

# **MASTER COPY OF CONSTITUTION AND BY-LAWS**

(As amended at the May 2023 AGM)

**DONVALE BOWLS CLUB INCORPORATED**

**STATEMENT OF PURPOSES**

The Purposes of the Club are:

(1) To establish and maintain a club for bowls, social and other sporting and ancillary and associated purposes.

(2) To conduct, compete and participate in, foster, promote and encourage all forms of the sport of bowls and ancillary and associated activities.

Solely for the purpose of furthering the purposes set out above the Club shall have power:

- a. To subscribe to, become a member of and co-operate with any other association, 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, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Club, under or by virtue of the Rules.
- b. 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.
- c. 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 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.
- d. To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club; to obtain from any such Government or Authority any rights, privileges and concessions which the Club may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges, and concessions.
- e. To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workman and other persons as may be necessary or convenient for the purposes of the Club.
- f. 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, carrying out, alteration or control thereof.
- g. 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.
- h. 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.

- i. 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 Club's property or assets present or future and to purchase, redeem or pay -off any such securities.
- j. To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable or transferable instruments.
- k. To sell, improve, manage, develop, exchange, lease, dispose, turn to account or otherwise deal with all or any part of the property and rights of the Club.
- l. 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.
- m. To take any gift of property whether subject to any special trust or not, for anyone or more of the objects of the Club but subject always to the proviso in paragraph c.
- n. 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.
- o. To print and publish any newspapers, periodicals, books or leaflets that the Club may think desirable for the promotion of its objects.
- p. To amalgamate with anyone or more incorporated associations having objects altogether or in part similar to those of the Club and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Club under or by virtue of the Rules; to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of anyone or more of such incorporated associations; and to transfer all or any part of the property, assets, liabilities, and engagements of the Club to anyone or more of such incorporated associations.
- q. To make donations for patriotic, charitable or community purposes.
- r. To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.
- s. To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club.

## DONVALE BOWLS CLUB INCORPORATED

### RULES

1. The name of the incorporated association is - the **Donvale Bowls Club Incorporated** ("the Club").

#### INTERPRETATION

2. (1) In these Rules, unless the contrary intention appears: -

'Committee' means the Committee of the Club.

'Financial year' means the year ending on 31<sup>st</sup> March.

'General Meeting' means a general meeting of members convened in accordance with Rule 10.

'Liquor' means liquor within the meaning of the Liquor Control Reform Act 1998 as in force from time to time.

'Member' means a member of the Club.

'The Act' means the Associations Incorporation Act 1981.

'The Regulations' means Regulations under the Act.

(2) In these Rules, a reference to the Secretary is a reference:-

- (a) where a person holds office under these Rules as Secretary of the Club - to that person; and
- (b) in any other case, to the Public Officer of the Club.

(3) Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Interpretation of Legislation Act 1984 and the Act as in force from time to time.

#### MEMBERSHIP

3. (1) A natural person, of any age is eligible to be a member on acceptance of his/her application under these Rules and on payment of the annual subscription payable under these Rules for his/her class of membership. Upon acceptance as aforesaid and payment of the sum payable under these Rules as the first year's annual subscription by a person who not a member at the time of the Club's incorporation, or who was then a member but has ceased to be a member, the Secretary shall enter the person's name, address, occupation, and class of membership in the Register of Members, and upon the name being so entered that person becomes a member.

(2) (a) A person, of any age wishing to become a member, must be proposed by one member, and seconded by another, each of whom shall have personal knowledge of the applicant. The nomination shall be in writing, signed by the applicant, proposer, and seconder. Nominations shall be notified to Committee members prior to the next committee meeting.

(b) Members shall be elected by the Committee. The decision of the Committee as to whether any candidate has been duly elected or not shall be final. The Secretary shall keep a record of the number of members voting.

(c) Immediately after the election of an applicant, the Secretary shall notify him/her in writing.

