

MUDGEERABA

Bowls Club Inc.

Constitution & By-Laws 2009

(Single Tier)

Adopted at Special General Meeting of 28th November 2009

MUDGEERABA Bowls Club Inc

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SECTION A – THE CLUB

1 Definitions

- (1) "Constitution" means the rules and by-laws of the club in force for the time being.
- (2) "Management Committee" means the members for the time being of the Management Committee 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.
- (3) "Member" means any member of the Club.
- (4) "Seal" means the common seal of the Club.
- (5) "WB" means World Bowls.
- (6) "BA" means Bowls Australia Incorporated.
- (7) "BQ" means Bowls Queensland.
- (8) "DBA" means District Bowls Association.
- (9) "The Act" means The Associations Incorporation Act 1981 (as amended)
- (10) "Chairperson", "Deputy Chairperson", and "Secretary" mean the elected holders of those positions on the Management Committee.

2 Name

The name of the incorporated club is **Mudgeeraba Bowls Club Inc** (hereinafter referred to as **The Club**).

(1) Incorporation

The Club shall be and remain incorporated under the provision of the Incorporation Act and shall comply with the provisions of this Act.

(2) Liquor Licence

The Club shall sustain a licence under the provisions of the Liquor Act and comply with the provisions of this Act. No person shall receive any remuneration or benefit by way of commission, allowance or in kind calculated by reference to the quantity of liquor sold or otherwise supplied by The Club or through the receipts by The Club for such liquor.

(3) Gaming Licence

The Club shall sustain a licence under the provisions of the Gaming Act and comply with the provisions of this Act.

(4) Registered Office

The Registered Office of the Club shall be Mudgeeraba Bowls Club, Somerset Drive, Mudgeeraba, Queensland 4213.

3 Objects

The objects of the Club are:

- (1) to advance and promote the game of Bowls;
- (2) to provide the best possible standard of playing facilities for members in accordance with the Laws of the Game prescribed by BA;

- (3) to provide, develop and promote activities that are from time to time deemed appropriate to provide good fellowship between members of the Club;
- (4) to promote and enhance the game of Bowls in the local community.

4 Powers

- (1) To control the funds and other assets and liabilities of the Mudgeeraba Bowls Club Inc.
- (2) To subscribe to become a member of and co-operate with any other club or organisation, whether incorporated or not, 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 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 45(3).
- (3) In furtherance of the other objects of the Club to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Club or persons frequenting the Club's premises.
- (4) To purchase, take on lease or in exchange, hire and otherwise acquire any 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 other objects of the Club; provided that in case 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 trusts.
- (5) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the Club's other 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.
- (6) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Club.
- (7) 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 Club, or in or about the Club or promotion of the Club or in the furtherance of its other objects.
- (8) 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, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- (9) 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.
- (10) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.
- (11) In furtherance of the other 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.
- (12) To borrow or raise money either alone or jointly with any other 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 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 Club's property or assets present or future and to purchase, redeem or pay-off any such

securities. The rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by:

- (i) the financial institution for the Club; or
 - (ii) if there is more than one financial institution for the Club, the financial institution nominated by the Management Committee.
- (13) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
 - (14) In furtherance of the other 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.
 - (15) 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.
 - (16) To take any gift of property whether subject to any special trust or not, for any one or more of the other objects of the Club but subject always to the proviso in sub-rule (4).
 - (17) 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.
 - (18) To print and publish any newspapers, periodicals, books or leaflets that the Club may think desirable for the promotion of its objects.
 - (19) In furtherance of the other objects of the Club to amalgamate with any one or more incorporated clubs 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 it or their members to an extent at least as great as that imposed upon the Club under or by virtue of rule 45 (3).
 - (20) In furtherance of the other objects of the Club to purchase or other wise 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.
 - (21) In furtherance of the other objects of the Club to transfer all or any part of the property, assets, liabilities and engagements of the Club to any one or more of the Incorporated Associations with which the Club is authorised to amalgamate.
 - (22) To make donations for patriotic, charitable or community purposes.
 - (23) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged.
 - (24) To do all such other things as are incidental or conducive to the attainment of the other objects and the exercise of the powers of the Club.
 - (25) The Club, through the Board of Management, may enter into Formal Reciprocal Arrangements with any other club or clubs provided that any such agreement is:-
 - (a) Only with any club whose objectives are complementary to those of the Club.
 - (b) For the mutual benefits of the members of the clubs, between which a Formal Reciprocal Arrangement exists.
 - (c) In accordance with the Liquor Act, as and where and when applicable.

SECTION B – MEMBERSHIP OF THE CLUB

5 Membership

- (1) The membership of the Club shall comprise ordinary members, and any of the following classes of members: life members, junior members, associate members, temporary members, social members and honorary members.
- (2) The membership of the Club may be limited, either generally, or as to a particular class, or classes, as the Management Committee may, from time to time, determine.
- (3) Every applicant for any class of membership of the Club must be proposed by 1 ordinary or life member of the Club and seconded by another such member. The application for membership must be:
 - (a) by completion of the Club's membership application form.
 - (b) signed by the applicant and the applicant's proposer and seconder;

6 Eligibility for Membership

- (1) To be eligible for membership a person must be:
 - (a) prepared to support and promote the welfare of the Club and the game of bowls;
 - (b) of good character and compatible with other members; and
 - (c) free of indebtedness to any bowls club, any District Bowls Association, or any State Bowls Authority, and not under an order or notice of suspension, or expulsion, from any Bowls Club or Bowls Association.
- (2) No person will be admitted as a member of the Club who is a member of any club affiliated with BQ unless such person satisfies the Management Committee by presentation of a clearance on the official form as prescribed by BQ.
- (3) An employee of the Club whether on salary, wages or contract, may be a member of the Club, but will not be eligible to nominate for or hold any elected office of the Club or to nominate or second any other member for an elected office of the Club.

7 Classification and Privileges of Membership

- (1) **Ordinary Members**

An ordinary member is a member whose application for membership of the Club has been approved by the Management Committee and has paid all the prescribed fees. Ordinary members are entitled to all the privileges of the Club and to exercise all the rights of membership.
- (2) **Life Members**

An ordinary member on the recommendation of the Management Committee may be elected a life member by the Club at a general meeting in recognition of services rendered to the Club. Such election must be by resolution of a 75% majority of members present and entitled to vote at a general meeting. A life member shall be free to enjoy all Club privileges and exercise all rights, but shall be exempt from the payment of the annual subscriptions.
- (3) **Junior Members**

Persons under the age of 18 years may apply for junior membership of the Club.

