30 days of any event which would affect the status of the Club's affiliation with the BQ, the legal status of the Club and/or any changes or amendments to the Club's Constitution
- (g) not make, amend or repeal a Rule or By-Law in relation to the playing of the game of bowls that conflict with the Constitution and By-Laws of BA, BQ or the DBA
- (h) not affiliate with any entity which has an object of a political or religious nature.

7 POWERS

The Club has the powers of an individual, subject to the MOU, Deed and Lease, for example:

- (a) to subscribe to, become a member of and co-operate with any other association, club or organisation, whose objects are altogether or in part similar to those of the Club provided that the Club shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Club under or by virtue of *Rule 26.2 (j)*.
- (b) in furtherance of the Club's objects, to buy, sell and deal in all kinds of articles, commodities and provisions for Members or persons frequenting the Club premises.
- (c) to purchase, take on lease or in exchange, hire and otherwise acquire lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Club. Provided that where the Club takes or holds any property which may be subject to any trusts the Club shall only deal with the same in such manner as is allowed by law having regard to such trusts.
- (d) to enter into any arrangements with any Government or authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club; to obtain from any such Government or Authority any rights, privileges and concessions which the Club may think it desirable to obtain and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions
- (e) to appoint, employ, remove or suspend such managers, workmen and other persons as may be necessary or convenient for the purpose of the Club.
- (f) to remunerate any entity for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the Club, or in or about the Club or promotion of the Club or in the furtherance of its objects.



- (g) to invest and deal with the money of the Club not immediately required in any financial institution or authorised trustee investment prescribed by the “*Trusts Act 1973*”, as amended, as may be determined from time to time.
- (h) to construct, improve, maintain, develop, work, manage, carry out or alter or control any buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Club’s interests and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- (i) in furtherance of the objects of the Club to lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate.
- (j) to borrow or raise money either alone or jointly with any person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any monies and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the Club’s property or assets present or future and to purchase, redeem or pay off any such securities.
- (k) in furtherance of the objects of the Club, to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise, deal with all or any part of the property and rights of the Club.
- (l) to accept any gift of property whether subject to any special trust or not, for any one or more of the objects of the Club but subject always to the proviso in *Rule 7(c)*.
- (m) to take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Club, in the shape of donations, annual subscriptions or otherwise.
- (n) to print and publish any newspapers, periodicals, books or leaflets that the Club may think desirable for the promotion of its objects.
- (o) in furtherance of the objects of the Club to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Club and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Club under or by virtue of *Rule 26.2 (j)*.
- (p) in furtherance of the objects of the Club to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Club is authorised to amalgamate.
- (q) in furtherance of the objects of the Club to transfer all or any part of the property, assets, liabilities and engagements of the Club on to any one or more of the incorporated associations with which the Club is authorised to amalgamate.
- (r) to make donations for patriotic, charitable or community purposes.
- (s) to do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club.

8 ACTIVITIES SHALL BE LAWFUL

The Club shall comply with all Lawful requirements of the Commonwealth, State and Local Government and other Statutory Authorities having jurisdiction over any activity of the Club.



SECTION B – MEMBERSHIP OF THE CLUB

9 MEMBERSHIP

- (a) The membership of the Club shall consist of the following classes of Member: ordinary members, life members, honorary members, junior members and social members each of whom shall be bound by this Constitution and By-Laws as amended from time to time.
- (b) The membership of the Club may be limited either generally, or as to a particular class or classes, as the Board may from time to time determine.

9.1 Eligibility for Membership

- (a) To be eligible for membership of other than those classified as a Junior Member, a person must be:
 - (i) not less than 18 years of age
 - (ii) be prepared to support and promote the objects and welfare of the Club
 - (iii) of good repute and character and compatible with other Members
 - (iv) free of indebtedness to any bowls club or Bowls Association.
- (b) No person shall be admitted or remain a Member of the Club who is or has been a member of any club affiliated with any other bowls association unless that person satisfies the Board by presentation of an official clearance form that such person does not owe any money to any other club and further satisfies the Board that such person is not under order of suspension or expulsion from any other club.

9.2 Classification and Privileges of Members

9.2.1 Ordinary Members

An Ordinary Member is one whose application for membership has been approved by the Board and paid all the prescribed fees and is thereby entitled to all Club privileges and to exercise all rights of membership.

9.2.2 Life Members

A Life Member is a person honoured and appointed under the following terms: Being an Ordinary Member who on the recommendation of the Board at any Special or Annual General Meeting of the Club of which proper notice has been given, is elected by Special Resolution by Members present and eligible to vote, in honour of services rendered over any period of time, to the Club or its objects. Life Members are entitled to enjoy all Club privileges and exercise all rights and shall be exempt from the payment of the Club membership part of the annual membership fee.

9.2.3 Honorary Members

The Board may elect as an Honorary Member, any person who has rendered service or benefit to the Club. Honorary Members shall be entitled to the privileges of membership, except that they shall not be entitled to:

- (a) hold any office of the Club or attend or vote at meetings of the Club
- (b) nominate any person for office or membership or object to new Member applications
- (c) take part in interclub matches or Club Championships

Honorary Members may play bowls under the same arrangements as those described for Social Members at *Rule 9.2.5*. They shall be exempt from any membership related charges including the annual membership fee.



9.2.4 Junior Members

A person of good repute under the age of 18 years of age shall be eligible for junior membership and shall have all the rights and privileges, and be subject to all the obligations of ordinary membership, but shall not be entitled to:

- (a) hold any office of the Club
- (b) vote at any meeting of the Club
- (c) nominate any person for office or membership.

Junior Members shall be eligible to play in Club events and/or representative events, subject to the terms and conditions of such events.

On attaining the age of 18 years a Junior Member shall automatically be granted Ordinary membership without making application.

Junior Members shall not be allowed, under any circumstances, to be served, to obtain or consume liquor from, or on the Club premises, or engage in any form of gambling on the premises.

