
***THE MAROOCHYDORE BEACH BOWLS CLUB INC. –
Constitution & By-Laws***



BUSINESS NAME: CLUB MAROOCHY

Constitution 1997

Revised 2001

Revised 2006

Revised 2009

Revised 2012

Revised 2013

Revised 2014

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Revised 2016

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Revised July 2019

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INTEGRATED SINGLE-TIER CONSTITUTION

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CONSTITUTION AND BY-LAWS OF THE MAROOCHYDORE BEACH BOWLS CLUB INCORPORATED

THE CLUB

1. NAME AND BUSINESS NAME

The name of the incorporated Club shall be "The Maroochydore Beach Bowls Club Incorporated" (hereinafter referred to as "the Club"). The Club's Business Name is "Club Maroochy".

2. INTERPRETATIONS

The following interpretations shall operate within this Constitution:

- (a) "Act" means the Associations Incorporation Act 1981 (as amended from time to time).
- (b) "The Club" means the above-named Club.
- (c) "The Constitution" means the Constitution of the Club in force for the time being.
- (d) "The Board of Management" (hereinafter referred to as the "Board") means the members for the time being of the Board of the Club as constituted in accordance with this Constitution. The Board is the controlling body of the Club subject to the Act and to any direction from members at a general meeting.
- (e) "Bowls Committee" means the members for the time being elected at the Annual General Meeting in accordance with this Constitution and its By-Laws.
- (f) "Month" means calendar month.
- (g) "Year" means the Club's financial year which runs from 1 January to 31 December.
- (h) "Member" means any financial member of the Club in one of the membership categories outlined in Clause 9.
- (i) "Voting member" means a Bowls Member or a Life Member as outlined in Clause 9.
- (j) an "Approved Manager" means a staff member licensed under the Liquor Act 1992, to manage a licensed premise and appointed in writing by the Board under Clause 4 (h);
- (k) "WBB" means the World Bowls Board.
- (l) "BA" means Bowls Australia.
- (m) "BQ" means Bowls Queensland.
- (n) "DBA" means District Bowls Associations.
- (o) A "Clearance Certificate" means the clearance provided by the Club to a member certifying that the member is not under current suspension nor owing any monies to the Club.
- (p) "The Seal" means the common seal of the club.
- (q) "Chair" means chairperson of the Board as hereinafter provided.
- (r) reference to any gender includes the opposite gender unless the context indicates otherwise; and
- (s) singular includes the plural unless the context indicates otherwise.
- (t) "Project" means any agreement and/or contract for the acquisition of goods , services or other work, considered by the Board from time to time. A decision to raise funds by way

of grant or any other means, does not constitute a “project”.

3. OBJECTS

- (a) The objects of Club Maroochy are to:
 - (i) advance and promote the game of Bowls, and other activities as the Board of Management decides upon in the interest of club members and the general community.
 - (ii) provide the best possible standard of facilities for members, for the social and competitive playing of the game of Bowls in accordance with the Laws of the Game as prescribed by the WBB and the By-Laws of BA and BQ.
 - (iii) provide, develop and promote such activities as are from time to time deemed appropriate to provide good fellowship between members of the club; and
 - (iv) promote and enhance the Game of Bowls in the local community.
- (b) The Club is incorporated under the provisions of the Associations Incorporation Act 1981 (under section 24) (as amended) and will comply with the Act and its regulations.

4. POWERS

- (a) The powers of the Club are: -
 - (i) the Club has the powers of an individual.
 - (ii) to control the funds and other assets and the liabilities of the incorporated club known as "The Maroochydore Beach Bowls Club Inc."
 - (iii) to subscribe to, become a member of, and co-operate with, any other association, club or organization, whether incorporated or not, whose objects are altogether (or in part) similar to those of the Club - provided that such club, association or organization prohibits 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 Clause 7 (b).
 - (iv) in furtherance of the objects of the Club to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for members of the Club or persons frequenting the Club's premises.
 - (v) to purchase, take on lease or in exchange, hire and otherwise acquire any lands, building easements or property, real and personal, and any rights or privileges which may be requisite for the purpose of, or capable of being conveniently used in connection with any of the objects of the Club (provided that in the case of the Club shall take or hold 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 trust).
 - (vi) to enter 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.
 - (vii) 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.

- (viii) to appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purpose of the Club.
- (ix) to remunerate any person or body corporate 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 incorporated association or in or about the incorporated association or promotion or in or about the incorporated association or in the furtherance of its objects.
- (x) to construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Club's interests, and to contribute to subsidies or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- (xi) to invest and deal with the money of the club not immediately required in such manner as may from time to time be thought fit.
- (xii) to borrow or raise money in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys 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 incorporated association's property or assets present or future and to purchase, redeem or pay-off any such securities.
- (xiii) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and negotiable or transferable instruments.
- (xiv) 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.
- (xv) to take or hold mortgages, liens, or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Club's property of whatsoever kind sold by the club or any money due to the club from purchasers and others.
- (xvi) to take any gift of property whether subject to any special trusts or not, for any one or more of the objects of the club but subject always to the proviso of sub-clause 4 (c).
- (xvii) 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 donation, annual subscriptions or otherwise.
- (xviii) to print and publish any newspaper, periodicals, books or leaflets that the Club may think desirable for the promotion of its objects.
- (xix) 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 under or by virtue of sub-clause 23(f).

- (xx) 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 engagement of any one or more of the incorporated association with which the Club is authorized to amalgamate.
- (xxi) 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 which the Club is authorized to amalgamate.
- (xxii) to make donations for patriotic, charitable or community purposes.
- (xxiii) to do all other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club.
- (xxiv) to make, rescind or vary By-Laws not inconsistent with this Constitution.

(ii) Any powers of the Club specified in Clause 4 (i) are limited to expenditure up to but not exceeding \$100,000 on any one project with expenditure beyond \$100,000 required to be ratified by a Special or Annual General Meeting of the membership.

5. ACTIVITIES SHALL BE LAWFUL

The Club shall comply with all lawful requirements of the Commonwealth, State and Local Government and any other statutory authorities having jurisdiction over any activity of the Club.

6. ALTERATION OF CONSTITUTION

Subject to the provisions of the Associations Incorporation Act 1981 (Section 48), or all other relevant Acts, these Clauses may be amended, rescinded or added to from time to time by a special resolution carried by three quarters (75%) of voting members at any General Meeting, however an amendment, repeal or addition is valid only if registered by the chief executive of the Office of Fair Trading.

7. DISSOLUTION

- (a) **PROCESS FOR DISSOLUTION.** The Club may, subject to the provisions of the Associations Incorporation Act 1981 be dissolved by resolution of the members at a Special General Meeting. The meeting may be convened by a notice delivered or posted to every financial member twenty-eight (28) clear days before the date of the Special General Meeting. The resolution proposed in connection with the voluntary dissolution shall not be deemed to have been carried unless passed by three-fourths of those financial members present and entitled to vote at the Special General Meeting.
- (b) **DISPOSAL 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 debts and liabilities, any property whatsoever, the same shall not be paid or distributed among the members of the Club but shall be given or transferred to some other institution or institutions having objects similar to the 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 this

Clause, such institution or institutions to be determined by the members of the club provided the institution to which the property of the club is transferred, is an institution approved by the Commissioner of Taxation as an institution or institutions referred to in section 23 of the Income Assessment Act, 1936 (as amended).

8. AFFILIATIONS

The Club will:

- (a) affiliate with BQ and accept and abide by the BQ rules and by-laws in so far as they apply to the game of bowls.
- (b) affiliate with the relevant District Bowls Association (DBA) and accept and abide by the rules and by-laws of the DBA in so far as they apply to the game of bowls.
- (c) renew affiliation with BQ each year in accordance with the articles of association of BQ and pay the annual affiliation fee through the DBA.
- (d) renew affiliation with the DBA each year in accordance with the rules of the District Bowls Association and pay the annual affiliation fees to the District Bowls Association.
- (e) appoint a delegate(s) to the DBA in accordance with the rules of the DBA.
- (f) provide to BQ and to the DBA the returns that are required by those bodies.
- (g) provide advice to the BQ and to the DBA within thirty (30) days of any event which could affect the status of the Clubs affiliation with BQ, the legal status of the Club and/or any changes or amendments to the Club's Constitution; and
- (h) not make, amend or repeal a rule or by-law in relation to the playing of the game of bowls those conflicts with the rules and by-laws of BA, BQ or the DBA.