 - (a) They shall not be entitled to vote, nor to nominate members for office, nor to nominate other persons to membership of the Club;
 - (b) They shall be entitled to play bowls in any State, District, National or club competition according to the conditions laid down for the playing of the event;

(c) On attaining the age of 18 years, they shall apply in writing for ordinary membership, which application will be dealt with in the same manner as any application for ordinary membership;

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

(4) Temporary Members

The Management Committee may admit as a temporary member any person who does not normally reside within the district where the Club is established, provided always that such person is a full subscribing and financial member of a Bowls Club or Bowls Authority affiliated directly or indirectly with WB and who is not under suspension or expulsion by order of that club, or any other club so affiliated. Such membership will not exceed a 3 months period but may be renewed at the discretion of the Management Committee.

Temporary members are entitled to the privileges of membership, except that they shall not be entitled to hold any office in the Club nor nominate members for election to any position in the Club nor take part in nor vote at meetings of the Club. They shall not participate in any game other than a social game of the Club. Temporary members shall pay the membership fees determined by the Management Committee.

(5) Associate Members

The Management Committee may elect any qualified person as an associate member of the Club for such period or periods, and charge such membership fees as the Management Committee shall determine. Associate members shall not be entitled to hold any office of the Club nor take part in nor to vote at meetings, nor to nominate persons for membership, nor to take part in any inter-club matches and Club Championships. Associate members may participate in social play provided a participating position is available. The special qualification for associate membership is that the person has been a playing member of the Club and is no longer active.

(6) Social Members

The Management Committee may elect any person as a social member of the Club and charge such membership fees that the Management Committee determines. Social members are entitled to the social privileges of membership except they shall not hold any office of the Club nor be entitled to nominate members for election to any position in the Club nor take part in or vote at meetings of the Club nor to nominate persons for membership of the Club nor to take part in the game of bowls except on an occasion when persons other than members may be playing bowls on the invitation of the Management Committee (such as a bowls promotion day). An application for social membership must be as prescribed in rule 5 (3)

A social member must also be a person who is of good repute, and whose interests and activities are in the opinion of the Management Committee compatible with those of the existing members of the Club.

(7) Honorary Members

The Club may at any general meeting elect as an honorary member any person who has rendered service, benefit or esteem to the Club. An honorary member is entitled to the social privileges of the Club but must not hold any office in the Club nor take part in or vote at any meeting of the Club nor nominate ordinary members of the Club. An honorary member is exempt from the payment of members' subscriptions, fees and levies imposed by the Club. Honorary membership must be renewed annually.

8 Admission to Membership

(1) Application Form

An application for membership of the Club must be made in writing on a form prescribed by the Management committee and shall bear the name and signature of the proposer and seconder as well as the nominees signature, full name, address, date of birth, and be accompanied by the prescribed nomination fee (such fee to be refunded if the application is rejected).

(2) Membership Fees

The nomination and membership fees for each ordinary membership and for each other class of membership (if any) is the amount decided by the Management Committee from time to time; and is payable when the application is approved at a Management Committee meeting.

(3) Proposed Members Register

Particulars of all applications for membership of the Club shall, upon receipt of same, be entered in the order of time in which each application is received by the Secretary in a book (hereinafter referred to as the proposed members register) to be kept by the Secretary. Each entry shall record the full name and address of the person proposed, and the time and date of receipt by the Secretary of the application, and in relation to any and every vacancy however arising in the membership of the Club, each application shall be dealt with, and determined in the order in which it is so recorded.

(4) Display of Nominations

The names and addresses of each person proposed as a member shall immediately upon the application for membership being recorded in the proposed members register, be displayed on the notice board for at least 10 days prior to the date on which the Management Committee will consider the application for membership.

(5) Objections to Application for Membership

(a) Any member or members may object to any application for membership by delivery of a written objection to the Secretary.

(b) Provided that no written objection has been received, all applications for membership shall be dealt with and determined by the Management Committee at a duly convened meeting.

(c) If a written objection is received from a member or members of the Club, the Management Committee shall investigate the objection before making a decision in relation to acceptance or rejection of the applicant. For the purpose of enquiring with respect to an applicant, the matter of dealing with and determining the application may be postponed for no longer than 3 months.

(6) Acceptance of Membership

(a) The Management Committee shall ensure that the application form advises whether or not the club has public liability insurance and, if the club has public liability insurance, the amount of the insurance.

(b) The Management Committee must decide at the meeting whether to accept or reject the application.

(c) If a majority of the members of the Management Committee 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 Club must, as soon as practicable after the Management Committee decides to accept or reject an application, give the applicant a written notice of the decision.

(7) Acceptance of Rules by Members

All members, on admission, are deemed to have agreed to be bound by the Constitution and By-laws of the Club in force for the time being.

9 Rejection of Application for Membership

A person whose application for membership is rejected by the Management Committee may within 10 days of receipt of written notification thereof lodge with the Secretary of the Club written notice of intention to appeal against that decision. The appeal shall be determined as set out in Clause 10(4) of this Constitution.

Any applicant who has been rejected for membership shall not be proposed for membership during the next twelve months unless it appears to the satisfaction of the Management Committee that an injustice has been done.

10 Resignation from Membership

(1) Resignation

A resignation from membership shall not be valid unless it has been received and acknowledged in writing by the Secretary of the Club. A member shall not be deemed to have resigned from the Club unless the resignation is in writing and is delivered or posted to the Secretary and is acknowledged as aforesaid. Where the date of resignation is not stipulated by the member, the resignation becomes effective as from the date of receipt of the resignation by the Secretary.

(2) Responsibility for Outstanding Monies

No such resignation shall relieve any person from the payment of any subscription or other money due or payable by that person at the time of resignation. The resignation of any member shall involve automatic forfeiture of all rights and privileges in respect to all Club matters.

(3) Termination or Suspension of Membership

The management committee may terminate a member's membership if the member:

- (a) is convicted of an indictable offence; or
- (b) does not comply with any of the provisions of these rules; or
- (c) has membership fees in arrears for at least 2 months; or
- (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Club. Any complaint regarding such conduct must be made in writing to the Management Committee.

A member shall not be dealt with by the Management Committee under this provision, except upon a charge or complaint made in writing to the Secretary. Such charge or complaint shall set out the conduct, which is the subject matter of the charge or complaint, and bear the signature of the complainant. Any member so charged shall be notified in writing by the Secretary of the nature of the complaint, and the member charged shall be given the right of answering the charge by appearing before the Management Committee, and of calling evidence, and of questioning witnesses.

Before the Management Committee terminates or suspends any membership, the Management Committee must give the member a full and fair opportunity to show why the membership should not be terminated or suspended. If, after considering all representations made by the member, the Management Committee decides to terminate or suspend the membership, the Secretary of the Management Committee shall give the member a written notice of the decision.

(4) Right of Appeal

Any person so reprimanded, suspended or expelled shall have the right of appeal within ten days of receipt of written notice of reprimand, suspension or expulsion to a Special General Meeting, Such written notice shall inform the person of the right of appeal under this rule. The appeal shall be in writing, and signed by the appellant. Upon receipt by the Secretary of the Notice of Appeal, a Special General Meeting shall be called by the Secretary in accordance with Clause 20, and the appellant shall be entitled to all Club privileges until such appeal is determined. An appeal shall be deemed lost unless upheld by a three-quarters majority of those members present and entitled to vote at the meeting. There shall be no further right of appeal.