9.2.5 Social Members

The Board may elect any person as a Social Member of the Club subject to the special qualifications prescribed below. Social Members shall be entitled to the privileges of membership, except they shall not be entitled to:

- (a) hold any office in the Club
- (b) attend or vote at meetings of the Club
- (c) nominate any person for office or membership of the Club
- (d) take part in interclub matches or Club Championships
- (e) object to the application of new Members
- (f) participate in functions or excursions conducted by the Club unless by specific invitation of the Board. Any such invitation shall be subject to payment of a fee which shall be determined by the Board.

Social Members may play bowls only in events not subjected to affiliation fees, such as barefoot bowls or 'come and try' days. The qualifications for election as a Social Member are that the person shall be:

- (a) of good repute and whose interests and activities are, in the opinion of the Board, compatible with those of the existing Members of the Club;
- (b) nominated by at least 2 Ordinary or Life Members of the Club; and
- (c) not less than 18 years of age.

9.2.6 Equal Benefits

No Member of the Club shall be entitled to any benefit or advantage from the Club which is not shared equally by every Member of the same class of membership.

9.2.7 Trophies

- (a) All trophies presented or offered by the Club for competitions shall be played for under such conditions of play as the Board may from time to time determine, subject to the limits determined by the Laws of the Game as administered by BA.
- (b) The Board may delegate this responsibility to the Men's and/or Ladies' Divisions in respect of competitions played under the jurisdiction of those Divisions.



9.3 Admission to Membership

9.3.1 Application

- (a) An applicant for membership of the Club must be proposed by one Ordinary or Life Member of the Club (the proposer) and seconded by another Ordinary or Life Member (the seconder).
- (b) An application for membership must be:
 - (i) in writing on the Club's current application form; and
 - (i) signed by the applicant and the applicant's proposer and seconder.
- (c) Applicants name and address must be displayed on a main notice board for at least 7 days to give notice of the application and provide time for current Members to document in writing to the Board Secretary for the Board's notification and decision, any objection to the application.
- (d) The Board must ensure that the Club's application form informs an applicant whether or not the Club has public liability insurance. As soon as possible after the correctly completed application form is received and before the Board considers the person's application, the Secretary shall ensure that the person is advised of the amount of the insurance.

9.3.2 Admission and Rejection of New Members

- (a) The Board must consider an application for membership at no later than the next plus one Board meeting held after it receives:
 - (i) the application for membership;
 - (ii) the appropriate membership, nomination and administration fee (if applicable) for the application; and
 - (iii) any interstate/intrastate clearances applicable to the applicant.
- (b) The Board must decide at the meeting whether to accept the application taking into consideration written objections from Members or staff.
- (c) If a majority of the Members of the Board present at the meeting vote to accept the applicant as a Member, the applicant must be accepted as a Member for the class of membership applied for.
- (d) The Secretary of the Board must, as soon as practicable after the Board decides to accept or reject an application, give the applicant a written notice of the decision. Should the application be accepted an invoice for any fees arising should be issued. If the invoice is not paid by the due date, the membership application lapses.
- (e) If an application for Ordinary membership is rejected the person has the right of appeal in accordance with *Rule 9.3.3* - a person applying for social membership has no right of appeal.

9.3.3 Appeal against Rejection of Membership

- (a) A person whose application for Ordinary membership is rejected by the Board may within 1 month of receiving written notification lodge with the Board Secretary written notice to appeal the decision of the Board.
- (b) If any notification by a rejected applicant of intention to appeal against the Board's decision is lodged, the Board Secretary shall call a Special General Meeting at a time to be determined by the Board at the Board Meeting following receipt of the objection or appeal unless the name of the applicant has previously been withdrawn.



- (c) A ballot shall be conducted at such meeting. One adverse vote in every 8 votes cast shall exclude the applicant from membership. If there is more than one applicant to be balloted for, each shall be balloted for separately. The Secretary shall keep a record of the time and date of every such meeting of the Board or Special General Meeting, the names of the Members present and entitled to vote on the question of admission of each person proposed as a Member at such meetings, and the names of the persons proposed and whether they are accepted as Members or not.
- (d) Any applicant who has been rejected by the Board or at Ballot at a Special General Meeting shall not be proposed for membership during the following 12 months unless it shall appear to the satisfaction of the Board that an injustice has been done.

9.4 Resignation of Membership

- (a) With the exception of Social Members, a Member may resign from the Club by giving written notice of resignation by post or electronic transmission to the Board Secretary. Any Member failing to give written notice of their intended resignation prior to the date on which the annual membership fee is due, shall be liable for that fee, and any other monies owing to the Club for which payment shall be at the Board's discretion in accordance with *Rule 26.6*. A clearance shall not be taken as a resignation.
- (b) The resignation takes effect at:
 - (i) the time the notice is received by the Secretary; or
 - (ii) if a later time is stated in the notice - the later time.

10 CONDUCT AND DISCIPLINE

- (a) Any Member of the Club who fails to observe any of the Rules or By-Laws of the Club or who is deemed guilty of an act, practice or conduct calculated to bring discredit on the game of bowls or to the Club, DBA, BQ, BA or its members, or who on any of their premises engages in illegal gambling, uses obscene or abusive language, demonstrates unseemly conduct /unsportsmanlike behaviour and/or engages in physical altercations renders themselves liable to expulsion or suspension.

The Club's rights and powers under this Rule 10(a) may be exercised:

 - (i) at any time by a Director who, if present and depending on the severity of the incident, may demand and direct apologies, request that the Member leave the premises and/or document the matter for further investigation.
 - (ii) during a sanctioned bowls event by an Executive member of the Controlling Body who may also demand and direct apologies and/or report the matter for further investigation by the Board.
- (b) If a Member refuses a lawful request to leave the premises such person immediately becomes a trespasser and may be dealt with according to law.
- (c) Any other alleged infringement of this Rule, on report by any Club Member, staff member or RSL Club staff member or Director in writing to the Board or by a Staff member in the Club's Incident Log Book, shall be investigated by the Board or if the offending party be a member of another bowls club, the matter at the Board's discretion shall be reported to such club and to the relevant bowls association.
- (d) Any Member so charged shall be notified in writing by the Board Secretary of the nature of the complaint and shall be given the right of answering the charge by appearing before the Board at a Special Board Meeting at a date and time set by the Board, and of calling evidence and questioning witnesses. The Member so charged shall be given a minimum of 7 days notice of the date and time of the Special Board meeting and it shall be conducted no more than 21 days after written notice has been issued.