MEMBERSHIP

9. CLASSES OF MEMBERSHIP AND FEES/SUBSCRIPTIONS

- (a) The Classes of Membership of the Club (collectively called "Members") shall be:
 - Bowls Members: -
 - i. Full Members
 - ii. Bowls Dual Members
 - Life Members.
 - Junior Members.
 - Temporary Members; and
 - Social Members.
- (b) The Board may set and vary any joining fee and/or annual subscription fees applicable to each class of member at its absolute discretion unless varied by a duly constituted General Meeting.
- (c) The membership of the Club may be limited either generally or as to any class or classes as the Board may determine from time to time.
- (d) The Board may create additional classes of membership and charge such membership fees as the Board may determine from time to time.

10. ELIGIBILITY FOR MEMBERSHIP

- (a) To be eligible for membership a person must be:
 - (i) not less than 18 years of age except for Junior Members.
 - (ii) interested in playing the sport of bowls, except for Social Members.
 - (iii) prepared to support and promote the welfare of the Club and the game of bowls.
 - (iv) of good repute and character.
 - (v) free of indebtedness to any Bowls Club, DBA, State or National Bowls Authority and:
 - (vi) Not under an order or notice of suspension, or expulsion, from any Bowls Club or DBA.
- (b) An employee of the Club (whether on salary, wages, contractor or contractor's staff) if they are a Financial Bowling Member of the Club shall be eligible to nominate for or hold any elected office position, except they shall not be eligible to hold a Board Position.

11. MEMBERSHIP PRIVILEGES

(a) Bowls Members

- (i) A Bowls Member is a member whose application for membership of the Club has been delivered to the Secretary, has not been rejected by the Board and has paid all prescribed fees.
- (ii) They shall be entitled to all the privileges of the Club.
- (iii) They shall be entitled to be present, debate and vote at General Meetings of the Club.

(b) Bowls Dual Members

- (i) A Bowls Member is a member whose application for membership of the Club has been delivered to the Secretary, has not been rejected by the Board and has paid all prescribed fees.
- (ii) A Dual Member who nominates a Club OTHER than Club Maroochy as their declared club: -
 - a) They shall NOT be entitled to all the privileges of the Club
 - b) They shall NOT be entitled to be present, debate and vote at General Meetings of the Club.
- (iii) A dual members Eligibility/Privileges shall be subject to criteria set out by District/State/National Bowls Authorities and will generally be as outlined in By-Law Clause 8

(c) Life Members

- (i) A member who has rendered exceptional service may, on the recommendation of the Board, be elected by the Club at a General Meeting to Life Membership of the Club.
- (ii) Such election shall be by resolution of a three-quarter (75%) majority of the members present and entitled to vote at a General Meeting.

- (iii) Life Members shall be entitled to all the privileges of Bowls Members but shall be exempt from the payment of the annual subscription but not any levies or other fees.

(d) Junior Members

- (i) Persons under the age of 18 years may apply for junior membership of the Club.
- (ii) They shall not be entitled to vote nor to nominate members for office nor to nominate other persons to membership of the Club.
- (iii) They shall be entitled to play bowls in any State, District, and National or Club competition according to the conditions laid down for the playing of the event.
- (iv) They shall not be permitted (under any circumstances) to be sold, supplied or allowed to consume alcohol or tobacco products on Club premises, or engage in any form of gaming activities. They are allowed on Club premises only for the purposes of bowling and bowling-related social activities.
- (v) On attaining the age of 18 years their membership will automatically be transferred to that of a Bowls member.

(e) Temporary Members

- (i) A person who meets the following criteria may apply for Temporary membership of the Club:
 - a) an Overseas or Interstate visitor; or
 - b) an Intrastate visitor whose principal place of residence is located at least 40 kilometres from the Club; or
 - c) persons who have made application for full membership and have paid the membership fee, during the period they are awaiting a decision from the Board, for a period not exceeding thirty (30) days from the date of such application.
 - d) such a person must be a financial member in good standing with a Bowls Club or Bowls Authority affiliated with BA or WBA.
 - e) such membership shall not exceed three (3) months but may be renewed at the discretion of the Board.
- (ii) The Board may charge such membership fees as the Board shall determine.
- (iii) Temporary members shall not be entitled to hold office in the Club nor to take part in or vote at meetings nor to nominate persons for membership or office.
- (iv) Temporary members may participate in organised social bowls but may not take part in any Inter-Club matches or club championships.

(f) Social Members

- (i) A person who meets the following criteria may apply for Social membership of the Club:
 - a) any person who is of good repute and whose interests and activities are, in the opinion of the Board, compatible with those of existing members of the Club; and
 - b) Is not under the age of 18 years.
- (ii) The board may elect any qualified person as a Social Member of the Club for such period or periods and charge such membership fees as the Board shall determine.
- (iii) Social Members shall not be entitled to hold office of the Club nor to take part in or vote at meetings nor to nominate persons for membership.
- (iv) Social Members may not take part in the Game of Lawn Bowls within the Club

- unless invited on a special occasion such as a bowls promotion.
- (v) Should a Social Member wish to become a Bowling Member then that person shall make application to become a Bowling Member in accordance with the process specified in Clause 12.

12. ADMISSION TO MEMBERSHIP

(a) Application Process

- (i) An application for membership of the Club must be in writing on an application form prescribed by the Board and addressed to the Secretary. In making such application the applicant shall be deemed to be bound by this Constitution.
- (ii) An applicant for membership of the Club must be proposed by one voting member of the Club (the proposer) and seconded by another voting member of the Club (the seconder).
- (iii) The application shall bear the name and signature of the proposer and seconder as well as the nominee's signature, full name, address and date of birth.
- (iv) Where an applicant is, or has been previously, a member of another Bowls Club affiliated to Bowls Australia, the applicant shall produce a Clearance Certificate from such Club before the application is processed.
- (v) The application shall be accompanied by the prescribed membership application fees (which amount shall be refunded if the application is rejected) and handed to the Secretary.
- (vi) Particulars of all applications for membership of the Club shall forthwith, upon the receipt of same, be entered in the order of time in which each application is received by the Club Secretary in a book (hereinafter referred to as the "Proposed Member's Register") to be kept by the Secretary. Each entry shall record the full name and address of the applicant and the time and date of the receipt by the Secretary of the application.
- (vii) Once the application for membership has been recorded in the Proposed Member's Register, it shall be displayed on the Club's Notice Board. The name of each person proposed as a Member shall be displayed on the Club's Notice Board for at least fourteen (14) days prior to the date on which the Board considers the application for membership.
- (viii) A record in a Members Admission Book shall be kept by the Secretary of the time and date of holding each such meeting of the Board, the names of Board members present, the names of the persons proposed and whether they were accepted or not.
- (ix) If there is more than one (1) member to be balloted for, each shall be balloted for separately.
- (x) All applications for membership shall be dealt with and determined by the Board at a duly convened meeting. The Club Secretary shall, as soon as practicable after the meeting at which a nomination was considered, advise the person nominated for membership, in writing, of the Board's acceptance or rejection of the nomination.
- (xi) Any member or members may object to any application for membership by delivery of a written objection to the Club Secretary. If a written objection is received from a member (or members) of the Club (prior to consideration by the Board) the Board shall investigate the objection before deciding in relation to acceptance or rejection of the application.

- (xii) For the purpose of inquiring with respect to an applicant, the matter of dealing with and determining the application may be postponed for no longer than three (3) months.