Forthwith, after the expiration of the said ten days, if the person suspended or expelled has failed to appeal, or if the appeal has failed at the Special General Meeting, the person concerned shall lose all rights and privileges of the Club during the period of suspension or expulsion, and the Secretary shall certify, in writing, to DBA and BQ the name of the person suspended or expelled, and the period of suspension.

11 Register of Members

- (1) The Management Committee shall keep a register of members of the Club.
- (2) The register shall include the following particulars for each member:
 - (a) the full name of the member;
 - (b) the postal or residential address of the member;
 - (c) the date of admission as a member;
 - (d) the date of death or time of resignation of the member;
 - (e) details about the termination or reinstatement of membership; and
 - (f) any other particulars the Management Committee or the members at a general meeting decide.
- (3) The register shall be open for inspection by members of the Club at all convenient times.

- (4) A member must contact the Secretary to arrange an inspection of the register.
- (5) However, the Management Committee may, on the application of a member of the Club, withhold information about the member (other than the members full name) from the register available for inspection if the Management Committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm

12 Prohibition on Use of Information on Register of Members

- (1) A member of the Club shall not:
 - (a) use information obtained from the register of members of the Club to contact, or send material to, another member of the Club or other persons for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Club or other persons for the purpose of advertising for political, religious, charitable or commercial purposes.
- (2) Sub-rule(1) does not apply if the use or disclosure of the information is approved by the Management Committee.

SECTION C – GOVERNANCE OF THE CLUB

13 Annual General Meetings

The Annual General Meeting of the Club shall be held during the month of October on a day to be fixed by the Management Committee. The business of the Annual General Meeting shall include:

- (1) Reading and confirmation of Minutes of the previous A.G.M. and any other subsequent general meetings,
- (2) Presentation, consideration and adoption of the Annual Report, including the Financial Report and Balance Sheets, accompanied by the Auditors Report (refer to Section 59 of the Act);
- (3) Election of the Management Committee of the Club;
- (4) Appointment of a Patron; (Optional).
- (5) Appointment of an Auditor (refer to section 59 of the Act);
- (6) Consideration of Notices of Motion (if applicable)
- (7) Determination of honoraria. (If applicable).

14 Half-yearly General Meeting

A half-yearly General Meeting shall be called in April each year. The business of this meeting shall include:-

- (1) The confirmation of minutes of business arising from the previous General Meeting
- (2) Consideration of Notices of Motion
- (3) Election of Selectors for Mens and Ladies Bowling Divisions
- (4) General Business

15 Notices of Motion

The Secretary shall receive notices of Motion to be included on the agenda of the Annual General Meeting or any General Meeting at least twenty-eight days prior to the meeting at which they will be discussed.

16 Notice of General Meeting

- (1) The Secretary may call a general meeting of the Club.
- (2) The Secretary shall give at least 14 days notice of the meeting.
- (3) If the Secretary is unable or unwilling to call the meeting, the Chairperson shall call the meeting.
- (4) The Management Committee shall decide the way in which the notice shall be given.
- (5) However, notice of the following meetings shall be given in writing:
 - (a) a meeting called to hear and decide the appeal of a person against the Management Committee's decision:
 - (b) to terminate the person's membership of the Club;
 - (c) a meeting called to hear and decide a proposed special resolution of the Club.
- (6) A notice of a general meeting shall state the business to be conducted at the meeting.

17 Quorum for and Adjournment of General Meeting

- (1) The quorum for a general meeting is at least double the number of members elected or appointed to the Management Committee at the close of the Club's last general meeting plus 1.
- (2) No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.
- (3) If there is no quorum within 30 minutes after the time fixed for a general meeting called on the request of the Management Committee or members of the Club, the meeting lapses.
- (4) If there is no quorum within 30 minutes after the time fixed for a general meeting called other than on the request of the Management Committee or members of the Club:
 - (a) the meeting is to be adjourned for at least 7 days; and
 - (b) the Management Committee is to decide the day, time and place of the adjourned meeting.
- (5) The Chairperson may, with the consent of any meeting at which there is a quorum, and shall if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (6) If a meeting is adjourned under sub-rule (5), only the business left unfinished at the meeting from which the adjournment took place shall be conducted at the adjourned meeting.
- (7) The Secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- (8) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

18 Procedure at General Meeting

- (1) A member may take part in and vote at a general meeting in person or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (2) A member who participates in a meeting as mentioned in sub-rule (1) is taken to be present at the meeting.
- (3) At each general meeting:
 - (a) the Club's Chairperson is to preside as chair.

(b) in the absence of the Chairperson, the Deputy Chairperson shall preside. If neither is present within 10 minutes after the time appointed for the holding of the meeting, or is unwilling to act, the members present shall elect one of their number to be chair of the meeting

19 Voting at General Meeting

- (1) At a general meeting, each question, matter or resolution, other than a special resolution (see rule 21) shall be decided by a majority of votes of the members present and entitled to vote.
- (2) Each member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the chair has a casting vote.
- (3) A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.
- (4) The method of voting is to be decided by the Management Committee.
- (5) However, if at least 20% of the members present demand a secret ballot, voting shall be by secret ballot.
- (6) If a secret ballot is held, the chair shall appoint 2 members to conduct the secret ballot in the way the chair decides.
- (7) The result of a secret ballot as declared by the chair is taken to be a resolution of the meeting at which the ballot was held.

20 Special General Meeting

- (1) The secretary shall call a special general meeting by giving each member of the Club notice of the meeting within 14 days after:
 - (a) being directed to call the meeting by the Management Committee; or
 - (b) being given a written request signed by:
 - (i) at least 2 members of the Management Committee when the request is signed; or
 - (ii) at least a number of ordinary members of the Club equal to double the number of members of the Management Committee when the request is signed plus 1; or
 - (c) being given a written notice of an intention to appeal against a decision of the Management Committee:
 - (i) to reject an application for membership; or
 - (ii) to terminate a person's membership.
- (2) A request mentioned in sub-rule (1)(b) shall state
 - (a) why the special general meeting is being called; and
 - (b) the business to be conducted at the meeting.
- (3) A special general meeting shall be held within 3 months after the Secretary:
 - (a) is directed to call the meeting by the Management Committee; or
 - (b) is given the written request mentioned in sub-rule (1)(b); or
 - (c) is given the written notice of an intention to appeal mentioned in sub-rule (1)(c).
- (4) If the Secretary is unable or unwilling to call the special meeting, the Chairperson shall call the meeting.

21 Special Resolutions

Election of Life Members, suspension and/or termination of membership, alterations to this Constitution, removal of a member of the Management committee, and such other matters that members may not resolve by simple majority vote at a General Meeting to be "Special Resolutions" shall be resolved by the affirmative vote of at least three-quarters of the members present at the meeting and entitled to vote.