- (d) If a newly elected member fails to pay his/her subscription within 30 days after his/her election, his/her election shall be void unless he/she justifies the delay to the satisfaction of the committee
- (e) The payment of the subscription or the use of the Club's property shall imply a member's acquiescence in the Rules, By-Laws, and Regulations of the Club.
- (f) A member may, upon application to the Committee, be granted leave of absence for up to 2 years, subject to payment of a nominal amount fixed by the Committee.
- (3) (a) The Club shall consist of the following classes of member:-
- (i) FULL members
  - (ii) ~~-Deleted-~~
  - (iii) LIFE members
  - (iv) PROVISIONAL members
  - (v) ~~- Deleted -~~
  - (vi) SPECIAL members
  - (vii) JUNIOR members; (under 21 years of age)
  - (viii) ASSOCIATE members
  - (ix) Non-Affiliated members of all classes of member (where applicable)
- (b) The total number of members of all classes at any one time shall not exceed 260 or such other number as shall be determined by the Committee.:-
- (c) FULL MEMBERS shall have the right to vote and hold office in the Club and enjoy all the rights and privileges of membership.
- (d) Non-affiliated members for each class of member shall have the same rights and privileges for that class of membership, except for affiliation with Bowls Victoria. Non-affiliated members are not entitled to participate in Pennant, or in any event registered with Bowls Victoria, or in any other organised event as determined by the Committee from time to time.
- (e) Any person who, in the Committee's opinion, has rendered exceptional service to the Club may, on the recommendation of not less than four-fifths of the Committee members, be elected a LIFE MEMBER on receiving the votes of at least three-quarters of the members present and entitled to vote at a General Meeting. A Life Member shall have all the rights and privileges of a Full Member, or at their choice a Non-Affiliated Full Member, including the right to vote and hold office and shall not be required to pay any annual subscriptions, but otherwise shall be subject to all other financial obligations.
- (f) Persons who have been nominated and seconded as FULL MEMBERS and whose names have been placed at the Committee's direction on a list of persons awaiting election may be elected as PROVISIONAL MEMBERS pending election as FULL MEMBERS. Provisional members may not vote or hold office and shall not have full use of the Club's facilities at any time when they are being fully utilised by FULL members. Provisional members, shall pay half the amount of the Entrance (Joining) Fee and Annual Subscription prescribed for FULL Members. Upon election of a Provisional Member as a FULL Member, he/she shall be credited half the amount of the Entrance (Joining) Fee, but shall pay pro rata the Annual Subscription prescribed for Full Members for the current financial year.

(g) -Deleted -

(h)- Deleted –

(i)- Deleted –

(j) – Deleted –

(k) – Deleted –

(l) The Committee may elect SPECIAL MEMBERS on such conditions as are fixed by the Committee. Special Members may not hold office or vote.

(m) JUNIOR members shall not have the right to vote or hold office in the Club but shall be entitled to participate in such bowls activities on the greens as the Committee shall determine. On attaining the age of 21 years, Junior members shall be eligible for another class of membership as provided in the Rules.

(n) ASSOCIATE MEMBERS are non-playing members and have no voting rights.

(4) A person's rights, privileges, or obligations as a member may not be transferred or transmitted to another person, and shall terminate upon the cessation of his/her, membership whether by death or resignation or otherwise. No person who ceases to be a member shall have any right, title, or interest in or to any of the Club's property.

#### **ENTRANCE FEE AND ANNUAL SUBSCRIPTION**

4. (1) Entrance fees for all classes of members may be fixed by the Committee and advised to members at or before the Annual General Meeting.

(2) The annual subscription is payable in advance on or before the 1st day of July in each year. There is no annual subscription for Life Members. The annual subscription for all other classes of members shall be fixed by the Committee and advised to members at or before the Annual General meeting. The Committee may fix a pro rata annual subscription for any person who becomes a member after the start of any membership year.

#### **REGISTER OF MEMBERS**

5. The Secretary shall keep and maintain a Register of Members in which he/she shall enter the full name, address, occupation, and date of entry of the name of each member and his/her class of membership, the date upon which he/she paid his/her annual subscription, and the date, if any, on which he/she ceased to be a member. The Register shall be available for inspection by members at the address of the Secretary. Each member shall notify the Secretary in writing of any change of address, and the Secretary shall record it in the Register of Members.