(b) Rejection of Application for Membership

- (i) A person, whose application for membership is rejected by the Board, may within 28 days after receiving written notice of the decision, lodge with the Club Secretary written notice of intention to appeal against the decision of the Board. The appeal shall be determined within 28 days by an independent Appeals Tribunal appointed by the Board.
- (ii) If a person whose application for membership has been rejected does not appeal against the decision within 28 days after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Secretary must, as soon as practicable, refund the membership fee paid by the person.

13. REGISTER OF MEMBERS

- (a) The Secretary shall cause a Register to be kept on Club premises in which shall be entered the full names, residential addresses (and other contact details) of all persons admitted to membership of the Club, the dates of their admission, and the dates of the latest payment of their subscription.
- (b) Particulars shall also be entered into the Register of Deaths, Resignations, Terminations and Reinstatements of Membership and any further particulars as the Board or the members of any General Meeting may require from time to time.
- (c) Information contained in the Members Register must not be used nor disclosed to contact (or send material to) any member for the purpose of advertising for political, religious, charitable or commercial purposes, however the basic contact information may be used by the Club for the publication of a Members' Handbook or similar.
- (d) Members' rights to privacy under relevant legislation must be protected and information only used for legitimate purposes in advancing the Objects of the Club.

14. RESIGNATION OF MEMBERSHIP

- (a) A member may resign from the Club at any time, provided that they are not under notice of suspension or expulsion, by giving notice in writing to the Club Secretary. Such resignation shall take effect from the date of such notice being received by the Club Secretary unless a later date is specified in the notice when it shall take effect on that later date.
- (b) The Club Secretary shall acknowledge in writing the receipt of such resignation.
- (c) A request for a Clearance Certificate is not a resignation.
- (d) Resignation from the Club shall not relieve any person from the payment of any membership fees, or other monies due or payable by that person at the time of the resignation or termination of membership.
- (e) The resignation of any member shall involve the automatic forfeiture of all rights and privileges in respect to all Club matters and property.
- (f) Any member failing to give written notice to the Club Secretary of an intended resignation

prior to the date on which that member's subscription is due shall be liable for the current year's membership fee, and any other monies owing to the Club by that member.

15. CONDUCT OF MEMBERS

(a) Contrary Conduct

- (i) Members shall, at all times, maintain a proper discipline and decorum, and shall not conduct illegal gambling, betting on games, speak obscene or abusive language, indulge in unseemly conduct or contravene the Club's Smoke Free Policy (By-Law 21).
- (ii) The Approved Manager on duty has the authority to have a member, a visiting bowler or a visitor removed from the Club's premises.

(b) Investigation of Alleged Infringement(s)

- (i) In the event that a matter may be (or may become) a matter to be resolved within the jurisdiction of a Court of Law then the Board shall not resolve the matter as far as it affects the Club until it has been resolved by the Courts; but it may resolve, "without prejudice", to suspend the person against whom the complaint is made from the Club pending the outcome of the Court action.
- (ii) Any other alleged infringement of Clause 15 (a), on report in writing to the Secretary, shall be investigated by the Board under these provisions or if that person be a member of another Club to report that person's conduct to such Club, to the DBA and/or to BQ.
- (iii) Any charge or complaint must be made within fourteen (14) days of the date on which the incident is alleged to have occurred and shall set out the conduct, which is the subject matter of the charge or complaint, and bear the signature of the complainant together with any corroborating evidence or witnesses.
- (iv) The Board is obligated to conduct an enquiry into any such complaint at its next Board meeting (but no later than 42 days of the Secretary receiving it) by whatever means it chooses - subject always that it fulfils the requirements of this Constitution and By-Laws and ensures "natural justice" to all parties involved in the complaint.
- (v) Any member so charged shall be notified in writing by the Club Secretary of the nature of the complaint, and the member charged shall be given the right of answering the charge by appearing before the Board, and of calling evidence and of questioning witnesses. A member shall not be entitled to be represented by a Solicitor, Barrister or other agent.
- (vi) In the event of a Junior Bowls Member being called before the Board on a charge or complaint, such member shall be entitled to be accompanied by Parent/Guardian.

(c) Penalties available to the Board

- (i) The Board may, at its own and absolute discretion decide to:
 - a) dismiss the complaint.
 - b) demand and/or direct an apology and/or issue a reprimand.
 - c) suspend a member for up to twelve (12) months.
 - d) expel a member; or
 - e) Issue any other appropriate orders.
- (ii) The Board shall also have the power to reprimand, suspend or expel any member

who:

- a) is convicted of an indictable offence.
 - b) is declared by the State to be insane.
 - c) does not comply with the provisions of this Constitution and its By-Laws; or
 - d) Conducts himself/herself in a way considered to be injurious or prejudicial to the interests or character of the Club.
- (iii) In the event of the Board upholding a complaint, the Club Secretary shall advise the Complainant and the Member against whom the complaint was made of:
- a) the date upon which any penalty is to take effect – subject to any appeal.
 - b) the date upon which the effect of any penalty decision would be due to expire.
 - c) the terms and conditions associated with any penalty.
 - d) the processes and time limits for lodgement of an appeal by either party.
 - e) Pending determination of an appeal, the appellant shall be allowed all membership privileges.
- (iv) In the event of the Board deciding to dismiss the complaint each party shall be advised of the complainant's rights of appeal against the decision and of any conditions or procedures and the time limit for lodgement of an appeal.
- (v) In the event that a member ignores or breaches the terms and conditions of a penalty the Board, at its own and absolute discretion, is empowered to impose a more severe penalty forthwith, including an immediate ban on the member, but with the right of appeal as specified in Clause 15 (d).
- (vi) A member who is suspended forfeits all rights, privileges and responsibilities for the term of the suspension and is still liable for all membership fees and other charges applicable to their membership for the duration of the suspension.
- (vii) A member who is expelled is no longer a member of the Club and is not entitled to any refunds; an expelled member shall not be eligible to re-apply for membership for a period of 12 months.
- (viii) Any penalty or suspension imposed by the Board can only apply within the Club and not to any other club, District or State.
- (ix) If a member who has been expelled or suspended by the Club applies for a clearance to another club the fact of the suspension or expulsion must be communicated to the gaining club.

(d) Rights of Appeal

- (i) If either party to the complaint is dissatisfied with the Board's decision(s) or rulings, they are entitled to appeal the decision of the Board. This must be done in writing to the Club Secretary within 14 days of the written notice of the decision(s) or rulings, and state clearly the grounds on which the appeal is made.
- (ii) The appeal shall be determined within 28 days by an independent Appeals Tribunal appointed by the Board. In accordance with bylaw 21.
The Tribunal shall make a determination that either.
 - The appellants grounds for appeal are valid and therefore his/her appeal be upheld
 - The appellants grounds for appeal are not valid and appeal be dismissed.
- (iii) The Tribunal shall not consider new pleas or evidence.

16. ACCEPTANCE OF RULES BY MEMBERS

All members on admission shall be deemed to have agreed to be bound by the Constitution, Rules and By-Laws of the Club for the time being in force. However, an amendment, repeal or addition is valid only if it is registered by the chief executive administering the Act.

17. RECIPROCAL RIGHTS

The Club may negotiate a reciprocal rights agreement with one or more licensed clubs provided that any such agreement is of a positive benefit to the Club and the members, does not generate any negative impact on the Club nor affect the objects of the Club.

18. INDEMNITY

In the event of any proceedings being taken against a member or members of the Club in respect of any matter, or thing 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 damages and other sum which they may be compelled to pay in the course of or as a result of such proceedings. All members of the Board of Management of the Club, respective Committee members, coaches and umpires, are to be specifically nominated for an appropriate Indemnity Insurance policy under this rule.

GOVERNANCE

19. GENERAL MEETINGS

- (a) **The Annual General Meeting** of the Club shall be held as early as practicable within six (6) months after the end of the Club's reportable financial year on a date to be fixed by the Board. The meeting shall be called by giving not less than twenty-one (21) days' notice to each member entitled to vote. The business to be transacted shall be as follows:
 - (i) opening by the Chair.
 - (ii) apologies.
 - (iii) reading the notice convening the meeting.
 - (iv) reading the Minutes of the previous Annual General and/or Special General Meeting.
 - (v) confirmation of the Minutes.
 - (vi) business arising out of the Minutes.
 - (vii) presentation, consideration and adoption of the Annual Report.
 - (viii) presentation, consideration and adoption of the Balance Sheet, Financial Statements and Auditor's Report.
 - (ix) to consider any notices of motion that affect the Constitution or By-Laws of which written notice has been given to the Board not less than seven (7) days prior to the Annual General Meeting.