- (e) In the case of a Junior Member being called before the Board such Member shall be entitled to be accompanied by a Parent or Guardian.
- (f) If a Member fails to answer the alleged charge by either attending the Special Board meeting as notified or responding in writing, then the Board may adjudicate on the matter with the evidence available.
- (g) Based on the evidence available the Board may decide to impose one or more of the following forms of discipline:
 - (i) a direction that the individual make a verbal and/or written apology
 - (ii) a written warning
 - (iii) a direction that the individual attend counselling to address their behaviour
 - (iv) a suspension of the individual's membership
 - (v) a good behaviour period during which a defined suspension is held in abeyance and only applied if the individual commits a further infringement under this Clause 10 within that period
 - (vi) expulsion (termination of the individual's membership).

The Board Secretary shall give the Member written notice of the decision which will include a warning that a similar breach of Policy by that individual in the future may result in the imposition of a more serious form of discipline.

- (h) Any Member so reprimanded, suspended or expelled shall have the right of appeal within 14 days of receipt of written notice or reprimand, suspension or expulsion to a Special General Meeting of the Club called in accordance with *Rule 14.2*. Such written notice shall inform the Member of the right of appeal under this rule. Such appeal shall be in writing signed by the appellant.
- (i) Any such appeal must clearly state whether the appeal is against the finding or the penalty applied. If the appeal is against the finding it will be necessary to recall original witnesses. If the appeal is against the penalty, and is upheld, the meeting shall decide a new penalty. If the meeting decides the appeal is frivolous, or the penalty is inadequate, it may recommend an increase in penalty.
- (j) The appellant shall not be entitled to legal representation e.g. Lawyer, Solicitor or Barrister or by any other agent.
- (k) Such appeal shall be deemed lost unless upheld as a Special Resolution by Members present and entitled to vote. There shall be no further right of appeal.
- (l) Any Member of the Club, who is expelled or suspended (unless this is in abeyance during a good behaviour period), shall be denied the privileges of membership and shall not be:
 - (i) permitted to enter the premises of the Club during the period of suspension, expulsion or removal
 - (ii) eligible to hold office or act as a delegate at Club, District, State or National level
 - (iii) eligible to play bowls in any affiliated bowls club event during the period of suspension or expulsion, as the case may be.
- (m) Any person, whether a Member of this Club or not, who is a member of another bowls club affiliated with DBA, BQ or BA and is suspended or expelled by order of such other club, shall be denied the privileges of membership of this Club during the period of suspension or expulsion.
- (n) An expelled Member shall not be eligible to apply for re-admission to the Club for a period of at least 1 year thereafter.



11 REGISTER OF MEMBERS

11.1 Content of Register

- (a) The Board shall keep a register of Members of the Club either in book form or electronically.
- (b) The register shall include the following particulars for each Member:
 - (i) the full name and date of birth of the Member
 - (ii) the postal or residential address of the Member
 - (iii) the date of admission as a Member
 - (iv) any other particulars the Board decide.
- (c) The register shall be open for inspection by Members of the Club at all reasonable times.
- (d) A Member must contact the Board Secretary to arrange an inspection of the register.
- (e) However, the Board may, on the application of a Member of the Club, withhold information about the Member (other than the Member's full name) from the register available for inspection if the Board has reasonable grounds for believing the disclosure of the information would put the Member at risk of harm.
- (f) A separate register may be kept of all resignations, deaths, suspensions, expulsions.

11.2 Prohibition on Use of Information on Register of Members

A Member of the Club must not:

- (a) use information obtained from the register of Members of the Club to contact, or send material to, another Member of the Club for the purpose of advertising for political, religious, charitable or commercial purposes; or
- (b) disclose information obtained from the register to any other person, knowing that the information is likely to be used to contact, or send material to, another Member of the Club for the purpose of advertising for political, religious, charitable or commercial purposes.

12 ACCEPTANCE OF RULES BY MEMBERS

All Members on admission shall be deemed to have agreed to be bound by the Constitution and By-Laws for the time being in force.

13 INDEMNITY CLAUSE

In the event of any proceedings being taken against a Member or Members of the Club in respect of any matter or things done by them in the proper performance of their duties or by the direction or with the authority of the Club, the Club shall indemnify such Member or Members of the Club so proceeded against in respect of their costs of such proceedings and in respect of all costs and damages and other sums which they may be compelled to pay in the course or as a result of such proceedings.



SECTION C – GOVERNANCE OF THE CLUB

14 GENERAL MEETINGS

14.1 Annual General Meeting

14.1.1 Date of Meeting

The Annual General Meeting of the Club shall be held within 4 months of the close of the financial year on a date to be fixed by the Board.

14.1.2 Notice of Meeting

The Annual General Meeting shall be called by giving at least 15 days' notice (inclusive of the day for which the notice is given) by proclamation on the Club's notice board. A copy of it will be sent by email to those Members who have provided their email address to the Secretary more than 2 days previously.