22 Minutes of General Meetings

- (1) The Secretary shall ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each General Meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes:
 - (a) the minutes of each General Meeting shall be signed by the chair of the meeting, or the chair of the next General Meeting, verifying their accuracy; and
 - (b) the minutes of each Annual General Meeting shall be signed by the chair of the meeting, or the chair of the next meeting of the Club that is a General Meeting or Annual General Meeting, verifying their accuracy.
- (3) If asked by a member of the Club, the Secretary shall, within 28 days after the request is made:
 - (a) make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place; and
 - (b) give the member a copy of the minutes of the meeting.
 - (c) The Management Committee may require the member to pay the reasonable costs of providing copies of the minutes.

SECTION D – MANAGEMENT OF THE CLUB

23 The Management Committee

The management and business of the Club shall be vested in a Management Committee comprised of not more than nine ordinary or life members elected during the course of each Annual General Meeting, and shall consist of a:-

Chairperson, Deputy Chairperson, Secretary, Treasurer, Greens Director, Mens Division Director, Ladies Division Director, Bar Director, and Social Director.

All offices shall be honorary and elective. Subject to section 61A of the Act, every financial ordinary and life member of the Club shall be eligible to hold any office.

24 The Management Committee to Be Elected Annually

Save as otherwise provided in this Constitution, and subject thereto, each member of the Management Committee shall be elected at the Annual General Meeting of the Club and shall hold office from the conclusion of the election at which they were elected until the conclusion of the election held at the next ensuing Annual General Meeting of the Club, but shall be eligible for re-election. A contested election for any position shall be resolved by ballot in accordance with the By-laws.

All candidates for election as a member of the Management Committee shall have been an ordinary or life member for at least one year. No employee of the Club shall be eligible to nominate, stand for or be elected or appointed to the Management Committee.

25 Election of the Management Committee

- (1) A member of the Management Committee shall be elected as follows:
 - (a) any 2 eligible members of the Club may nominate another eligible member (the **candidate**) to serve as a member of the Management Committee.
 - (b) No candidate is eligible for election as a member of the Management Committee unless they, their proposer, and seconder, are financial from the date of nomination to the date of election inclusive.
 - (c) the nomination must be:

- (i) in writing; and
 - (ii) signed by the candidate and the members who nominated him or her; and
 - (iii) given to the Secretary at least 14 days before the Annual General Meeting at which the election is to be held;
 - (iv) include a resume of each candidate and their qualifications.
- (d) each member of the Club present and eligible to vote at the Annual General Meeting may vote for 1 candidate for each vacant position on the Management Committee;
- (e) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken by the chair from the floor of the meeting.
- (2) A person may be a candidate only if the person:
- (a) is eligible to be elected as a member under section 61A of the Act
 - (b) is financial; and
 - (c) not under suspension or expulsion
- (3) A list of the candidates names in alphabetical order, with the proposer's and seconder's names must be posted in a conspicuous place on the Notice Board not earlier than twenty-eight days, and not later than fourteen days prior to the Annual General meeting.
- (4) If required by the Management Committee, balloting lists shall be prepared containing the names of the candidates in alphabetical order.
- (5) The Management Committee shall ensure that, before a candidate is elected as a member of the Management Committee, the candidate is advised:
- (a) whether or not the Club has public liability insurance; and
 - (b) if the Club has public liability insurance, the amount of the insurance.

26 Resignation, Removal or Vacation of Office of Management Committee Member

- (1) A member of the Management Committee may resign from the Committee by giving written notice of resignation to the Secretary.
- (2) The resignation shall take effect at:
- (a) the time the notice is received by the Secretary; or
 - (b) if a later time is stated in the notice, the later time.
- (3) A member may be removed from office at a general meeting of the Club if a seventy-five% majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- (4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (5) A member has no right of appeal against the member's removal from office under this rule.
- (6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

27 The Management Committee to Fill Vacancies

The Management Committee shall have power at any time to appoint any properly qualified member to fill any casual vacancy on the Management Committee until the next Annual General Meeting. The

continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee, but if and so long as their number is not reduced below the number fixed by or pursuant to this Constitution as the necessary quorum of the Management Committee, the continuing members may act for the purpose of increasing the number of members of the Management Committee to that number prescribed as a quorum for summoning a general meeting of the Club, but for no other purpose.

Provided however that in the event of a vacancy occurring in the office of Chairperson between Annual General Meetings the office shall only be filled by members of the Club present and entitled to vote at a Special General Meeting called for that purpose.

28 Function of The Management Committee

- (1) The Management Committee has the general control and management of the administration of the affairs, property and funds of the Club.
- (2) The Management Committee has authority to interpret the meaning of these rules and any matter relating to the Club on which the rules are silent, but any interpretation shall have regard to the Act, including any regulation made under the Act.
- (3) Subject to these rules or a resolution of the members of the Club carried at a general meeting, the Management Committee may exercise the powers of the Club to :
 - (a) invest in such manner as the members of the Club may from time to time determine.
 - (b) control its membership, finances, meetings, program and the use of greens.
 - (c) transact and authorise expenditure, provided that the Management Committee is not empowered to authorise any single item of expenditure in excess of \$10,000 without prior approval of a general meeting of the Club.
 - (d) appoint committees.
 - (e) call general meetings of members.
 - (f) arrange meetings of the Management Committee.
 - (g) charge fees.
 - (h) make, vary and revoke By-laws from time to time but not inconsistent with these rules. Until varied or revoked, the By-Laws attached to this constitution will be the By-Laws of the Club.
 - (i) appoint assistants to members of the Management Committee, such assistants not being able to exercise any power unless they have otherwise been elected to the Management Committee by the Club.
 - (j) appoint, employ, remove or suspend staff i.e. managers, cleaners, secretaries, greenkeepers, workmen, and other parties as deemed appropriate for the positions from time to time.
 - (k) do anything required or permitted under this constitution, the By-Laws or any law authority.
 - (l) otherwise act in the interest of members.

29 Executive Committee

The Executive Committee of the Club shall consist of the Chairperson, Deputy Chairperson, Secretary, Treasurer, three Members thereof to constitute a quorum.

The Executive Committee shall transact any urgent business of the Club that may arise between Management Committee meetings, and submit a report of any such business transacted by it to the next meeting of the Management Committee, provided always that the Executive Committee shall not incur expenditure in excess of \$5,000 between meetings of the Management Committee, nor deal with the property of the Club. All business transacted by the Executive Committee shall be ratified and approved by the Management Committee at the next Management Committee meeting.