- (x) election of members of the Board.
- (xi) election of members of the Bowls Committee and other electable positions.
- (xii) appointment of Auditors/and Solicitors.
- (xiii) election of Life Members as per Clause 11 (b); and
- (xiv) to transact any General Business of which written notice has been given to the Board no less than seven (7) days prior to the Annual General Meeting.

(b) **A Special General Meeting** shall be called by the Secretary:

- (i) when directed to do so by the Board.
- (ii) On a requisition in writing from the membership. Before a requisition for a Special General Meeting can be circulated to members, the requisition must clearly state the reasons for the meeting and be signed by the Proposer and Seconded. The Secretary shall immediately place the requisition in a prominent place on the Club Notice Board to give all members with voting rights the opportunity of signing to obtain the necessary 40 signatures. The requisition notice shall lapse if sufficient signatures are not obtained within one (1) month.
- (iii) No business other than that stated in the Notice of Meeting shall be transacted at a Special General Meeting. An inadvertent omission to give notice of a meeting to a particular member shall not invalidate the meeting.

(c) **Notices**

- (i) The Secretary shall convene all General Meetings of the club by giving not less than twenty-one (21) days' notice of any such meetings to the members of the Club.
- (ii) The manner by which such notice shall be given shall be determined by the Board. Notice of a General Meeting shall clearly state the nature of the business to be discussed thereat.
- (iii) Any notice posted or sent to the last known postal or email address of a member shall be deemed to have been duly given. It shall be the duty of each member to notify the Secretary, in writing, of any change of postal or email address. The accidental omission to give notice or send a circular to any member shall not on that account, invalidate the proceedings of the meeting.

(d) **Rules for Meetings**

- (i) 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. A quorum is at least 10% of financial voting members.
- (ii) If within half an hour from the time appointed for the commencement of a General Meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Board, shall lapse. (The only exception is in the case of Clause 7, sub-clause (a) (Dissolution)). In any other case, it shall stand adjourned to the same day in the next week at the same time and place or to such other day and at such other time and place as the Board may determine, and if at the adjourned meeting a Quorum is not present, within half an hour from the time appointed for the meeting, the members present shall be a Quorum.
- (iii) The Chair may, with the consent of any meeting at which a quorum is present (and shall if so directed 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 thirty days or more notice of the adjourned meeting shall be given as in the case of the original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or the business to be transacted at a General Meeting.

- (iv) The Chair shall preside at all General Meetings of the Club. In his/her absence the Deputy Chair shall preside. If neither the Chair nor the Deputy Chair is present, then a Board member will be appointed.
- (v) The Chair shall maintain order and conduct the meeting in a proper and orderly manner.
- (vi) Every question, matter or resolution shall be decided by a majority of votes of the members present and entitled to vote.
- (vii) Every voting member present shall be entitled to one vote. In the case of an equality of votes the Chair will have a casting vote. No member shall be entitled to vote at any General Meeting unless they are financial.
- (viii) Voting shall be by a show of hands or a division of members. If one fifth of the member's present demand a ballot, there shall be a secret ballot in such manner as the Chair shall determine. The result of the ballot as declared by the Chair shall be deemed to be the resolution of the meeting at which the ballot was demanded.
- (ix) The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every General Meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that Inspection. For the purposes of ensuring the accuracy of the Minutes, the Minutes of every Board Meeting shall be signed by the Chair of the Meeting or the Chair of the next succeeding Board Meeting verifying their accuracy. Similarly, the Minutes of every General Meeting shall be signed by the Chair for that Meeting or the Chair of the next succeeding General Meeting. The minutes of an Annual General Meeting shall be signed by the Chair of that Meeting or the Chair of the next succeeding General Meeting.
- (x) Any resolution proposed as a Special Resolution at a General Meeting shall not be deemed to be carried unless it has been passed by not less than three-quarters (75%) of the members present and entitled to vote at the meeting.
- (xi) Section 27(1)(f) of the Associations Incorporations Act specifically excludes Proxy Voting from the operations of these rules.

20. BOARD OF MANAGEMENT

(a) Membership

- (i) The management of the business and affairs of the Club shall be under the management of the Board which shall consist of the following 8 members:
 - a) CHAIR
 - b) DEPUTY CHAIR
 - c) SECRETARY
 - d) TREASURER
 - e) FOUR (4) BOARD MEMBERS
- (ii) Each voting member of the Club shall be eligible to hold office, except the following

shall not be eligible to hold board positions:

- a) employees of the Club.
 - b) contractors to the Club (e.g. cleaners and caterers) and their staff; and
 - c) any member who is also a full member of another Bowls Club and holds office in that Club.
 - d) spouses and partners of a), b) and c).
- (iii) A voting member of the club may be nominated for election to more than one (1) elected office but may not actually occupy any more than one (1) office except that any office holder may also be a Selector.
- (iv) At the Annual General Meeting of the Club, all the members of the Board for the time being shall retire from office but shall be eligible upon nomination for re-election.
- (v) The election of the members of the Board and of other elected position(s) shall take place in the manner outlined in the By-Laws.

(b) Powers of the Board

Except as otherwise provided by this Constitution and subject to resolution of the members of the Club carried at any General Meeting, the Board:

- (i) shall have the general control and management of the administration of the business affairs, property and funds of the Club.
- (ii) shall have the authority to interpret the meaning of this Constitution and any matter relating to the Club on which this Constitution is silent; and
- (iii) may exercise all or any of the powers of the club including:
 - a) to borrow or raise or secure the payment of money in such manner as the members of the Club may think fit and secure the same for 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 and in particular by the issue of debentures, perpetual or otherwise charged upon all or any of the club's property, both present and future and to purchase, redeem or pay off any such securities;
 - b) to borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers for overdrawn accounts on money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as a security for any debt, liability or obligation of the Club and to provide and pay off such securities;
 - c) invest in such manner as the members of the Board may from time to time determine.
 - d) regulate the opening and closing of greens.
 - e) transact and authorize expenditure as they see fit subject to the provisions of Clause 4 (ii) and under the normal practices and procedures of Corporate Business.
 - f) to appoint sub-committees to undertake such functions as the Board sees fit.
 - g) to call general meetings of members.
 - h) to arrange meetings of the Board.
 - i) to fill a vacancy in any Committee of the Club.
 - j) to determine from time to time, the maximum number of members of the

Club.

- k) to control members and elect new members as provided by and subject to Clause 12.
- l) to grant leave of absence to members.
- m) to set mat fees and other charges.
- n) to take out relevant licenses (in accordance with the Act).
- o) to take out and maintain insurance policies (including Public Liability Insurance) necessary to safeguard the Club's assets or as required by law.
- p) to hire or let premises and greens.
- q) to engage or dismiss staff and contractors.
- r) to make or vary By-Laws from time to time, but not inconsistent with this Constitution.
- s) to appoint assistants to office bearers.
- t) to otherwise act in the interest of members; and
- u) by resolution, authorize the Club Secretary (if appropriate) to exercise or perform on behalf of the Board any power, authority, duty or function as the Board shall determine from time to time but the exercise of any such power, authority, duty or function shall be subject to the limitations and conditions specified by resolution of the Board. Any such resolution may be altered or rescinded by the Board.

(c) Acts of the Board

- (i) All acts done by any meeting of the Board (or of a sub-committee 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 had been duly appointed and was qualified to be a member of the Board.
- (ii) A resolution in writing signed by all members of the Board for the time being entitled to receive notice of a meeting of the Board shall be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more members of the Board.