14.1.3 Agenda

The business to be transacted at every Annual General Meeting shall be:

- (a) Reading of notice convening the meeting.
- (b) Confirmation of minutes of previous Annual General Meeting, and any Special General meetings held during the year.
- (c) Consideration of the Annual report.
- (d) Consideration of the Treasurers Report and Financial Statements.
- (e) Consideration of the Auditor's Report on the preceding year's books and accounts.
- (f) Consideration of other reports pertinent to the Club.
- (g) Consideration of recommendations of the outgoing Board, and any notices of motion, which may affect the current meeting.
- (h) Election and Declaration of the ballot for positions of the Board and Men's and Ladies' Divisions.
- (i) Election of Life Members.
- (j) Appointment of the Club's Patron.
- (k) Appointment of Auditor.
- (l) Appointment of Solicitor.
- (m) Determination of amounts payable for administration fees and annual membership fees for the year commencing on the first day of December subsequent to the Annual General Meeting.
- (n) Consideration of Notices of Motion correctly submitted.
- (o) To grant any reimbursement of costs incurred on the Club's behalf as may be decided.
- (p) General Business

The order of business shall be as above, unless in the opinion of the Chairman exceptional circumstances warrant a change in the order.

14.1.4 Notices of Motion

The Secretary shall call for Notices of Motion to be included on the agenda of the Annual General Meeting at least 30 days prior to the meeting at which they will be discussed and such notices shall be submitted to the Secretary within 10 days.



14.2 Special General Meeting

- (a) The Secretary (or the Chairman if the Secretary is unable or unwilling to do so) shall convene a Special General Meeting for one of the following reasons:
 - (ii) When directed to do so by the Board or the Chairman.
 - (iii) On the requisition in writing signed by not less than 20% of the financial Ordinary and Life Members of the Club, stating the objects of the meeting. The requisition shall contain the printed full name of each requisitioning Member together with the Member's signature.
 - (iv) On being given a notice in writing of an intention to appeal against the decision of the Board to reject an application for membership or to reprimand, suspend or terminate the membership of any person.
 - (v) Where the Members requisition a Special General Meeting to consider a no-confidence motion in the Board. (Refer *Rule 24*).
 - (vi) On a written requisition signed by not less than 20% of the financial Ordinary and Life Members of a Division to consider a no-confidence motion in the Division Management or Selection Committee (Refer *Rule 24*). The Board may attend but only the members of the Division may vote on the motion.
 - (vii) When requested to do so by the President of the Men's or Ladies' Division for an election of Selectors for that Division brought forward from the next Annual General Meeting at which this would otherwise occur.
- (b) A Special General Meeting shall be called within 28 days of receiving requisition by giving a minimum of 15 days' notice (inclusive of the day for which the notice is given), stating the business of the meeting by affixing a copy of such notice to the Club notice board. On the day the notice is affixed, a copy of it will be sent by email to those Members who have provided their email address to the Secretary more than 2 days previously. The non-receipt of the notice by any Member shall not invalidate the proceedings of any Special General Meeting (provided that the notice of meeting has been affixed to the notice board in accordance with this rule).
- (c) Procedures applying to voting shall be in accordance with *Rule 14.5*.

14.3 Minutes of General Meetings

14.3.1 Taking of Minutes

The Secretary shall cause full and accurate minutes of a General Meeting to be entered in a minute book. To ensure the accuracy of such minutes they shall be signed by the meeting Chairman or the Chairman of the succeeding Annual General Meeting.

14.3.2 Access to Minutes of General Meetings

If requested by a financial Club Member, the Secretary must, within 28 days of the request make the minute book for a particular General Meeting available for inspection by the Member at a mutually agreed time and place and give the Member a copy of the minutes of the meeting. The Club may charge the Member a reasonable copying fee.

14.4 Presiding Officer at General Meeting

Unless otherwise provided by these Rules:

- (a) The Chairman shall preside, or if there is no Chairman, or if not present within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the Deputy Chairman shall preside or if the Deputy Chairman is not present or is unwilling to act then the Members present shall elect one of their number to preside.
- (b) The Chairman shall conduct the meeting in a proper and orderly manner.



14.5 Voting at General Meetings

- (a) Every question, matter or resolution shall be decided by a simple majority of votes of the Members present and entitled to vote, except:
 - (i) when voting on a Special Resolution or where these rules otherwise require a different majority of such Members to pass; and
 - (ii) when proxy voting is allowed in accordance with *Rule 14.5 (d)*.
- (b) Every Member present or voting by proxy shall be entitled to 1 vote and in the case of an equality of votes the question shall be resolved in the negative.
- (c) Voting shall be by show of hands or a division of Members, unless the Chairman, a majority of the Board or not less than 20% of the Members present requests a ballot, in which event there shall be a secret ballot. The Chairman shall appoint 2 Members to conduct the secret ballot in such manner as he/she shall determine and the result of the ballot as declared by the Chairman shall be deemed to be the resolution of the meeting of which the ballot was demanded.
- (d) A Member may vote by proxy only in relation to Notices of Motions published in the notice of meeting (but not Special Resolutions) or in elections not conducted at an Annual General Meeting.
 - (i) The instrument appointing the proxy shall be in writing, in the common or usual form, under the hand of the appointer.
 - (ii) A proxy must be a Member of the Club.
 - (iii) The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret vote.
 - (iv) Unless otherwise instructed, the proxy may vote as the proxy thinks fit.
 - (v) The instrument appointing a proxy shall be deposited with the Secretary prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument proposes to vote.
 - (vi) Where a Member restricts a proxy to voting for or against a specific motion only, the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit.

SANDGATE BOWLS CLUB INCORPORATED - PROXY FORM

I of

being a member of the above named Club, hereby appoint

..... of

as my proxy to vote on my behalf at the General Meeting of the Club,

to be held on the day of 20.....

and at any adjournment thereof.

Signed this day of 20.....

Signature

For or against the motion: * in favour * against

* strike out whichever is not desired.