30 Meetings of Management Committee

- (1) The Management Committee shall meet at least once every calendar month to exercise its functions, and may meet and conduct its proceedings as it considers appropriate.
- (2) The Management Committee shall decide how a meeting is to be called.
- (3) Notice of a meeting shall be given in the way decided by the management committee.
- (4) The Management Committee may hold meetings, and permit a Committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (5) A Committee member who participates in the meeting as mentioned in sub-rule (4) is taken to be present at the meeting.
- (6) A question arising at a Committee meeting is to be decided by a majority vote of members of the Committee present at that meeting (excluding the chair) and, if the votes are equal, the question shall be decided by the casting vote of the chair.
- (7) A member of the Management Committee shall not vote on a question about a contract or proposed contract with the Club if the member has an interest in the contract or proposed contract and, if the member does vote, the member's vote must not be counted.
- (8) The Club's Chairperson is to preside as chair at a Management Committee meeting.
- (9) In the absence of the Chairperson, the Deputy Chairperson shall preside. If neither Chairperson nor Deputy Chairperson is present within 10 minutes after the time appointed for the holding of the meeting, or is unwilling to act, the members present shall elect one of their number to be chair of the meeting.
- (10) Any Committee member who is absent from regularly notified meetings of the Committee on three consecutive occasions without the consent of the Committee shall be deemed to have vacated the office.

31 Quorum for, and Adjournment of, Management Committee Meeting

- (1) A simple majority of the Management Committee shall constitute a quorum for a Management Committee meeting.
- (2) If there is no quorum within 30 minutes after the time fixed for a Management Committee meeting called on the request of members of the Committee, the meeting lapses.
- (3) If there is no quorum within 30 minutes after the time fixed for a Management Committee meeting called other than on the request of the members of the Committee:
 - (a) the meeting is to be adjourned for at least 1 day; and
 - (b) the members of the Management Committee who are present are to decide the day, time and place of the adjourned meeting.
- (4) If, at an adjourned meeting mentioned in sub-rule (3), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

32 Special Meeting of Management Committee

- (1) If the Secretary receives a written request signed by at least 3 members of the Management Committee, the Secretary shall call a special meeting of the Committee by giving each member of the Committee notice of the meeting within 14 days after the Secretary receives the request.
- (2) If the Secretary is unable or unwilling to call the special meeting, the Chairperson shall call the meeting.

- (3) A request for a special meeting shall state:
 - (a) why the special meeting is called; and
 - (b) the business to be conducted at the meeting.
- (4) A notice of a special meeting shall state:
 - (a) the day, time and place of the meeting; and
 - (b) the business to be conducted at the meeting.
- (5) A special meeting of the Management Committee shall be held within 14 days after notice of the meeting is given to the members of the Management Committee.

33 Minutes of Management Committee Meetings

- (1) The secretary shall ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Management Committee meeting are entered in a minute book.
- (2) To ensure the accuracy, the minutes of each Management Committee meeting shall be signed by the chair of the meeting, or the chair of the next Management Committee meeting, verifying their accuracy.

34 Appointment of Subcommittees

- (1) The Management Committee may appoint a subcommittee consisting of members of the Club considered appropriate by the Committee to help with the conduct of the Club's operations.
- (2) A member of the subcommittee who is not a member of the Management Committee is not entitled to vote at a Management Committee meeting.
- (3) A subcommittee may elect a chair of its meetings.
- (4) If a chair is not elected, or if the chair is not present within 10 minutes after the time fixed for a meeting, the members present may choose one of their number to be chair of the meeting.
- (5) A subcommittee may meet and adjourn as it considers appropriate.
- (6) A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

35 Resolutions of Management Committee Without Meeting

- (1) A written resolution signed by each member of the Management Committee is as valid and effectual as if it had been passed at a Management Committee meeting that was properly called and held.
- (2) A resolution mentioned in sub-rule (1) may consist of several documents in like form, each signed by one or more members of the Management Committee.

36 By-laws

- (1) The Management Committee may make, amend or repeal By-laws, not inconsistent with this Constitution, for the internal management of the Club.
- (2) A By-law may be set aside by a vote of members at a general meeting of the Club.

37 The Auditor

An auditor, who shall be qualified as required by the Act, shall be appointed to audit the accounts, and prepare reports for submission to the next Annual General Meeting. The auditor shall, when required by the Management Committee, conduct special audits of 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.

38 Common Seal

- (1) The Management Committee shall ensure the Club has a common seal.
- (2) The common seal shall be:
 - (a) kept securely by the Management Committee; and
 - (b) used only under the authority of the Management Committee.
- (3) Each instrument to which the seal is attached shall be signed by a member of the Management Committee and countersigned by:
 - (a) the Secretary; or
 - (b) another member of the Management Committee; or
 - (c) someone authorised by the Management Committee.

39 Alterations to This Constitution

Subject to the provisions of the Act, this Constitution may be amended, rescinded, or added to from time to time by a special resolution carried at any general meeting. However, any amendment, repeal or addition, shall be valid only if registered by the Secretary with the Office of Fair Trading in accordance with the Act.

The Club shall provide advice to BQ. and DBA within thirty days of any changes or amendments to the Constitution.

40 Validity Of Actions

All acts done by any meeting of the Management Committee, or of a committee, or by any person acting as a Member of the Management Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such Member of the Management Committee, or person acting as aforesaid, or that the Members of the Management Committee, or any of them were disqualified, be as valid if every such person had been duly appointed and was qualified to be a Member of the Management Committee.

41 Indemnity Of Members

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 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.

42 Secretary To Keep Minutes

The Secretary shall cause full and accurate minutes of all questions, matters, resolutions, and other proceedings of every Management Committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies, in writing, to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting shall be signed by the chair of that meeting, or the chair of the next succeeding Management Committee meeting verifying their accuracy. Similarly, the chair of that meeting, or the chair of the next succeeding general meeting shall sign the minutes of every general meeting; provided that the chair of that meeting or the chair of the next succeeding Annual General Meeting shall sign the minutes of any Annual General Meeting.

43 Finance

(1) Financial Year

The Financial Year of the Club shall end on the 30th June each year.

(2) Annual Subscriptions

(a) An entrance fee and annual subscription shall be payable by all members irrespective of class of membership, except as provided by this Constitution.

(b) The Management Committee shall determine the membership subscriptions for each class of membership each year during the course of determining the Club's financial budget for the following year. Such determination shall be made in time to enable subscription notices to be issued to members in June each fiscal year. When so determined the annual subscription shall be deemed to be due and payable on the first day of the commencement of the new financial year and shall apply for that financial year.

(c) Such fees shall be payable in advance.

(d) The fees, as fixed, shall be payable by new members joining the Club. Any person taking up membership subsequent to the commencement of the financial year shall pay their subscription pro-rata from the date of acceptance as a member to the end of the Club's financial year (plus affiliation and capitation fees where applicable).

(e) If members fail to pay their annual subscriptions by the due date they shall be deemed to be unfinancial.

(3) Green Fees and Championship Nomination Fees

The Management Committee shall have power to set green fees and nomination fees to be charged for Club Championships.

(4) Special Levies

(a) The Club may at any time strike a Special Levy on all members at an Annual or Special General Meeting of the Club, of which prior notice of at least 14 days has been given by the Management Committee.