#### **RESIGNATION AND EXPULSION OF MEMBER**

6. (1) A member who has paid all moneys due and payable by him/her to the Club may resign from the Club by giving 14 days' written notice to the Secretary of his/her intention to resign. Upon the expiration of that period of notice, the member shall cease to be a member.
- (2) A member who fails to pay any annual subscription within 90 days of the due date for its payment shall cease to be a member at the expiration of that period PROVIDED THAT the Committee may, upon receiving a satisfactory explanation of the delay, and upon receiving the amount due, reinstate the person as a member.
7. (1) Subject to these Rules, the Committee may by resolution, if it is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the Club's interests-
- (a) expel the member from the Club; or
  - (b) suspend him/her from membership of the Club for a specified period; or
  - (c) fine him/her to \$20.00.
- (2) A resolution of the Committee to fine a member or to suspend a member for a period not exceeding one month takes effect upon the passing of the resolution. There is no appeal from such a resolution.
- (3) A resolution of the Committee to expel a member or to suspend a member for a period exceeding one month takes effect at the expiration of 48 hours after notice is given to the member under Rule 7(6), unless the member exercises a right of appeal under this Rule. In which event it does not take effect unless the Club confirms the resolution in accordance with this Rule.
- (4) Before the Committee passes a resolution under Rule 7(1), the Secretary shall cause to be served on the member a written notice stating:
- (a) that the Committee intends to consider such a resolution and the grounds on which it is based.
  - (b) that the member may address the Committee at a meeting to be held not less than 14 nor more than 28 days after the service of the notice.
  - (c) the date, place, and time of that meeting; and
  - (d) that the member may attend that meeting and/or give to the Committee before that meeting a written statement requesting that such resolution not be passed.
- (5) At a Committee meeting held in accordance with Rule 7(4), the Committee shall give to the member an opportunity to be heard, shall give due consideration to any written statement submitted by him/her and shall by resolution determine whether to confirm or to revoke the resolution.
- (6) As soon as practicable after the Committee meeting, the Secretary shall cause to be served on the member a written notice stating the Committee's decision and, if that decision is to expel the member or suspend him/her for a period exceeding one month, stating that the member may within 48 hours after the service of the notice lodge with the Secretary a notice to the effect that he/she wishes to appeal to the Club in general meeting against the resolution.
- (7) Where the Secretary receives a notice under Rule 7(6), he/she shall notify the Committee and the Committee shall convene a general meeting to be held within 21 days after the Secretary received the notice. At that general meeting-

- (a) no business other than the question of the appeal shall be transacted.
- (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution.
- (c) the member shall be given an opportunity to be heard; and
- (d) the members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked. If two-thirds of the members vote in favour of the confirmation of the resolution, the resolution is confirmed, and in any other case, the resolution is revoked.

### **DISPUTES AND MEDIATION**

**7A.** The Club adopts the Grievance Procedure in the Model Rules For an Incorporated Association under The Regulations.

### **ANNUAL GENERAL MEETING**

- 8.** (1) The Club shall in each calendar year convene an Annual General Meeting at such place and on such day in the second half of May as the Committee determines. It shall be specified as such in the notice convening it.
- (2) The ordinary business of the Annual General Meeting shall be: -
- (a) to read and confirm the minutes of the preceding Annual General Meeting and of any General Meeting held since that meeting.
  - (b) to consider and adopt annual reports from the Committee upon the transactions of the Club during the preceding financial year.
  - (c) to receive and consider the statement submitted by the Club Treasurer in accordance with Section 30(3) of the Act.
  - (d) to elect office-bearers.
  - (e) to appoint the Auditors.
  - (f) ~~-Deleted-~~
  - (g) to consider annual reports from Committees of Sections of the Club; and
  - (h) to consider any other general business of which notice has been given in accordance with these Rules.
- (3) The Annual General Meeting may transact special business of which notice is given in accordance with these Rules.
- (4) The Annual General Meeting shall be in addition to any other General Meetings that may be held in the same year.