14.6 Elections

The election of Office Bearers and Directors of the Board and members of the Men's and Ladies' Division Management and Selection Committees shall take place in the following manner:

- (a) Any 2 eligible Members of the Club shall be at liberty to nominate any eligible person to serve as an Office Bearer or Director of the Board.
- (b) Any 2 eligible members of the Men's or Ladies' Division may nominate any eligible person to serve on their respective Men's and Ladies' Division Management Committee or that Division's Selection Committee.
- (c) A person may not hold more than one elected position in the Club at the same time, other than in a short term acting capacity, except that members of the Board or Division Management Committees may be elected as Selectors or vice versa.
- (d) Nominations which shall be in writing on the form prescribed by the Board and signed by the Member and the proposer and seconder shall be lodged with the Secretary not later than 6.00 pm on the closing date for nominations, as proclaimed by the Board but which shall be not later than 7 days prior to the Annual General Meeting at which the election shall take place. Any withdrawal of the nomination shall be in writing, signed by the Member nominated and lodged with the Secretary.
- (e) The nomination forms showing the candidates' names together with the proposers' and seconders' names shall be posted in a conspicuous place on the Club notice board as nominations are received. An alphabetical listing shall be posted on the notice board not later than 6.00 pm 2 days after the closing date for receipt of nominations as proclaimed by the Board. This list shall remain on the notice board until the day of the General Meeting.
- (f) The Secretary shall compile from the nominations received, an alphabetical list of the names of all the candidates showing the position for which they nominated and make sufficient copies of these lists to supply one to each financial Ordinary and Life Member of the Club in attendance at the General Meeting for use as a ballot paper for the election of Directors and other positions contested. The Board shall appoint a Returning Officer and Scrutineers who shall not be Members standing for office for the period subject to election.
- (g) The method of voting by ballot shall be interpreted as the primary method, i.e. one Member one vote. In the case of an equality of votes the successful candidate shall be determined by a second ballot and if still tied by lot.
- (h) Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.
- (i) No person is eligible for election to the Board or the Men's or Ladies' Division Management or Selection Committee unless that person, the proposer and the seconder are financial as at the date of nomination.

14.7 Quorum for, and Adjournment of, General Meeting

- (a) The quorum for a General Meeting is twice the number of Board positions at the close of the Club's last General Meeting plus one. However, if all Members of the Club are members of the Board, the quorum is the total number of members less one.
- (b) No business shall be transacted at any General Meeting unless a quorum of Members is present at the time when the meeting proceeds to business.
- (c) If within half an hour from the time appointed for the commencement of a General Meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week, or as soon as possible thereafter, at the same time and same place.



- (d) If at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting and the meeting was called by the Board, the Members present shall constitute a quorum.
- (e) However if the adjourned meeting was requisitioned by Ordinary and Life Members
 - (i) the meeting is to be adjourned for at least 7 days; and
 - (ii) the Board will decide the day, time and place of the adjourned meeting.
 - (iii) If a quorum is not present within half an hour from the time appointed for this adjourned meeting, the meeting shall lapse.
- (f) The Chairman may, with consent of any meeting, at which a quorum is present (and shall if so desired by the meeting) adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of the original meeting. Save as foresaid, it shall not be necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

15 SOLICITOR AND AUDITOR/S

- (a) A Solicitor (Honorary or Retained) shall be appointed at the Annual General Meeting of the Club, or if not then appointed, or if a vacancy occurs, may be appointed by the Board.
- (b) One or more Auditors who shall be qualified as required by the *Associations Incorporation Act 1981* shall be appointed at the Annual General Meeting of the Club to audit the accounts of the Club and prepare a report for submission to the Annual General Meeting. Any vacancy occurring in the office of Auditor/s during the year shall be filled by the Board. The Auditor or Auditors shall not be a Member or Members of the Club or the partner, employer or employee of any member of the Board. The Auditor/s shall, when required by the Board, conduct a special audit and investigation. The Auditor/s shall at all times have access to the books of accounts, vouchers and relevant records of the Club and shall have the right to obtain explanations relative to the finance and affairs of the Club and the accounts from any person holding office or employment in the Club.

16 DISSOLUTION OF THE CLUB

16.1 Mechanism for Dissolution

- (a) The Club may be dissolved by a Special Resolution of the Members at a Special General Meeting confirmed by a Special Resolution at a further Special General Meeting called at an interval of not less than 14 days and not more than 30 days thereafter. The 2 meetings may be convened by 1 notice either delivered or posted to every eligible Member's last known address not less than 14 clear days before the date of the first Special General Meeting. The resolution proposed in connection with the voluntary dissolution shall not be deemed to have been carried unless passed by three-quarters of those financial Members present and entitled to vote at each of the Special General Meetings.
- (b) The Club shall be dissolved when the financial membership is reduced to 7 or fewer Members.



16.2 Distribution of Surplus Assets

If the Club shall be wound up in accordance with the provisions of the *Associations Incorporation Act 1981*, and there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among Members of the Club but shall be given or transferred to some other institution or institutions having similar objects of the Club and which shall prohibit the distribution of its and their income and property among its or their members to an extent at least as great as is imposed on the Club under or by virtue of *Rule 26.2 (j)*.

Such institution or institutions to be determined by the Members of the Club, provided the fund, authority, or institution to which the funds of the Club are transferred, is a fund, authority or institution referred to in *Income Tax Assessment Act 1997* and any subsequent amendments thereof.

17 ALTERATION OF RULES

Subject to the provisions of the *Associations Incorporation Act 1981* these Rules may be amended, rescinded or added to from time to time by a Special Resolution carried at any General Meeting provided that no such amendment, rescission or addition shall be valid unless the same shall have been submitted to and approved by the Chief Executive Officer of the Office of Fair Trading or other Department administering the Act.



SECTION D – MANAGEMENT OF THE CLUB

18 CLUB MANAGEMENT

18.1 Board of Management

- (a) The business and affairs of the Club shall be under the management of a Board of Directors consisting of 4 Office Bearers, namely: Chairman, Deputy Chairman, Secretary and Treasurer plus, the Men's and Ladies' Division Presidents, a Development Director and a Facilities Director.
- (b) All members of the Board shall be honorary and elective. Every financial Ordinary Member and Life Member of the Club shall be eligible to hold any office as provided in this Constitution except that no member of the Board shall hold office in any other bowls club, be an employee of the Board or hold any continuous contract with the Board. However a Board member may carry out paid work on a temporary or relief basis or fulfil a particular contract for the Board but the maximum continuous period of any such work under this rule shall not exceed 4 weeks in any 12 month period.
- (c) Directors shall be elected annually in accordance with *Rule 14.6* at the Annual General Meeting of the Club. The term of office shall be from the date of election until the conclusion of the election held at the next Annual General Meeting of the Club. A person is eligible upon nomination for re-election but may be elected to the same Board position for no more than 3 years consecutively.
- (d) The Men's Division President and the Ladies' Division President shall be elected by the members of the respective Divisions at the Annual General Meeting. All other Board positions will be elected by all eligible Club Members.