(b) The levy shall only be payable to the Club if it has been passed by not less than seventy-five % majority of the members present and entitled to vote at that meeting.

(c) Each member shall be advised by letter delivered to the member or posted to his address, of any levy struck as aforesaid. If a member fails to pay the levy within one month of the day following the posting of the letter of advice, they shall be deemed unfinancial.

(5) Unfinancial Members

Any member who becomes unfinancial shall forthwith be deprived of all privileges of membership of the Club, including

(a) The right to hold office

(b) The right to speak or vote at any meetings of the Management Committee or at any general meeting of the Club.

(c) The right to nominate any person for office or be nominated for office in the Club

(d) The right to enter for and play in Club matches or social play.

All privileges shall be restored to a previously unfinancial member upon the payment of all subscriptions and monies due to the Club.

(6) Special Consideration for Subscriptions

The Management Committee is empowered to reduce the subscription of a member in the case of difficult or indigent financial circumstances. If such member pays any adjusted subscription within twenty-one days of the Secretary's advice of the Committee's decision, then that member shall be deemed to be financial. Any action under this clause shall apply only within one financial year, and any subsequent benefits are subject to consideration each subsequent financial year.

(7) Membership Cards

The Secretary shall provide to each member a membership card to confirm current valid membership of the Club. The information clearly described on the card shall include:-

- (a) The full name of the Club and telephone number
- (b) The given name, initials, and family name of the member
- (c) The date of expiry of the current membership
- (d) A membership number

44 General Financial Matters

A detailed financial report, as well as monthly bank statements, shall be presented to each regular monthly Management Committee meeting.

As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared for presentation to the Club, and for incorporation into the accounts of the Club, a statement containing particulars of the income and expenditure for the financial year just ended. 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 the audit was made.

45 Handling of Funds

All funds of the Club shall be deposited in the name of the Club in such Bank, Permanent Building society, or any other financial institution as the Management Committee may from time to time direct, provided however that any financial institution referred to herein shall be one whose borrowings are guaranteed by the Government of the Commonwealth of Australia, or the Government of the State of Queensland.

The funds of the club shall be handled as follows;-

(1) Books of Account

Proper books and accounts shall be kept and maintained either in written or printed form in the English language, showing correctly the financial affairs of the Club, and particulars usually shown in books of a like nature. All monies shall be banked as soon as practicable after receipt thereof.

(2) Payment of Accounts

All amounts of \$250 or over shall be paid by cheque, signed by any two of the Chairperson, Secretary, and Treasurer. Cheques shall be crossed "not negotiable" except those in payment of wages, allowances, or petty cash recoupments, which may be kept open. The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system. All expenditure shall be approved or ratified at a Management Committee meeting.

(3) Application of Club Funds and Property

The income and property of the Club whencesoever 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 or indirectly by way of dividend, bonus, or otherwise by way of profit 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 of monies advanced by the member to the Club, or otherwise owing by the Club to the member, or of remuneration to any officers or servants of the Club or 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.

(4) Members Enjoy Equal Benefits

No member shall be entitled to any benefit or advantage from the Club which is not shared equally by every member thereof, provided however, that honoraria may be paid to members in appreciation of services, provide the same has been recommended by the Management Committee, and approved by resolution of the Club at the Annual General Meeting.

No officer or employee of the Club shall receive any monies by way of commission or allowance calculated by reference to the quantity of liquor sold or supplied by the Club or the receipts of the Club for such liquor.

46 Documents

The Management Committee shall provide for the safe custody of books, documents, instrument of title and securities of the Club.

47 Distribution of Surplus Assets

If the Club be wound up in accordance with the provisions of the Act, and there remains, after satisfaction of all its 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/s having objects similar to the objects of the Club, being bowls clubs then affiliated with BQ, or a successor body, and which shall prohibit the distribution of their income and property among their members to an extent at least as great as is imposed on the Club under or by virtue of subclause 45(3), such institution/s to be determined by the members of the Club. Always provided that the institution/s to which the property of the Club is to be transferred, is/are an institution approved by the Commissioner of Taxation as an institution referred to in Section 50/45 (c) of the Income Tax Assessment Act, 1997 (as amended).

48 Mens and Ladies Bowls Divisions

- (1) To control the playing of bowls in the Club, all male bowling members will automatically be members of the Men's Bowls Division, and all female bowling members of the Club will automatically be members of the Ladies Bowls Division.
- (2) The Men's division will consist of ordinary members, life members, junior members and temporary members. It will be responsible for the control of men's games, through its elected Games Director and Selectors, and whatever other bowling matters the Management Committee may direct.
- (3) The Ladies division will consist of ordinary members, life members, junior members and temporary members. It will be responsible for the control of ladies games, through its elected Games Director and Selectors, and whatever other bowling matters the Management Committee may direct.
- (4) Affiliation fees to the relevant Bowls organisations shall be based on the membership of the relevant division. Responsibility for the payment of such fees shall rest with the relevant Bowls Division but shall be paid for by the Club.
- (5) Prior to the Annual General Meeting of the Club, the respective Bowls Divisions shall meet to elect those persons referred to in sub-rule (6), whose duties are set out in the By-laws.
- (6) Each Bowls Division of the Club shall elect a Bowls Division President, a Bowls Division Secretary, a Games Director for match management, a Delegate to DBA, and such other officers as required for the conduct of the respective division. Such election shall be as set out in rule 19, applied with any necessary modification, and the Management Committee shall be advised of the persons elected.
- (7) Those persons duly elected as Presidents of the Men's and Ladies Bowling Divisions shall be endorsed at Annual General Meeting for appointment to the Management Committee as the relevant Division Directors.
- (8) In the event of a vacancy occurring in any position referred to in sub-rule (6) the respective bowls division committee may appoint a member to fill such vacancy until the next Annual General Meeting.
- (9) No rule or By-law in relation to the playing of the sport of bowls shall be in conflict with the rules and By-Laws of BA, BQ or the DBA.
- (10) The President of each Bowls Division shall act for the Club's Chairperson on days that involve bowls events only.
- (11) Any member referred to in sub-rule (6) may resign from such position at any time by giving notice in writing to the Secretary of the relevant Bowls Division. Such resignation shall take effect at the time such notice is received by the Bowls Division Secretary, unless a later date is specified in the notice, when it shall take effect at that later date.
- (12) Any such member may be removed from office by a 75% majority of members of the relevant Bowls

Division present and entitled to vote at a special meeting of that Bowls Division. The member affected shall have due notice of such meeting and must be afforded reasonable opportunity for making representations to the meeting as thought fit. There shall be no further right of appeal.