### **SPECIAL GENERAL MEETINGS**

- 9.** (1) All General Meetings other than the Annual General Meeting shall be called Special General Meetings.
- (2) The Committee may, whenever it thinks fit, convene a special general meeting and, where, but for this sub-clause, more than 15 months would lapse between annual general meetings, shall convene a special general meeting before the expiration of that period.
- (3) The Chairman or Secretary shall, on a written requisition signed by 5 or more members of the Committee or 15 or more members (being members entitled under these Rules to



vote at a general meeting), convene a special general meeting. The requisition shall state the objects of the meeting and be sent to the address of the Secretary. It may consist of several documents in a like form, each signed by one or more of the members making the requisition.

- (4) If the Committee does not cause a special general meeting to be held within 28 days After the date on which the requisition is sent to the address of the secretary, the members making the requisition, or any of them, may convene a special general meeting to be held no later than 90 days after that date.
- (5) A special general meeting convened by members pursuant to this Rule shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Club to the persons incurring the expenses.

### **NOTICE OF MEETINGS**

10. (1) The Secretary shall, at least 21 days before the date fixed for holding an Annual General Meeting, and 21 days before the date for holding a Special General Meeting, cause to be served upon each member a notice stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting, and post a copy of the notice on the notice-board in the Club's premises. No business other than set out in such notice shall be transacted at the meeting.
- (2) A member desiring to bring any business before a meeting may give written notice of that business to the Secretary, who shall include that business in the notice convening the next general meeting after he/she receives the notice.

### **PROCEEDINGS AT GENERAL MEETINGS**

11. (1) All business transacted at special general meetings and all business transacted at the annual general meeting except that referred to in these Rules as being the ordinary business of the annual general meeting shall be deemed to be special business.
- (2) No item of business shall be transacted at a general meeting unless a quorum is present during the time when the meeting is considering that item. Any 20 members (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting. If within 30 minutes of the appointed time for the meeting, a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case, shall stand adjourned to the same day in the next week at the same time and at the same place and if at the adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting, the members present shall be a quorum.
- (3) The Chairman or in his/her absence the Senior Vice-Chairman present shall preside as Chairman at general meetings. If the Chairman and Vice-Chairmen are absent the members present shall elect one of their number to preside as Chairman.
- (4) The Chairman of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place. No business shall be transacted at an adjourned meeting other than that left unfinished at the meeting at which the adjournment took place. It is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting, save that notice thereof shall be posted in the Club's premises, and if the meeting is adjourned for 14-days or more, like notice shall be given as was required for the original meeting,
- (5) A question arising at a general meeting shall be determined on a show of hands. Unless before or on the declaration of the show of hands a poll is demanded by at least 10

members, a declaration by the Chairman that a resolution has on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the Club's Minute Book, is evidence of the fact, without proof of the number or proportion of votes recorded in favour of, or against the resolution.

- (6) Upon any question arising at a general meeting, a member has one vote only. All votes shall be given personally. If votes are equal on any question, the Chairman may exercise a second casting vote. There shall be no voting by proxy.
- (7) If at a meeting a poll on any question is demanded by not less than 10 members, it shall be taken forthwith in such manner as the Chairman may direct (and conducted by 2 scrutineers appointed by those present to conduct it) and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- (8) A member is not entitled to vote at a general meeting unless all monies due and payable by him/her to the club have been paid, other than the annual subscription payable in respect of the current financial year.
- (9) All resolutions passed at a general meeting are binding on all members, whether or not they were present at the meeting.

## **COMMITTEE**

**12.** The Club's affairs shall be controlled and managed by a Committee constituted as provided in Rule 13. The Committee: -

- (a) shall control and manage the Club's business and affairs.
- (b) may, subject to these Rules, the Regulations, and the Act, exercise all such powers and functions as may be exercised by the Club other than those required by these Rules to be exercised by general meetings.
- (c) may, subject to these Rules, the Regulations, and the Act, perform all such acts and things as appear to it to be essential for the proper management of the club's business and affairs.

**13.** (1) The officers of the Club shall consist of:

- (a) a Chairman.
- (b) two Vice-Chairmen.
- (c) a Secretary.
- (d) a Treasurer.
- (e) an Assistant Secretary.
- (f) a Greens Director and
- (g) two ordinary Committee members.