18.2 Executive Committee

- (a) The Executive Committee of the Club shall consist of the Chairman, Secretary and Treasurer of the Board plus the Men's and Ladies' Division Presidents and the Deputy Chairman in the Chairman's absence.
- (b) It shall be the duty of the Executive Committee to transact any urgent Club business that may arise between Board Meetings and to submit a report of any such business transacted by it to the next Board meeting, provided that the Executive Committee shall not incur expenditure in excess of \$2,500 (or such other amount as determined by General Meeting) between meetings of the Board, or deal with the Club's property. In exceptional circumstances where delay could cause financial disadvantage, the Executive Committee may proceed in the best interest of the Club and its Members.

18.3 Delegation of Powers by the Board

- (a) The Board may delegate any of its powers to a Committee of its members which shall exercise these powers in accordance with any limits imposed by the Board. The Board may appoint the Chairman of any committee.
- (b) If no Chairman is appointed, a committee may elect a Chairman. If the Chairman is not present within 10 minutes after the time designated for a committee meeting, the members present may choose one of themselves to be chairman of the meeting.
- (c) A committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be resolved in the negative.
- (d) The Board may appoint Members to roles external to the Board to assist its activities.



18.4 Men's and Ladies' Divisions Management Committees

- (a) A Management Committee will be elected separately for each Division at the Club's Annual General Meeting by the members of that Division. All positions are honorary and every financial Ordinary Member and Life Member of the Division is eligible.
- (b) The Committees will formulate and manage the game programs for their respective Divisions. They will be comprised of three positions directly elected annually in accordance with *Rule 14.6*: President, Vice President and Games Director plus the Chairman of Selectors who shall be elected by the Division's Selection Committee. President is the only one of these positions which is automatically part of the Board.
- (c) A person is eligible for re-election but may be elected to the same directly elected Management Committee position for no more than 3 years consecutively.
- (d) The President or a deputy, appointed by the Management Committee from its members or from the Division as a whole shall fulfil the role of DBA Delegate.
- (e) The Division Management Committee may appoint Members to roles external to the Committee to assist its activities.
- (f) Co-ordination of the Club's combined games program shall be under the direction of a Board Games Co-ordination Committee comprised of the Deputy Chairman, Men's and Ladies' Presidents any of whom may act as its Chairman, the Development Director and the Divisions' Games Directors.

18.5 Selection Committees

- (a) A minimum of one (1) and a maximum of three (3) honorary Selectors shall be elected separately by each of the Men's and Ladies' Divisions at the Annual General Meeting to select teams for pennant, interclub, Club competitions and social matches.
- (b) The Selectors shall work under the overall policy supervision of the Division Management Committee but shall select teams independently.
- (c) The Selectors will be elected annually in accordance with *Rule 14.6*, by majority vote at the Annual General Meeting or at such Special General Meeting as may be called by the Board Secretary on request by the President of a Division.
- (d) A Selection Committee shall elect one of its members as Chairman of Selectors to co-ordinate its activities. This election shall be as soon as practicable after the General Meeting at which the Committee is elected or if a new Chairman is required because the position has fallen vacant. The Management Committee may delay election of a Chairman, if it first has to appoint a Selector under *Rule 18.5 (g)*. A person may be elected as Chairman for no more than 2 years consecutively.
- (e) Selector positions are not part of the Board or a Division Management Committee (other than the Chairman of Selectors who is *ex officio*, a member of the latter). However, a person elected as a Selector is not precluded from election to the Board or a Division Management Committee and vice versa.
- (f) A Selection Committee shall continue in office until its successor is elected. Selectors shall be eligible for re-election.
- (g) The Division Management Committee may appoint a Selector in the event of a vacancy occurring during the year.
- (h) For mixed competition, at the joint request of the Division Management Committees, the Selection Committees shall form a joint Selection Panel from a subset of up to 2 each of their members. The members of the joint panel shall elect a Chairman from among themselves. If necessary, the Men's and Ladies' Presidents firstly, or the Board secondly shall adjudicate on the membership of this joint panel.



19 FUNCTIONS OF THE BOARD

- (a) Except as otherwise provided in these Rules and subject to resolutions of the Members of the Club carried at any General Meeting the Board shall have:
- (i) general control and management of the administration of the affairs, property and funds of the Club; and
 - (ii) the authority to interpret the meaning of these Rules and any matter relating to the Club on which these Rules are silent.
- (b) The Board may exercise all powers of the Club, for example, to:
- (i) borrow raise or secure the payment of money in such manner as a majority of Members of the Club may determine at a General Meeting of the Club and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Club in any way in particular by the issue of debentures, perpetual or otherwise charge upon all or any of the Club's property, both present and future and to purchase, redeem or pay off any such securities
 - (ii) borrow money from Members at an interest rate not exceeding the rate for the time being charged by banks in Brisbane for overdrawn accounts on money lent, whether the term of the loan be short or long, and to issue debentures and other securities whether outright or as security for any debt, liability or obligation of the Club and to provide and pay off any such securities
 - (iii) invest funds in such manner as the Board may from time to time determine subject to the provisions of *Rule 7 (g)*
 - (iv) regulate the opening, closing and allocation of greens
 - (v) spend whatever monies are necessary for the maintenance and upkeep of the Club and property, and for the maintenance of supplies and trading stocks: The Board shall not expend and/or commit the Club to expenditure on capital works in excess of \$10,000 for any one project or \$15,000 over any 12 month period, or other amount as determined by General Meeting without the prior approval of the Members. In exceptional circumstances where delay could cause financial disadvantage, the Board may proceed in the best interest of the Club and its Members.
 - (vi) appoint Committees
 - (vii) call Annual General Meetings and Special General Meetings of Members
 - (viii) arrange meetings of the Board
 - (ix) fill any vacancy on the Board or a Division Management Committee providing always that members of the latter are members of the respective Divisions.
 - (x) determine from time to time, the maximum number of Members of the Club subject to the provisions of *Rule 9 (b)*.
 - (xi) administer membership matters as provided by and subject to *Rule 9*.
 - (xii) grant leave of absence to Members
 - (xiii) set green fees, championship entry fees and other charges
 - (xiv) take out licences
 - (xv) hire, or let premises and greens
 - (xvi) engage, dismiss, remove or suspend Employees of the Club
 - (xvii) make or vary By-Laws from time to time but not inconsistent with this Constitution and Rules and the Laws of the land
 - (xviii) appoint assistants to office bearers; and
 - (xix) otherwise act in the interest of Members.