49 Affiliation

The Club shall:

- (1) affiliate with BQ and accept and abide by the rules and by-laws of BQ in so far as they apply to the game of bowls;
- (2) be a member of a 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;
- (3) renew its affiliation with BQ each year in accordance with the Constitution of BQ, and forward the annual affiliation fee direct to BQ. The Company to notify DBA of payments.
- (4) renew its membership with the DBA each year in accordance with the rules of the DBA and pay annual membership fees to the DBA;
- (5) elect a delegate or delegates to the DBA in accordance with the rules and by-laws of the DBA;
- (6) provide to BQ and to the DBA the returns that are required by those bodies;
- (7) provide advice to BQ and to the DBA within thirty days of any event which would affect the status of the Club's affiliation with BQ, the legal status of the Club and/or any changes or amendments to the Club's Constitution;
- (8) not make, amend or repeal a rule or By-law in relation to the playing of the game of bowls that conflicts with the rules and By-laws of BA, BQ or the DBA.

50 Conduct of Members

Members and visitors shall, at all times, maintain a proper discipline and decorum, and shall not conduct illegal gambling, betting on games, speak obscene or abusive language or indulge in unseemly conduct. Any alleged infringement of this clause, on report in writing to the Management Committee shall be investigated by the Management Committee, which shall have power to demand and direct apologies, and, if necessary, if the offending person be a member, to deal with that person under the provisions of Clause 52, or if that person be a member of another Club, to report that persons conduct to such club, to the DBA, and to BQ. If the person is a visitor, who is not a member of a bowls club, the senior officer present at the time shall have authority to have that person removed from the Club premises.

Any infringement of this provision and any complaints or protests lodged by a member or members of the Club in respect of any other member or members of the Club shall be in writing to the Secretary, and shall be dealt with in the first place by the Management Committee, who may, if deemed necessary, call a Special General Meeting of the Management Committee. The member or members in respect of whom such complaints or protests have been lodged shall be entitled to attend the Management Committee meeting personally to state their case(s).

51 Visitors

Members shall have the privilege of introducing a friend or friends to their Club. No visitor shall be supplied with refreshments unless on the invitation and in the company of a member or members who shall be responsible for ensuring the visitors name and address are entered in the visitors book. All visitors, who are members of any club affiliated with BQ or BA, and who are not under notice or order of suspension or expulsion, shall have reciprocal rights with this Club and shall be deemed to be visiting members of the Club whilst on the Club premises. Such visitors may be accorded the privileges of the Club, but shall not take part in any meetings of the Club nor vote thereat.

All visitors who are members of any club affiliated with BA, BQ, Australian Women's Bowling Council, or with any Controlling Body affiliated with World Bowls Board or any International Womens Bowling Board, and who are not under any notice or order of suspension or expulsion shall be deemed to be visiting members of the Club whilst on Club premises. Such visitors shall be accorded the privileges of members of the Club but shall not take part in any meeting of the Club or vote thereat.

All visitors shall, whilst on the Club premises, be subject to the control of the Club. The Club reserves the right to refuse and or terminate admission to the Club premises of any visitor without assigning any reason for such refusal, and to regulate the attendance of visitors at the Club for any such periods it deems advisable. The Club rights and powers under this rule may be exercised by the Senior Officer present at the time. If a visitor refuses a lawful request to leave the premises, such person immediately becomes a trespasser, and may be dealt with according to law.

52 Disciplinary Provisions

- (1) Any member of the Club who fails to observe any 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 or BQ or its members, or who on any club, DBA or BQ premises engages in illegal gambling, betting or uses obscene or abusive language renders themselves liable to expulsion or suspension.
- (2) All discipline and complaint related procedures shall be governed by the BQ Member Protection Policy.
- (3) Any member of the Club who is suspended, or expelled, shall be ineligible to:
 - (a) play bowls in any club, district, state or national event; or
 - (b) play bowls at any affiliated club, during the period of suspension, or expulsion, as the case may be.
 - (c) hold office or act as a delegate at club, district, state or national level.
 - (d) enter Club property (at the discretion of the Management Committee).
- (4) In the case of a junior member being called before the Management Committee on a charge or complaint, such member shall be entitled to be accompanied by a parent or guardian.
- (5) Pending determination of any appeal (as per the Member Protection Policy) the appellant must be allowed all membership privileges.

53 Player Commitments

- (1) When a member of the Club has been called to fulfil a BA, BQ, DBA or Club commitment in a match or on official business, on any day on which they have been drawn to play in a BA, BQ, DBA or Club commitment, the onus shall be on the player to notify BQ, the DBA or Club, as the case may be.
- (2) The Controlling Body may define circumstances which it will not accept as a valid reason for a player's unavailability. However, a substitute shall not 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 Domestic Regulation 6 shall apply.
- (3) Provisions consistent with these clauses shall be included in all club rules, and shall be deemed to be a condition of competitions conducted by the club.

54 Activities to be Lawful

The Club must comply with all lawful requirements of the Commonwealth, State and Local Governments and Statutory Authorities having jurisdiction over any activity of the Club.

Mudgeeraba Bowls Club Inc

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1 Returning Officer

- (1) At the first Management Committee meeting each year, the Management Committee shall appoint a Returning Officer whose duties are to control the issuing of ballot papers and subsequent collection and counting of same at the Annual General Meeting and subsequent general meetings.
- (2) The Returning Officer shall liaise with the Secretary regarding the preparation of ballot boxes. He or 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 lodgement of same.
- (3) The Returning Officer shall enlist the assistance of such number of scrutineers as required to conduct the ballot. The Returning Officer or any scrutineer shall not be a candidate in such ballot.
- (4) The Returning Officer shall advise the chair of the meeting the result of the scrutineer's count, and the chair shall announce the result to the meeting.
- (5) 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

- (1) Nominations for members of the Management Committee must be accordance with the Constitution.
- (2) Voting shall be by secret ballot. Every ordinary financial and life member shall be supplied with ballot papers.
- (3) The method of voting shall be to delete the name or names of the candidate or candidates not required by the voter. If more than two candidates nominate for the same two positions the ballot for the higher position shall be conducted first.
- (4) The results 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 must be conducted between the two candidates who tied.
- (5) If insufficient nominations are received for the positions of elected Management Committee members, the candidates so nominated shall be declared elected and the meeting shall proceed to fill any remaining vacancies and, if necessary conduct a ballot, but with nominations from the floor of the meeting. Any member not present must indicate in writing his or her willingness to accept nomination from the floor for any unfilled position.
- (6) Ballot papers may be issued to those entitled to vote not more than 30 minutes prior to the meeting being opened. The Returning Officer must not collect the votes until the chair 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 chair of the meeting shall introduce to the meeting any candidate for election who is not well known to the members (if such candidate be present at the meeting).
- (7) In the case of a ballot being necessary to resolve a matter other than election, members must indicate their choice on ballot papers in a manner specified by the chair of the meeting.

3 Duties of Management Committee Members

(1) **Chairperson** The Chairperson shall be responsible, subject to the direction of the Management Committee and general meetings of members, for the overall administration of the Club. The Chairperson must preside at all meetings and functions of the Club. The Chairperson shall attend to the carrying out of the decisions of the Club and the Management Committee, and generally see that members are properly accommodated and the rules are fully adhered to by all members. The Presidents of the Men's and Ladies Bowls Divisions shall preside on days that involve bowling events only.