The officers of the Club shall be divided into two groups for the purpose of election,

These groups being.

GROUP A

Chairman  
 One Vice-Chairman  
 Assistant Secretary  
 Greens Director  
 One ordinary Committee member

Group B

One Vice-Chairman  
 Secretary  
 Treasurer  
 One ordinary Committee member

The election of the members of Group A shall be for a period of 2 years and shall Occur at an annual general meeting. The election of the members of Group B shall be for a period of two years and shall occur at the annual general meeting following the election of the members of Group A. The election of the members of Group A and the members of Group B shall then continue on an alternate year basis,

(2) Subject to section 23 of the Act, the Committee shall consist of:-

- (a) the officers of the Club; and
- (b) one member of each of the Club Section Committees.
- (c) – Deleted –

(3) Each Committee member shall, subject to these Rules, hold office until the conclusion of the annual general meeting next following the expiry of the period of his/her election but is eligible for re-election. If a casual vacancy occurs on the Committee, the Committee may appoint a member of the Club (or, in the case of a nominee of a Section of the Club, a committee member of that Section) to fill the vacancy and he/she shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the expiry of the period of election of the previous holder of the position.

### **ELECTION OF COMMITTEE AND VACANCIES**

- 14.** (1) Nomination of candidates for election as officers of the Club or as ordinary committee members shall be in writing signed by the candidate and his/her proposer and seconder and delivered to the Secretary at least seven days before the Annual General Meeting.
- (2) If the number of nominations received is less than or equal to the number of vacancies to be filled, the nominees shall be deemed elected.
- (3) If the number of nominations exceeds the number of vacancies to be filled, a secret ballot shall be held at the Annual General Meeting. The ballot shall be conducted by two scrutineers appointed at the meeting. The names of all candidates for the position shall be written on a slip of paper and the names of the member or members NOT desired crossed out to leave the correct number of members to fill the vacant offices. Ballot papers containing a greater or lesser number of persons than that to be elected shall be informal. Where two or more candidates receive an equal number of votes the Chairman shall exercise a second or casting vote.
- (4) A person may be nominated for but may not be elected to more than one position in the

Club. If a person nominated for more than one position is elected to anyone of those positions, his/her nomination for the remaining position or positions shall thereupon be deemed withdrawn.

- (5) For the purposes of these Rules, the office of a Committee member becomes vacant if the member ceases to be a member of the Club, becomes bankrupt, resigns his/her office by written notice given to the Secretary, or fails to attend 3 consecutive Committee meetings without the Committee's leave or without delivering an apology to or before the meeting.

### **PROCEEDINGS AND POWERS OF COMMITTEE**

15. (1) The Committee shall meet at least once in each month at such places and times as it may determine.
- (2) Special meetings of the Committee may be convened by the Chairman and/ or Secretary or by any 3 Committee members. Seven days notice shall be given to all Committee members of any special meeting specifying the general nature of the business to be transacted. No other business shall be transacted at such a meeting.
- (3) Any 7 Committee members constitute a quorum for the transaction of the business of a Committee meeting. No business shall be transacted unless a quorum is present. If within 30 minutes of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and at the same place, unless it was a special meeting in which case it lapses.
- (4) The Chairman or in his/her absence the Senior Vice-Chairman shall preside at Committee meetings. If the Chairman and Vice-Chairmen are absent, the members present shall elect one of their number to preside.
- (5) Questions arising at a Committee meeting shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding may determine. Each member present is entitled to one vote. If votes are equal on any question, the person presiding may exercise a second, or casting vote.
- (6) Written notice of each Committee meeting shall be served on each Committee member at least 2 days before the meeting.
- (7) Notwithstanding Rule 15(3) the Committee may act notwithstanding any vacancy on the Committee.
- (8) The Club in general meeting may by resolution remove a Committee member before the expiration of his/her office and appoint another member in his/her stead to hold office until the expiration of the term of the first-mentioned member. Where such a member makes written representations (not exceeding a reasonable length) to the Secretary or Chairman and requests that they be notified to the members, the Secretary may send a copy thereof to each member or, if they are not so sent, the member may require that they be read out at the meeting.
- (9) (a) The Committee shall have power to elect sub-committees, fill vacancies, make appointments, make By -Laws in conformity with the Rules of the Club, and do all such acts and things that it deems advisable for carrying out and managing the business and affairs of the Club.
- (b) The Committee may from time to time delegate any of its powers to such Sub-Committee/s consisting of members of the Club as it shall think fit and may recall or revoke any such delegation or appointment at any time. Any such Sub-Committees shall in the exercise of the powers so delegated, conform to any regulation that may be prescribed by the Committee.
- (c) All sub-committees, associated sub-committees and persons appointed for special purposes by it and all Committees elected under By Laws shall be subject and subordinate to the Committee.
- (d) With the authority of a general meeting the Committee may impose levies on the members.