(d) Executive Committee

The Executive committee of the Board of the Club (hereinafter referred to as the Executive shall consist of the Chair, Deputy Chair, Secretary and Treasurer (three (3) of which shall constitute a Quorum). It shall be the duty of the Executive Committee to transact any urgent business of the Club that may arise between Board meetings and to submit a report of any such business transacted by it to the next meeting of the Board.

(e) Resignation of Board Member

A member of the Board may resign from the membership of the Board at any time by giving notice in writing to the Secretary. The 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.

(f) Removal of Board Member

A member of the Board may be removed from office at a General Meeting of the Club where that member shall be given the opportunity to fully present his/her case. The question of

removal shall be determined by a two-thirds (66.67%) majority of members present and entitled to vote.

(g) Casual Vacancies

The Board shall have power at any time to appoint any person to fill any casual vacancy on the Board, Bowls Committee or any other Committee until the next Annual General Meeting after advertising the said vacancy on the Club's notice board for fourteen (14) days.

(h) Meetings of the Board

- (i) The Board shall meet at least once every month to exercise its functions of which at least seven (7) days' notice shall be given.
- (ii) A Special Meeting of the Board shall be convened by the Secretary on a requisition in writing signed by not less than one-third of the members of the Board clearly stating the reasons why a Special Meeting is being convened and the nature of the business to be transacted.
- (iii) The Board shall post on the Notice Board a half-yearly financial statement including a written report from the Chair in the month of August.
- (iv) At every meeting of the Board a quorum shall be not less than a simple majority of the number of members elected to the Board at the last Annual General Meeting of members.
- (v) As provided previously in this clause the Board may meet together and regulate its proceedings as it thinks fit. Questions arising at any meeting of the board shall be decided by a majority of votes of those present excluding the Chair. In the case of equality of votes, the Chair will have a casting vote.
- (vi) Board members must declare any potential conflict(s) of interest prior to a Board meeting. A member of the Board shall not vote in respect to any contract or proposed contract with the Club in which he/she is interested or any matter arising thereof - if he/she does so vote it shall not be counted.
- (vii) Not less than one (1) days' notice shall be given by the Secretary to members of the Board of any Special Meeting of the Board. Such notice shall clearly state the nature of the business to be discussed.
- (viii) The Chair shall preside at all meetings of the Board. If the Chair is absent or not present within ten (10) minutes after the appointed time for holding the meeting, the Deputy Chair will assume the role. In the absence of either Chair or Deputy the Board members may choose one of their numbers to chair the meeting.
- (ix) 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 as the Board may determine, and if at the adjourned meeting a Quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.

(g) Club Manager

A Club Manager may be appointed and appropriate remuneration be decided by the Board of Management. The Club Manager may be invited to attend meetings of the Board of Management in an advisory capacity.

21. BOWLS COMMITTEE

The Bowls Committee is responsible for all bowling activities (except for major events) within the Club as outlined in **By-Law 5 (j)**.

22. FINANCE

(a) Financial Year

The Financial Year of the Club runs from 1 January to 31 December each year. The annual subscription shall be payable in advance.

(b) Annual Subscription

A Joining Fee (if any) and an Annual Subscription shall be payable by all members, irrespective of class, except as provided by this Constitution. Such fee and subscriptions shall be determined by the Board of Management. When so determined the Annual Subscriptions shall be determined to be due and payable on the first day of the commencement of the next financial year and shall apply for that financial year.

(c) Financial Members

Financial voting members are entitled to:

- (i) hold office.
- (ii) speak on a written request to do so or when invited by the Board of Management at any meetings of the Board or at any General Meeting of the Club.
- (iii) nominate any person for office or be nominated for office in the Club.
- (iv) enter and play in Club matches; and
- (v) Enter the Club property.

(d) Funds

- (i) The funds of the Club shall be banked in the name of the Club in such Bank as the Board may from time to time direct.
- (ii) Proper books and accounts shall be kept and maintained either in written or printed form in the English language correctly showing the financial affairs of the Club and the particulars usually shown in books of like nature.
- (iii) All monies shall be banked as soon as practicable after receipt thereof.
- (iv) The Board shall determine the amount of petty cash which shall be kept on the impress system.
- (v) All expenditure shall be approved or ratified at a Board Meeting.
- (vi) All accounts for payment shall be authorized by any 2 of the Executive and paid by Electronic Funds Transfer where possible.

(e) Audit

- (i) As soon as practicable and within three (3) months after the end of each financial year the Treasurer shall cause to be prepared a statement containing particulars of the income and expenditure for the financial year just ended; and the assets and liabilities and of all mortgages, charges and securities affecting the property of the Club at the close of that year.
- (ii) All such statements shall be examined by the Auditor who shall present the 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.

(f) Use of Funds

- (i) The profits (if any) and the income and property of the Club howsoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Club provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect on monies advanced by them to the Club or otherwise owing by the Club to them or of remuneration to any officers or servants of the Club or to any members of the Club or any other person in return for any services actually rendered to the Club provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Club or reasonable and proper rent for premises demised or let to the Club.
- (ii) No member shall be entitled to any benefit or advantage from the Club which is not shared equally by every member thereof.

23. DOCUMENTS

The Board shall provide for the safe custody of books, documents, instruments, instruments of Title and securities of the Club.

24. 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 Chair (or in the absence of the Chair by a nominated member of the Board) and countersigned by the Secretary or by another nominated member of the Board or by some other person appointed by the Board for that purpose. A Register must be maintained to record when the Seal was used and who signed it.

25. SOLICITORS AND AUDITORS

- (a) A Solicitor may be appointed at the Annual General Meeting of the Club or if not then appointed or if a vacancy occurs, a solicitor may be appointed by the Board. Auditors shall be appointed at the Annual General Meeting of the Club.

26. EMPLOYEES OF THE CLUB

- (a) No member shall personally reprimand or give instruction to any employee or sub-contractor of the club, unless specifically empowered to do so by the Board of

Management. If any member has a complaint to make against any such employee or sub-contractor it must be made in writing to the Secretary or , if appointed , the Club Manager.

- (b) Any offending member may be dealt with under the “Contrary Conduct” provisions of Clause 15.

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GOVERNANCE

1. RETURNING OFFICER

- (a) Prior to the Annual General Meeting each year, the Board shall appoint a Returning Officer, whose duties shall be to control the issuing of ballot papers and subsequent collection and counting of same at the Annual General Meeting and subsequent General Meetings.
- (b) The Returning Officer shall liaise with the Secretary as regards the preparation of ballot boxes. He/she shall ensure that only those entitled to vote are issued with the necessary ballot papers and that the ballot boxes are correctly located for the lodgment of same.
- (c) The Returning Officer will enlist the assistance of such number of poll clerks as required to conduct the ballot. Neither the Returning Officer nor any poll clerk shall be a candidate in such Ballot.
- (d) The Returning Officer shall advise the Chair of the meeting the result of the count and the Chair shall announce the result to the meeting.
- (e) The ballot material shall not be destroyed without the authority of a motion passed at the meeting and it shall be the duty of the Returning Officer to carry out such instruction.

2.. ELECTION AND BALLOT PROCEDURES

- (a) Any two financial voting members may nominate any other financial member to serve as a member of the Board or to any other elected position, provided that a member cannot nominate more than one person for the same position. Members must be financial from the date of nomination to the date of the election.
- (b) The nomination, shall be in writing, signed by the candidate, the proposer and seconded, and shall be lodged with the Secretary at least fourteen (14) days before the Annual General Meeting at which the election is to take place.
- (c) A list of the candidates' names, in an order drawn by the Returning Officer, with the proposer's and secondary's names plus a brief Curriculum Vitae and photo shall be posted in a conspicuous place on the Notice Board.
- (d) If insufficient nominations are received for all the positions of elected Board members, Bowls Committee members and/or Selectors, the candidates who have been duly nominated shall be declared elected. The meeting shall proceed to fill any remaining vacancies (by ballot, if necessary) by taking nominations from the floor.
- (e) Balloting lists shall be prepared for each position (if necessary) containing the names of candidates in the order drawn by the Returning Officer. Each financial voting member present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
- (f) Ballot papers may be issued to those entitled to vote not more than thirty (30) minutes prior to the meeting being opened. The votes shall not be collected by the Returning Officer until the Chairman of the meeting announces the closing of the ballots. All votes will be deemed to have been made after the opening of the meeting and before the closure of the ballots. Before closing the ballot, the Chairman of the meeting shall introduce to the meeting any candidate for election who so desires.
- (g) Voting shall be by secret ballot. Every financial voting member shall be supplied with a ballot paper containing the names of the properly nominated candidates.