- (c) All acts done by any meeting of the Board or of a Committee of the Board or by any person acting as a member of the Board shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Board or person acting as aforesaid, or that the members of the Board or any of them were disqualified, be as valid as if every such person has been duly appointed and was qualified to be a member of the Board.

20 MEETINGS OF THE BOARD

- (a) The Board shall meet at least once every calendar month to exercise its functions of which 14 days' notice shall be given at least.
- (b) The Chairman or 3 members of the Board may request the Secretary to convene a Special Meeting of the Board to deal with any matter that may require urgent or special attention. Not less than 1 day's notice shall be given by the Secretary to all available members of the Board, stating the purpose of calling the meeting. Only the business for which the meeting was called shall be dealt with. Standard matters arising from day to day activities should be dealt with by the Executive Committee.
- (c) Except as previously required in this Rule, the Board may meet together and regulate its proceedings as it thinks fit, provided that questions arising at any meeting of the Board shall be decided by a majority of votes, and in the case of equality of votes the question shall be resolved in the negative.
- (d) A member of the Board may be in attendance during discussion but shall not vote in respect of any contract or proposed contract with the Club in which the member is interested or any matter arising there from.
- (e) The Chairman shall preside as Chairman at every meeting of the Board or if there is no Chairman or if at any meeting the Chairman is not present within 10 minutes after the time appointed for holding the meeting, the Deputy Chairman shall be Chairman or if the Deputy Chairman is not present at the meeting then the members may choose one of their number to be Chairman of the meeting.
- (f) If within half an hour from the time appointed for the commencement of a Board meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Board, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, those present shall constitute a quorum.
- (g) Any eligible Ordinary, Life or Junior Member shall be entitled to attend meetings of the Board as an observer. Should a matter be deemed confidential the Board may by resolution determine that the meeting proceed in camera, in which case any observers present shall vacate the meeting.
- (h) Meetings may be recorded by electronic device only if a majority of members agree.

21 QUORUMS AT MEETINGS

Quorums at all meetings shall consist of members eligible to vote and the number of members required to constitute a quorum at meetings under these Rules shall be:

- (a) Board Meetings - not less than one-half of the number of members elected to the Board as at the close of the last general meeting of Members.
- (b) Executive Committee Meetings - 2 Office bearers plus the Men's or Ladies' Division President.



22 VACANCIES ON THE BOARD OR COMMITTEE

- (a) Any member of the Board, who has failed to attend 3 consecutive ordinary meetings of the Board without an apology tendered to such meetings of the Board or been granted leave of absence by the Board, shall be deemed to have forfeited that member's position on the Board.
- (b) The Board shall have the power at any time to appoint any eligible person to fill any casual vacancy on the Board or a Division Management Committee until the next Annual General Meeting or call a Special General Meeting to elect a replacement.
- (c) The continuing Directors may act notwithstanding any casual vacancy on the Board, but if and so long as their number is reduced below the number fixed by or pursuant to these Rules as the necessary quorum of the Board, the continuing Directors may act for the purposes of increasing the number of Directors to that number or of summoning a General Meeting of the Club but for no other purpose.
- (d) In the event of the resignation of the Board or other occurrence whereby the Board is unable to function, the 2 most recently available Past Executive Committee members of the Board (providing they are still Members of the Club and eligible to hold office) shall automatically become Administrators and appoint a Secretary and Treasurer. The Administrators shall ensure that a ballot to elect a new Board and Special General Meeting is held within 3 months of the aforesaid resignation or occurrence.

23 RESIGNATION FROM BOARD OR COMMITTEE

Any member of the Board or a Division Management or Selection Committee may resign at any time from this membership by giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

24 REMOVAL OF MEMBERS OF BOARD OR COMMITTEE

- (a) Where the Members requisition a Special General Meeting under *Rule 14.2 (a) (iv)* for the purpose of hearing a no-confidence motion in the Board and the Secretary fails to call and hold the Special General Meeting within 28 days, all members of the Board shall be deemed to have tendered their resignation from the Board at the date by which the Special General Meeting should have occurred.
- (b) If a vote of no confidence is passed as a Special Resolution by those present and eligible to vote at a Special General Meeting called for the purpose as provided in these Rules, all Board members shall be deemed to have tendered their resignation from the Board at the date of the Special General meeting.
- (c) Any member of the Board may be removed from office by a two-thirds majority of those Members present and eligible to vote at a Special General Meeting of the Club called for the purpose in accordance with *Rule 14.2*.
- (d) Any member of any Committee appointed by the Board may be removed from office by a two-thirds majority of those present and eligible to vote at a Special Meeting of the Board called for the purpose in accordance with *Rule 20*.
- (e) Any member of a Division Management or Selection Committee Board may be removed from office by a two-thirds majority of those present and eligible to vote at a Special General Meeting of the members of the Division called for this purpose in accordance with *Rule 14.2*.
- (f) Any member affected by action under this rule shall have due notice of such meetings and shall be afforded reasonable facilities for making representations to the meeting, but shall not be entitled to legal representation e.g. Lawyer, Solicitor or Barrister or by any other agent.