- (e) The Committee shall deal with resignations of members which must be submitted in writing.
- (f) The Committee shall interpret the Rules and By-Laws of the Club, in accordance with the provisions of the Interpretation of Legislation Act 1984 and the Act as in force from time to time, the interpretations of the Committee being final and binding on members, subject only to affirmation or reversal by a Special General Meeting called for that purpose and provided that any matter or thing done and concluded by the committee shall not be affected by any such reversal.
- (g) The Committee shall carry out all resolutions passed at general meetings.
- (h) The Committee shall enforce discipline for any misconduct or wilful infringement of the Rules and By-Laws of the Club, by fines or by expulsion.
- (i) The Committee shall deal with other matters which may arise or which are not specifically provided for in these Rules.
- (j) The Committee shall cause correct accounts and books to be kept, showing the financial affairs of the Club, and the particulars usually shown in books of accounts of a like nature and authorise all expenditure including any expenditure passed at an Annual or Special Meeting, and direct the method of dealing with monies received for or on behalf of the Club.

### **DUTIES OF OFFICERS**

- 16. (1) The Chairman shall preside at all meetings, regulate, and keep order in all proceedings, and carry into effect the Rules and By -Laws of the Club.
- (2) (a) The Vice-Chairman shall act in the place of the Chairman when he/she is absent from any Club meeting, or from any function
- (b) On a motion that the Chairman's ruling be disagreed with, the Senior Vice-Chairman shall take the chair whilst that motion is dealt with.
- (c) The Senior Vice-Chairman is the Vice-Chairman who has the longer service as such, or if both Vice-Chairmen have equal length of service in that capacity, the one who has the longer service as an official or member of the Committee.
- (3) The Secretary shall be the Executive Officer of the Committee. He/she shall attend all meetings and keep minutes of the resolutions and proceedings of each general meeting and each Committee meeting in books provided for that purpose together with a record of the names of persons present at Committee meetings, conduct all Club correspondence, cause annual and other reports and notices of Club meetings and proceedings to be prepared and issued in accordance with these Rules, and, except as otherwise provided by these Rules, keep in his/her custody or under his/her control all Club books, documents, and securities. All club books, documents and securities shall be available for inspection by members by arrangement with the club secretary.
- (4) The Assistant Secretary shall assist the Secretary as required and perform such duties as are consistent with his/her office.
- (5) The Treasurer shall collect and receive all monies due to the Club and within a reasonable time cause them to be banked in the Club's account, make all payments authorised by the Committee or Club, keep correct accounts and books showing the Club's financial affairs with full details of all receipts and expenditure connected with the Club's activities, produce for each ordinary Committee meeting a statement of cash transactions showing the Club's financial position and Bank balance, and each year prepare for the annual general meeting the statement required pursuant to Section 30(3) of the Act. The said accounts and books shall be available for inspection by members, and shall be produced by the Treasurer to the Committee and/or Auditors upon demand.
- (6) The Greens Director shall liaise between the Committee and the Green-keeper for the maintenance of the Greens and Banks, and for the supply and/or provision of maintenance materials and chemicals, advise the Committee on the needs for

supply, maintenance, and repairs of greens equipment, control the use of and allot rinks and/or greens to meet the current bowls programmes and any variations which arise, close the greens promptly when conditions make the greens liable to damage through normal playing actions, undertake such other tasks relating to greens management as are allotted by the Committee.