- (h) The method of voting shall be to delete the names or names of the candidates not required by the voter.
- (i) Voting shall be counted and positions declared in the following order (in case a member is a candidate for more than 1 position):
 - Chair
 - Deputy Chair
 - Secretary
 - Treasurer
 - 4 Board members
 - Men's Bowls President
 - Ladies Bowls President
 - Bowls Vice President
 - Bowls Secretary
 - Games Room Director
 - Tournaments Director
 - Winter Events Director
 - Women's / Men's' Selectors (up to 5 each) (voted by women/men respectively)
- (j) The result of each ballot shall be determined on the "first past the post" principle. If there be an equal number of votes for two or more candidates for the last remaining position in a ballot, a further ballot shall be conducted between the candidates who tied.
- (k) In the case of a ballot being necessary to resolve a matter other than election, members shall indicate their choice on ballot papers in a manner specified by the Chairman of the meeting.

3. STANDING ORDERS

- (a) Movers of motions, which must be seconded, are limited to five (5) minutes and all other speakers to the motion (including the right of reply) to three (3) minutes, provided that such time limits may be extended by the Chair with the consent of the meeting.
- (b) A member shall be entitled to speak only once to each question, but with the permission of the Chair, may correct a misstatement. Every amendment moved shall be treated as a new question. The mover of any original motion shall have the right of reply.
- (c) No motion of dissent from the Chair's ruling or decision shall be permitted unless made before any other business or speech has intervened and no debate shall be allowed.
- (d) It shall not be permissible for the mover to withdraw any motion that has been put to the meeting except with the consent of the seconder.
- (e) A speaker shall not be interrupted, except on a point of order.
- (f) If the Chair desires to discuss a motion or amendment he/she shall do so before the reply by the mover.
- (g) A notice of motion to alter or rescind a motion and a notice of motion which has the same effect as a motion that has been negated shall not be in order unless it is signed by four (4) members, provided that this shall not apply where three (3) months have elapsed since the motion was passed or the motion negated, as the case may be.
- (h) Where a motion to alter or rescind a motion has been negated or where a motion has the same effect as a previously negated motion is negated, no similar motion shall be brought forward within three (3) months thereafter, and the effect of this provision

shall not be evaded by substituting any motion differently worded, but in principal be the same.

- (i) Discussion shall not be permitted upon any motion for adjournment. If upon the same question being put on any such motion and the same is negated. The subject then under consideration or next on the business to again move for adjournment until half an hour has elapsed from the time of moving the one that has been negated.
- (j) The proceedings of any Committee appointed by the Board shall be guided by these Standing Orders, so far as they are applicable.

4. ELECTION OF PATRON

On the recommendation of the Board of Management, the Club may, by the decision of the majority vote of members at a General Meeting, appoint an Honorary Patron of the Club for such term as determined at the General Meeting.

5. DUTIES OF BOARD OF MANAGEMENT

- (a) Chairman
- (b) Board Secretary
- (c) Treasurer
- (d) Club Administration Director
- (e) Greens and Surrounds Director
- (f) Projects and Membership Director
- (g) Sponsorship Director
- (h) Barefoot Bowls Director

Duties as outlined in Annual Business Plan and allocated by Chairman from time to time. Duties allocated according to individual/s expertise.

6. BOWLS COMMITTEE MEMBERS

- (a) Presidents- Men's & Ladies
- (b) Bowls Vice-President
- (c) Bowls Secretary
- (d) Games Room Director
- (e) Tournaments Director
- (f) Winter Events Director
- (g) Selection Committee Coordinators
- (h) Coaching Coordinator
- (i) Umpire Coordinator

7. DUTIES OF BOWLS COMMITTEE MEMBERS

Men's Bowls President – Women's Bowls President

GOAL	PERFORMANCE INFORMATION
Represent Club Maroochy	Maintain a high professional image to members and visitors alike
Promote the game of Bowls	Ensure that the game of bowls is promoted at every opportunity to encourage participation and the gaining & retention of bowls members. To nurture the morale of club members.
Knowledge of Games Room Operations and Club Members	One day a week assist in running the Games Room, providing the opportunity to communicate with members and visitors

Schedule Bowls Committee Monthly Meeting	The Bowls Committee shall schedule its meetings to allow for a written report to be presented to the Club Secretary in time for (ideally 7 days before) the regular monthly board meeting. It shall include reports on participation rates for the various social bowls & championship events.
Club Championships	Presidents should be in attendance for Club Championship Finals.
Representation at District Bowls Associations	Appoint delegates as required to the respective District Bowls Associations in accordance with the rules of those associations (the Club delegates can be Bowls Presidents or other nominated Committee Members respectively of the women & men);
Board Communication and implementation of Board Decisions	Ensure that policy decisions of the Board are promptly carried out & that the Board is kept fully informed of all matters that may affect the financial performance of the Club and the wellbeing of its members. Presidents are invited to attend, in allocated time, monthly Board Meetings and include a written report.
Annual Bowls Program	Develop (in conjunction with the Bowls Committee) the annual bowls program for the Club

Bowls Vice President/Club Championships Director

GOAL	PERFORMANCE INFORMATION
Support Men's Bowls President & Women's Bowls President	Carry out the role of the Presidents in their absence when required
Manage Club Championships	Run Club Championship Competition on allocated competition dates. Ensure competition dates and closing dates for entries are advertised to members.
Promotion of Club Championships	Encourage members' participation in Club Championships

Bowls Secretary

GOAL	PERFORMANCE INFORMATION
Create agenda and produce minutes for Bowls Committee meeting	Agenda and minutes to be available as soon as possible after all meeting. Regular communications to Bowls Committee members. Attend to all correspondence and club written matters. Minutes of Bowls Committee Meeting to be sent to Club Secretary.
Correspondence with Bowls Australia; Bowls Qld; District Bowls Associations	Manage all correspondence to and from Bowls Australia; Bowls Qld; District Bowls Associations and pass on to relevant Board or Bowls Committee Members

Flyers for Sponsored Social/Tournament Events	Produce Flyers for Sponsored Social /Tournament Events in conjunction with Sponsored Events Director.
Distribution of Sponsored Social/Tournament Event Flyers	Send out Sponsored Social/Tournament Event Flyers to other Clubs in our District. Establish and maintain data base for communication to other bowlers outside our club.
Flyers for weekly social bowls	Produce Flyers for weekly social bowls in conjunction with Games Room Director
Club Championships	Assist the Club Championship Director on the competition days. Maintain records of Club Championships results
Notices for Newsletter	Advise Newsletter manager of any relevant flyers and notices to appear in Newsletter
Diary at Reception	Update Diary at Reception with all special social events and any information relevant to the booked use of the greens including pennant & GR8s.
Assist in management of results for Pennants, GR8s, etc	Assist Selectors Co-ordinator with results administration

Games Room Director

GOAL	PERFORMANCE INFORMATION
Weekly Social Bowls Program	Manage weekly social bowls program
Games Room Operators	Train Games Room Operators and daily bowls organisers in the set procedures required to manage the social game of bowls on any given day
Matt Fee Payments	Ensure all Games Room Operators will collect and balance all fees applicable to any bowls games being played and immediately pay to the office
Folders and Flyers for Weekly Social Bowls	In conjunction with Bowls Committee Secretary ensure all folders and flyers for Weekly Social Bowls are updated and available for members and visitors
Roster for Games Room Operator	Manage the roster for Games Room Operators and train new Operators as required.