(2) **Deputy Chairperson** The Deputy Chairperson shall assist the Chairperson to ensure that all duties allotted by the Management Committee are properly carried out. In the absence of the Chairperson the Deputy Chairperson shall carry out the duties normally performed by the Chairperson.

(3) **Treasurer** The Treasurer shall keep a record of the receipts and expenditure, and keep correct accounts and books showing the financial affairs of the Club and the particulars usually shown in the books of account of a like nature, report the financial position of the Club at each meeting of the Management Committee, and present accounts for payment at each meeting of the Management Committee for ratification. He/she shall also advise the Management Committee of any unfinancial members. The Treasurer shall also submit to the Annual General Meeting a statement of accounts for the preceding year, said accounts to be audited in accordance with the Constitution. Should the Treasurer be absent or ill, or neglect or refuse to do anything required by these By- laws, the Management Committee shall invite and appoint any other financial member of the Club to act in that capacity.

(4) **Greens Director** The greens shall be under the full control of the Management Committee, but it may delegate its authority to the Greens Director, who shall liaise with the greenkeeper as to the maintenance of a good playing surface. The Greens Director's decision shall be final regarding the question as to whether the greens are in a fit state for use or not. In the absence of the Greens Director, members of the Management Committee present shall be responsible for making a decision regarding the suitability of the green or greens for play.

The Greens Director shall, subject to the concurrence of the Chairperson, have power to order the necessary materials and procure extra assistance if required for maintaining the greens in good playing order. The Greens Director shall present a written report regarding the greens to each monthly meeting of the Management Committee.

(5) **Bar Director** The bar, cold room and all related bar equipment and stock shall be under full control of the Management Committee, but it may delegate its authority to a Bar Director who shall be responsible for control of the bar, cold room and all related bar equipment, the purchase and sales of liquor, soft drinks and cordials, mixes, ice, etc.

The Bar Director under the control and direction of the Management Committee shall be responsible for the care and control of the security of the building, furniture, floor coverings and all equipment related to the bar operations and activities. The Bar Director shall present a written report regarding such activities to each monthly meeting of the Management Committee.

(i) **Bar Manager-(If Appointed)** The Bar Manager shall be directly responsible to the Management Committee and shall submit a written report, through the Bar Director, to each monthly meeting of the Management Committee. Subject to the approval of the Management Committee, the Bar Manager shall be responsible for the employment and termination of employment of all Bar staff, be responsible for the ordering of all bar supplies and be responsible for the rostering of bar staff.

(6) **Social Director** The kitchen and catering operations shall be under the full control of the Management Committee, but it may delegate its authority to a Social Director, who shall control the catering needs of the Club, and arrange for the preparation of all refreshments, snacks, beverages and meals and liaise with the Bar Director for the purchase of the food and beverages.

The Games Directors of the respective Bowls Divisions shall liaise with the Social Director to arrange catering for all bowls days. The Social Director shall arrange and organise all social functions within the Club, ie. dinners, BBQ's, parties, visits to other clubs, etc. The Social Director shall present a written report regarding social activities to each monthly meeting of the Management Committee.

4 Attire

The Management Committee shall determine the dress standards as the minimum requirement in relation to members and visitors within the confines of the Club's premises. Such requirements shall be displayed in a prominent position within the Club's premises. The Club shall apply any requirements of BQ for the attire of bowls players.

5. Alterations to By-Laws

Adoption of alterations and/or additions to these By-Laws shall be made only by resolution of the Management Committee after written notice of the motion for the resolution has been given to the Secretary not less than one month prior to the meeting at which the motion shall be submitted. Such Notice of Motion shall be displayed on the Club's Notice Board not less than fourteen days prior to the Management Committee meeting.

6 Notice Board

A notice board, upon which all notices shall be posted, must be placed in a conspicuous position in the Club's premises.

7 Club Colours

The colours shall be yellow, blue, and white.

8 Club Flag

The flag will be in the Club colours and be of a style approved by the Management Committee. Both Bowls Divisions shall fly the flag on playing days.

9 Club Logo

The logo shall embody a representation of a Jabiru bird. The Management Committee shall determine the use of the logo on badges and documents.

10 Bowls Division Presidents

The Presidents of the respective Bowls Divisions shall preside on days that involve bowling events only. They shall carry out the decisions of the Management Committee and generally ensure that the respective Bowls Division members are properly accommodated. They shall be responsible for and carry out the duties expected of persons holding such positions.

11 Bowls Division Secretaries

The Secretaries of the respective Bowls Divisions shall deal with all correspondence and communications with the relevant DBA, other clubs or organisations in relation to bowling matters only. They shall issue all notices and keep minutes for all general meetings of members of the Division, display notices on the notice board, collect nomination fees for Club events, lodge nominations by the due date and otherwise carry out all proper duties associated with the office.

12 Bowls Division Games Directors

The Games Director of the respective Bowls Division shall:

- (1) be responsible for the conduct of all Club championships and inter-club visits at home and away;
- (2) abide by the rules of procedure set out for Club championships;
- (3) arrange for an umpire for games under their control and appoint markers for all singles games including DBA games;
- (4) prepare the score cards for all games;
- (5) collect green fees applicable to any games being played, and remit to the Treasurer or their representative before the conclusion of the day's play; and
- (6) determine the meal and refreshment requirements of the Bowls Divisions as required.
- (7) arrange the rinks for play

13 Bowls Division Selectors

The Selectors of the respective Bowls Division shall:

- (1) select teams for Pennant matches, interclub games and, where required, social play;
- (2) select individuals, teams and sides for any representative games;
- (3) keep records of games played (if applicable); and
- (4) forward results of all DBA games to the relevant club, as required.

14. Relativity of Subscriptions between Classes of Membership

The Management Committee shall annually review and establish the fees and charges associated with membership of the Club in accordance with the Constitution, including the relevant BQ and DBA charges.

(1) **Nomination Fees**

All people nominated for ordinary and associate membership of the Club, shall pay a non-refundable nomination fee set by the Management Committee, to cover costs associated with the processing of the nomination.

Junior members shall pay a nomination fee of twenty five percent (25%) of the ordinary members nomination fee.

Social members shall pay NO nomination fee.

(2) **Subscriptions**

(a) Ordinary Members Ordinary members shall pay full subscriptions

(b) Associate Members Associate members shall pay such subscriptions as the Management Committee shall determine.

(c) Junior Members Junior Members shall pay a subscription equal to twenty-five percent of the full subscription.

(d) Social Members Social Members shall pay such subscriptions as the Management Committee shall determine.

(e) Life and Honorary Members Life and Honorary Members shall not pay subscriptions.

(f) Temporary Members Temporary Members shall pay such subscriptions as the Management Committee shall determine.