### **AUDITORS**

- 17.** The Auditors appointed under Rule 8(2) shall not be office-bearers of the Club. They shall audit the statement prepared by the Treasurer pursuant to Section 30(3) of the Act before each annual general meeting and shall have power at all times to examine all of the Club's books and accounts. The Committee shall submit any report of the Auditors to the annual general meeting.

### **CHEQUES**

- 18.** The banking account of the Club shall be kept with such Bank as the Committee from time to time determines. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be authorised by the Committee and signed by any 2 of the Chairman, Vice-Chairmen, Secretary and Treasurer, or, in case of the illness or absence of any of those officers, by a substitute appointed by the Committee.

### **COMMON SEAL**

- 19.** The Common Seal of the Club shall be kept in the custody of the Secretary. It shall not be affixed to any instrument except by the authority of the Committee. The affixing of the Common Seal shall be attested by the signatures of any two of the President, Secretary and one other Committee member,

### **ALTERATIONS OF RULES AND STATEMENTS OF PURPOSES**

- 20.** These Rules and the Club's Statement of Purposes shall not be altered except in accordance with the Act.

### **NOTICES**

- 21.** (1) Notices may be given to Members by sending the notice by post or facsimile transmission or where available, by electronic mail, to the Members address or facsimile number or electronic mail address shown in the Register.
- (2) Where a notice is sent by post, service of the notice shall be deemed to be effected at the Time the letter would have been delivered in the ordinary course of post.
- (3) Where a notice is sent by facsimile transmission, service of the notice shall be deemed to be effected upon receipt of a confirmation report confirming the facsimile number.
- (4) Where a notice is sent by electronic mail, service of the notice shall be deemed to be effected by properly addressing the electronic mail message.

### **INCOME AND PROPERTY**

- 22.** (1) The Club's income and property shall be used and applied solely in the promotion of its purposes and the exercise of its powers as set out herein and no proportion thereof shall be distributed paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members but nothing herein contained shall

prevent the payment in good faith of interest to any member in respect of monies advanced by him/her to the Club or otherwise owing by the Club to him/her or of remuneration to any officers, or servants of the Club or to any member or other person in return for any services actually, rendered to the Club and 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 or the provision of services to a member to which he/she would be entitled in accordance with the purposes if he/she were not a member.

- (2) If the Club is wound up in accordance with the provisions of the Act, and there remains. After satisfaction of all its debts and liabilities, any property whatsoever, it shall be given or transferred to some other institution or institutions having purposes similar to the purposes of the Club, and which prohibits the distribution of its other income and property amongst its or their members to an extent at least as great as is imposed on the Club by virtue of this Rule, such institution or institutions to be determined in accordance with a special resolution of the members or, in the absence of such a special resolution, by the Registrar.

### **FUNDS**

- 23.** The funds of the Club shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines.

### **BY-LAWS**

- 24.** The Committee may from time to time make by-laws and regulations, not inconsistent with these Rules, the Act and the Regulations, for the proper management of the Club's business and affairs. The Secretary shall cause a copy thereof to be posted on the clubs notice board and they shall thereupon be binding upon all members. The Secretary shall also cause a copy thereof to be made available to members by electronic means.

### **VISITORS**

- 25.** (1) Every member shall be allowed to introduce visitors to the Club, provided such visitors do not exclude a member from making full use of the facilities of the Club and subject to such regulations as the Committee from time to time determines, but no person shall be introduced as a visitor who has been expelled from membership of a kindred club or whose conduct or presence on the Club's premises shall be considered objectionable or prejudicial to the interests of the Club.
- (2) No member shall introduce more than four (4) visitors on any day and no person shall be permitted to be a visitor more than twelve (12) times during any period of twelve consecutive mouths.
- (3) The name of each visitor shall, on the date of the visit, be entered in the Visitor's book provided for such purpose and such entry shall be signed by the member introducing such visitor.