Sponsored Tournament Director

Sponsored Events Program	Work with Sponsorship Board Member to arrange scheduling of Sponsored Events
Winter Carnival Prelude	Work with the Winter Events Director in preparation and running of Winter Carnival Prelude
Publicity/Promotion	Promote Sponsored Events within web site Newsletter; Notice Board; Folder Flyers; and other Clubs (assisted by Bowls Committee Secretary)
Running of Games Room for Sponsored Events	Draw Maker is used for Sponsored Events. Manage the use of Draw Maker and its application on the day of the event. Training

	will be provided.
Game Cards	Special Event Game Cards are to be printed and trimmed
Catering for Sponsored Events	Organise with Club/Bar Manager the requirements for food requirements on these days.

Winter Events Director (Position held May to August – including Prelude)

GOAL	PERFORMANCE INFORMATION
Entries for Winter Carnival Prelude	Receive and manage entries in Prelude. Entries to be entered onto Prelude Team Sheets and updated accordingly.
Running of Games Room for Winter Prelude Events	Draw Maker is used for the Winter Prelude Events. Manage the use of Draw Maker and its application on the day of the event. Training will be provided.
Game Cards	Winter Prelude & Sponsored Event Game Cards are to be printed and trimmed
Sponsors' Acknowledgement	Co-ordinate with the Sponsorship Director to see all Sponsors are acknowledged at each event.

MEN'S AND LADIES SELECTION COMMITTEES

1. Up to 5 Selectors will be elected by male and female bowlers respectively for the ensuing year.
2. At their first meeting the male and female selectors shall elect their respective Selector Co-ordinator by majority vote
3. The Co-ordinators will each serve on the Bowls Committee
4. The Men's and Ladies selectors committee shall appoint a manager for each pennant/GR8s team whose responsibility it will be to ensure:
 - a. Players are kept informed of playing requirements
 - b. cards are prepared
 - c. rinks are prepared & ready for competitive play at home
 - d. the master score board is in place and maintained during play at home games
 - e. records are kept of the games played and results
 - f. game result slips are accurate and forwarded to appropriate district recipients
 - g. all players are appropriately dressed in the approved Club Uniform
 - h. umpires are rostered for home games through the Umpires Co-ordinator
 - i. appropriate and agreed hospitality is offered to visiting teams

MEN'S & LADIES SELECTION COMMITTEE CO-ORDINATORS

GOAL	PERFORMANCE INFORMATION
Encourage members to nominate for Pennants, Super Challenge, GR8s, and any additional competition that may be introduced	Work with the committee members to liaise with club members to participate in these various competitions
Selection Process	Meet with Selection Committee members to select the best outcome for members and the club
Training	In conjunctions with the committee arrange training times for members
Competition results (each competition day)	Paperwork to be completed and forwarded on to the relevant organisation at the end of competition day (assisted by Bowls

(m) COACHING COMMITTEE

- (i) All accredited coaches are welcome to coach at the Club at the level of their accreditation.
- (ii) The Coaching Committee will appoint one (1) of their number to be the Coaching Co-ordinator & represent them on the Bowls Committee.
- (iii) Coaches are expected to maintain their accreditation & to possess the Queensland Government Blue Card to enable them to coach & support children.
- (iv) Hours for coaching will be determined in consultation between the Coaching Group, the Bowls Committee & the Greenkeeper.

(n) UMPIRES COMMITTEE

- (i) The Umpires' Committee will comprise all accredited and active umpires & keep a register of all certified umpires.
- (ii) The umpires will appoint one (1) of their number to be the Umpires Co-ordinator and represent them on the Games Committee.
- (iii) The Umpires Co-ordinator will:
 - a) compile reports as required by State or District Associations.
 - b) convene meetings as necessary.
 - c) appoint umpires for all games specifically requiring umpires.
 - d) remain up to date with all rules affecting umpiring; and
 - e) ensure that umpires of the day carry out their duties in accordance with procedures and Laws of the Game.

8. OUT OF POCKET EXPENSES

Any Out of Pocket Expenses will be paid according to the schedule determined by the Board of Management. Out of Pocket expenses may be paid only after a member has served a minimum of six months (within a twelve-month elected year) on the Board and/or Bowls Committee.

9. ADOPTION OF ALTERATIONS AND/OR ADDITIONS TO THESE BY-LAWS

The Board has the power (under Constitution Clause 20 (b) (iii) (r) to modify these By-Laws. A Member(s) may propose changes to the By-Laws in writing to the Board who may accept or reject the proposal(s). If a member is not satisfied with the Board's decision he/she has recourse to call a Special General Meeting under Clause 19 (b) of the Constitution. Amendments shall be effective forthwith and shall be forwarded to BQ and District for information.

MEMBERSHIP/ADMINISTRATION

10. DUAL MEMBER

- (a) To be eligible for dual membership a person must be: -
- (i) Not less than 18 years of age (unless a junior member)
 - (ii) Has registered with Bowls Queensland a Club other than Club Maroochy as his/her declared Club.
 - (iii) Free of indebtedness to any Bowls Club, DBA, State or National Bowls Authority.
 - (iv) Must be of good repute and character
 - (v) Not under any order of suspension or expulsion from any Bowls Club or DBA.
 - (vi) Is eligible to nominate for all Club Championships EXCEPTING for championships that advance to a higher level e.g. Singles; Pairs; Fours and District Sides
 - (vii) Shall NOT be entitled to vote at any General Meetings nor hold any Club Office.
 - (viii) Shall be entitled to all other privileges of the Club.

11. UNFINANCIAL MEMBERS

If a member fails to pay the annual subscription and any other fees within seven (7) days of the same becoming due and payable, the Secretary may declare the membership void.

12. ATTIRE

- (a) **Within the Clubhouse.** The Board shall set out a good standard of dress as the minimum in relation to members and visitors within the confines of the Club. Such requirements will be displayed in a prominent position within the Club's premises. The responsibility thereof shall be vested in the Board.
- (b) **On the Greens.** Subject to any changes from time to time required by an amendment of the B.A. Laws of the Games, the Controlling Body shall be responsible for ensuring that all players, markers and umpires participating in games on an affiliated green, wear the correct attire. Attire shall follow B.Q. and D.B.A. guidelines.

The Board shall determine suitable attire for social games or rollups as recommended by the Bowls Committee.

13. ANIMALS

Animals, domesticated or otherwise, shall not be allowed on or within Club premises, other than an assistance dog in the performance of its duty.

14. CHILDREN

All children on or within the Club premises must, always, be under the strict supervision of a responsible adult, in accordance with the relevant licensing laws.

15. CLUB COLOURS

The Club colours will be as defined and approved by the Board.

16. LOCKERS

Only financial Bowls and Life Members are to have lockers. Lockers will be allocated by the Board of Management. Lockers are not transferable but may be allocated on a short-term basis to visiting bowlers.

17. NOTICE BOARD

A notice board, upon which all notices shall be posted, shall be placed in a conspicuous position in the club house.

18. LAWS OF THE GAME

All matches shall be played in accordance with the Laws of the Game and any Rules and regulations adopted from time to time by BA, BQ, and DBA's in accordance with the Rules and Constitution of the Club.