25 LEAVE OF ABSENCE

- (a) If members of the Board, or Division Management or Selection Committees are to be absent for a period exceeding 8 weeks they must apply for Leave of Absence.
- (b) All applications for leave of absence shall be in writing and shall be considered by the Board. When leave of absence is not granted and the person chooses to be absent for a period exceeding 8 weeks, the member shall be deemed to have resigned from any office held in the Club and shall not be entitled to seek or hold any other office of the Club during the period of absence.
- (c) A person absent for any period whatsoever shall not be entitled to a refund of any part of the annual membership fee.

26 FINANCE

26.1 Financial Year

The financial year of the Club will end on the 30th June each year.

26.2 Bank and Accounts

- (a) The funds of the Club shall be deposited in the name of the Club in such bank or other financial institution as the Board may from time to time direct whose deposits are guaranteed in whole or in part by the Commonwealth of Australia.
- (b) Proper books and accounts shall be maintained in written or printed form in the English language showing correctly the financial affairs of the Club and the particulars usually shown in books of a like nature. The Treasurer shall present financial statements in accordance with Australian Standard AASB101 to each Board Meeting.
- (c) All monies shall be deposited as soon as practicable after receipt thereof.
- (d) All payments to creditors or reimbursements to Members must be supported by either a Tax Invoice or other appropriate documentation. Documentation must be endorsed to certify goods/services have been received to the satisfaction of the Club.
- (e) All disbursements of Club funds must be authorised by 2 members of the Executive Committee and may be made by direct debit to a Club's bank account or by cheque.
- (f) Cheques shall be crossed "not negotiable" except those in payment of allowances or petty cash recouplement's which may be open. Under no circumstances shall blank cheques be signed by any authorised signatory.
- (g) The Board shall determine the amount of petty cash kept on the imprest system.
- (h) All expenditure shall be approved or ratified at a Board Meeting.
- (i) As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing particulars of:
 - (i) the income and expenditure for the financial year just ended; and
 - (ii) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Club at the close of that year.
- (j) All such statements shall be examined by the Auditor who shall present a report upon such audit to the Secretary prior to the holding of the Annual General Meeting next following the financial year in respect of which such audit was made.
- (k) The assets and Income of the Club shall be applied solely in furtherance of its objectives and no portion shall be distributed directly or indirectly to the Members of the Club except as bona fide compensation for services rendered or expenses incurred on behalf of the Club, reasonable and proper charges for goods hired by the Club or reasonable and proper rent for premises demised or let to the Club.



26.3 Green Fees and other Game Fees

The Board shall have the power to charge playing fees, such 'green' fees and competition entry fees being subject to variation as determined by majority decision of the Board.

26.4 Annual Membership Fees

- (a) The annual membership fee is comprised of the Club membership fee and the affiliation fees for the relevant district, state and national bowls associations. The annual membership fee is payable in full and due on 1 December each year.
- The Club membership fee for each ordinary membership and for each other class of membership (if any):
- (iii) is the amount recommended by the Board and ratified by the Members from time to time at the Annual General Meeting; and
 - (iv) shall continue in force until altered at a subsequent Annual General Meeting.
- (b) Any person taking up membership subsequent to 1 January shall pay an annual fee contribution on a pro rata basis calculated by the Board from the date of acceptance as a Member to the 31 December next occurring.
- (c) The Board may declare as unfinancial any person whose membership fee is 2 months in arrears.

26.5 Unfinancial Members

- (a) Any Member who becomes unfinancial shall forthwith be deprived of all privileges of membership of the Club, including:
- (i) the right to hold office
 - (ii) the right to attend any meetings of the Board or at any General Meeting of the Club
 - (iii) the right to nominate any person for office or membership or be nominated for office in the Club
 - (iv) the right to vote in any election of the Club
 - (v) the right to enter for and play in Club matches
 - (vi) the use of any of the facilities of the Club.
- provided that all privileges shall be restored upon the payment of all fees and monies due to the Club.
- (b) The Board may terminate the membership of any person declared unfinancial. A reasonable effort shall be made to contact the Member before such decision is made and the Board shall give the Member a full and fair opportunity to show why the membership should not be terminated. If, after considering all representations, the Board decides to terminate the membership, the Secretary must give the Member a written notice of the decision. Any such person so removed from membership who desires re-admission shall tender payment of an annual membership fee contribution not exceeding the 12 full months fee then current plus any other monies owing to the Club and re-apply in accordance with *Rule 9.3*.



26.6 Responsibility for Outstanding Monies

- (a) Resignation or termination shall not relieve any person from the payment of any annual membership fee or other money payable by them at the time of resignation or termination. The resignation or termination of any Member shall involve automatic forfeiture of all rights and privileges in respect to all Club matters.
- (b) Any Member whose membership is terminated shall be liable for the current year's annual membership fee, as well as any other monies owed to the Club by that Member.
- (c) Any Member failing to give written notice to the Secretary of an intended resignation prior to the date on which that Member's annual membership fee is due shall be liable for that fee, and any other monies owing to the Club by that Member.
- (d) There will be no pro rata refund of the annual membership fee following a resignation or termination.
- (e) However, at its discretion, the Board may waive the provisions of this Rule 26.6, in all or in part.

27 DOCUMENTS

The Board shall provide for the safe custody of books, documents, instruments and/or securities of the Club. The accounting and other records as specified in the "*Associations Incorporation Regulation 1999*" shall be retained for a period of not less than 7 years.

28 COMMON SEAL

The Board shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Board and every instrument to which the seal is affixed shall be signed by the Chairman or Deputy Chairman and shall be countersigned by the Secretary or by a member of the Board.

- End of Constitution -