### **BORROWINGS, ETC.**

- 26.** The Club shall not borrow any monies, issue debentures, give security over any Club property, sell or purchase any reality, lease any Club land or building for a term exceeding 3 years nor in any way extend the Club's liability beyond its assets and estimated revenue, without the prior approval of the members at a general meeting.
- 27.** (1) This Rule shall apply where the Club holds a Liquor Licence -

- (2) The Club must not pay any amount to an officer or servant of the Club by way of commission or allowance from the receipts of the Club for the supply of Liquor.
- (3) (a) A visitor to the Club must not be supplied with liquor in the Club premises unless the visitor is a guest in the company of a member.
  - (b) A person cannot:
    - (i) be admitted as an honorary member or temporary member of the Club; or
    - (ii) be exempted from the obligation to pay the ordinary subscription for membership of the Club, unless the person is of a class specified in the rules and the admission or exemption is in accordance with the rules.
- (4) Where a guest in the company of a member is admitted to any part of the licensed premises, the Secretary shall keep on the Club premises a register of such a guest and such register must contain the:
  - (a) name and address of each guest; and
  - (b) date on which each guest attended the premises.

### **CLUB ACTIVITIES**

- 28.** (1) There shall be:
- (a) a Pennant Bowls and Championship Section, and
  - (b) a Non-Pennant Bowls and Social Events Section; and
  - (c) such other Sections as the members in General Meeting from time to time determine.
- (2) The officers and Committees of each section shall be elected in accordance with the Club's By-Laws relating to that section
- (3) (a) Each Section Committee shall organise the activities of its Section in accordance with that Section's objects.
- (b) Nothing in the forgoing sub-paragraph (a) gives the Section Committees the right to make any decision or act in any manner which may adversely affect the carrying out and management of the business and affairs of the Club.

### **LIABILITY OF MEMBERS**

- 29.** If a member, by any breach of these Rules, or by any unlawful act, causes the Club or any officer of the Club to pay any money, such member shall be civilly liable to the Club or such officer for the amount so paid.

### **DAMAGE TO PROPERTY**

- 30.** No member shall remove from Club House or deface or injure any article the property of the Club. Members removing, breaking or damaging any article the property of the Club, shall pay for the same at a price fixed by the committee.

### **DISPUTES SUGGESTIONS, ETC.**

- 31.** (1) All suggestions and complaints must be made in writing to the Secretary, who shall bring the same before the Committee at its next meeting.



- (2) Should any dispute or disagreement arise between members on the Club premises, the case may be referred in writing to the Committee by either party. The Committee shall have the power to deal with same and impose such fine as it considers fit.

#### **PAYMENT OF FINES**

32. All fines imposed by the Committee shall be paid by the member to the Treasurer. Until such fine has been paid the member in default shall not be entitled to exercise any of the privileges of the Club.

#### **NON-COMPLIANCE WITH RULES**

33. Non-compliance with any Rules shall not render any proceedings void unless the members at a General Meeting so direct.

#### **CLUB HOUSE OPEN**

34. The Club House shall be open to members for such times and on such conditions as may be decided by the Committee from time to time.

#### **COLOURS OF THE CLUB**

35. The colours of the Club shall be 'Green and Gold' or such other colours as the Committee from time to time may determine subject to acceptance by any bodies with which the Club is affiliated.

#### **HONORARY SOLICITOR**

36. There may be an Honorary Solicitor to the Club, who may be appointed by the Committee upon such terms and for such period as the Committee directs.

#### **INDEMNITY OF OFFICERS**

37. Any debt or liability incurred by any Officer of the Club in the course or as a result of the bone fide exercise by him/her any of his/her powers or duties on behalf of the Club shall be borne and paid by the Club and it shall indemnify him/her and keep him/her indemnified against the same.

#### **EQUAL OPPORTUNITY**

38. The Club is committed to equal opportunity for all members and for the purpose of promoting or realising substantive equality for male members and for female members, the Club shall ensure where possible that there is at least one male member and at least one female member on the Club Committee of Management and all other committees (however called and however constituted) carrying out the purposes of the Club.