19. CONDUCT OF CLUB CHAMPIONSHIPS

- (a) The Bowls Committee has responsibility for deciding on the annual program of Club championships.
- (b) In developing a program, it shall ensure it caters for ALL members including both genders, working members, juniors & both experienced & developing bowlers.
- (c) The bowling year for all championships shall commence on the first day of January and be completed by 31st December of that year or as otherwise directed.
- (d) Club championships may consist of events for men only, women only or mixed. They can be developed across each of the 4 formats (singles, pairs, triples & fours).
- (e) Events should be held to assist developing bowlers to improve their games e.g. "B" grade events.
- (f) A player shall be a financial member of the Club at the closing of nominations in order to be eligible to play in the respective Championships & have paid the requisite entry fee for the event.
- (g) The respective (women's or men's) Bowls Co-ordinator shall:
 - (ii) Make all drawings for Club championships in the presence of not less than two members of the Men's/Ladies each of whom shall attest to the drawings by signing each drawing before it is placed on the notice board.
 - (iii) Commence the competitions as soon as practicable after the draw is completed; and
 - (iv) Call the games to be played, giving at least (7) days' notice thereof by placing the draw on the notice board, and/or by announcement in the Club and/or verbal notification on a previous day.
- (h) All championships are to be played 'on or before' the set dates as notified by the Bowls Co-ordinator.
- (i) All games are subject to the availability of rinks and played by the rules of WBA, BA, and BQ.
- (j) Team Captains are responsible for availability of their team players or provision of a

- substitute.
- (k) Captains who must provide a substitute for an unavailable player must ascertain if the player is an “ELIGIBLE” substitute and REPORT the substitution to the respective Bowls Co-ordinator/Bowls Committee/Controlling Body PRIOR to the commencement of the fixture. The consent of the umpire of the day must be obtained and the card initialled by the umpire.
 - (l) Any member who is also a member of another bowls club who plays BQ and nominated district championships such as Open Singles, Pairs, and Fours or Pennants with another club is not eligible to play championship or pennants in the same official bowling year. These are the only exclusive events in a club’s calendar and a bowler may play in as many other club events as the conditions of play allow. All games will be played under the WBA, BA, BQ and District Laws of the Game.
 - (m) The “PLAY OR FORFEIT” rule will apply, and the decision of the controlling body will be final.
 - (n) An “umpire of the Day” will be appointed for all championship games.
 - (o) The controlling body for all competition shall be the Bowls Committee. Authority to adjudicate on disputes not covered by BA or BQ law may be delegated to a committee comprised of the Bowls President and/or Bowls Vice President, Bowls Co-ordinator and the umpire of the day.

20. REGISTRATION FOR PLAYING DAYS

- (a) Each member shall be responsible for registration of his/her name on any playing day. The normal closing time for registration to play bowls is up to sixty (60) minutes before the time set down for commencement of play. No further names shall be accepted after sufficient players have entered for play on that day unless the Bowls Office determines that they can be accommodated.
- (b) A member having entered his/her name for bowls and subsequently is unavailable (or does not wish to play) shall advise the Club official in charge of the day's play, not later than sixty (60) minutes before the commencement of play. If a member does not comply with this By-law, a penalty may be imposed by the Bowls Controller as approved by the Club Board.
- (c) All trophies or cash prizes offered for competitions shall be played for under such conditions as the Bowls Committee may determine in conjunction with the Board.
- (d) No bowling (roll-ups or trial games) prior to the commencement of play shall be permitted except at the discretion of Bowls Controller of the day or as provided for by the conditions of any competition.
- (e) The Games Room Controller of the day must advise the Club’s caterer, of any catering requirements for all playing days under their control in writing.

21. PLAYER COMMITMENTS

- (a) When a member of a Club has been called to fulfill a BA, BQ, DBA or Club commitment (excluding President’s days), in a match or on official business, any day on which he/she has been drawn to play in a BA, BQ or District Bowls Association or Club commitment, the onus shall be on the player to notify BQ, DBA or Club, as the case may be, of any higher commitment.

- (b) The Controlling Body may define circumstances which it will not accept as a valid reason for a player's unavailability. However, a substitute is not to be permitted if an intended player enters another competition scheduled to be played at the same time. If a substitute is refused on these grounds the Controlling Body shall declare the position of the absent player vacant and the provisions of the current BA Domestic regulations shall apply.
- (c) Provisions consistent with this By-Law shall be included in all Club rules and shall be deemed to be a condition of competitions conducted by the Club.

22. INVESTIGATION OF A COMPLAINT AGAINST A MEMBER (CHECK-LIST)

(This information is a further explanation of Clause 15 of the Constitution)

- (a) When a complaint is received make sure it is in writing and signed by the person lodging the complaint. Record the date received.
- (b) Refer the complaint to the Board for immediate investigation.
- (c) If the Board considers that the complaint warrants investigation, then the method of investigation to be carried out and by whom should be documented and authorised.
- (d) On completion of the investigation the member involved should be called upon to give an explanation and/or answer to the complaint to show cause why he/she should not be charged under the Club Constitution and rules.
- (e) After this action has been taken the Board should determine if a charge should be laid. If it is so determined, then formal notice of the charge should be given to the member together with a copy of the written complaint.
- (f) The member should be given time to respond to the charge and called to appear at a meeting for the specific purpose of hearing the member's formal response and any evidence by witnesses to the complaint. The charged member(s) should be entitled to call any witness to the hearing. The offending member should be given the right to question the complainant.
- (g) If after hearing this evidence the Board determines that the complaint/charge should be upheld, then they should determine any penalty and advise the offending member in writing of their decision and the right of any appeal under the Club's Constitution.
- (h) Care should be taken to correctly state the time limit for any appeal to be lodged as per the provisions of the constitution.
- (i) If a member appeals, then he/she is entitled to full memberships rights until their appeal is determined.

23. CONDUCT OF APPEAL TRIBUNAL

- a) Care should be taken to select truly independent members to form the appeal tribunal to hear the appeal in accordance with the constitution.
- b) The appellant must be granted right to appear before the tribunal and present his/her case for appeal.
- c) The tribunal will hear evidence from witnesses if it considers the evidence relative to the ground for appeal.
- d) All members of the tribunal shall, on acceptance of their appointment; sign a statement that they agree to abide by the terms of the constitution and bylaws.

- e) The tribunal shall conduct their enquiries and hearings “in camera”, and apart from the notification to the Board of Management (who will duly notify the appellant of the determination), all matters relating to the Tribunal hearing shall remain confidential.
- f) Appropriate advices should be given to Bowls Queensland and to the District Bowls Association. If any doubt exists to the procedure to be followed, then advice should be sought from BQ (Bowls Queensland) and/or our honorary solicitor before proceeding.

24. SMOKE FREE POLICY

- a. Club Maroochy is bound by Queensland Government legislation (effective from 1 July 2006) which regulates where smoking may be permitted within the grounds of a licensed club. In accordance with this legislation, Club Maroochy has a published “Smoking Management Plan” and has clearly identified those “Designated Outdoors Smoking Areas” (DOSA) where smoking and drinking (but not food consumption) may take place.
- b. We are also bound by Bowls Australia policy in this regard.
- c. Club Maroochy recognizes the importance of health and fitness. This policy enables players, coaches, team managers and all other officials to participate in the game of bowls in a smoke-free environment whilst on the green.
- d. Interpretation - unless the context otherwise requires, the terms ‘controlling body’, the ‘green’, the ‘bank’, the ‘ditch’ and the ‘end’ shall have the same meaning as in the Laws of the Sport of Bowls in Australia.
- e. **SMOKING LIMITATIONS**
 - I. Smoking is not permitted anywhere within the Club.
 - II. Players, umpires, measurers, or any other person are expressly prohibited from smoking on our greens at any time. Smoking is also prohibited in all other areas of the club surrounds not designated as DOSA.
 - III. If players wish to smoke in a DOSA on the bank, they must remain at least 1 metre back from the ditch.
- f. **PENALTIES**
 - I. If a Government Health Inspector finds a smoker in breach of the law, then a court-imposed penalty of up to \$10,500 can be imposed on the club.
 - II. If a Responsible Officer (see below) finds a smoker in breach of this By-Law the following penalties will apply:
 - for a **1st offence**, the person will be given a written warning from the Board.
 - for **subsequent offence(s)**:
 - a Club Maroochy member will receive a \$50.00 fine. If this is not paid within fourteen (14) days of notification of the fine an automatic suspension of one (1) month will apply.
 - a visiting bowler will be asked not to return to our club and a letter will be forwarded to their home club advising it of the breach, while
 - social or barefoot bowlers will be removed from the greens and the club.
 - in addition, the person may be dealt with under the ‘Contrary Conduct’ provisions of the Club Constitution (Clause 15).

g. RESPONSIBLE OFFICERS

This policy may be enforced by a member of the Board, a member of the Bowls Committee, an accredited coach or umpire, the Controlling Body for an event or by the Approved Manager on duty.