

ST. LEONARDS BOWLING CLUB INC.

CONSTITUTION



AMENDED

Date: 12-07-2020

ST. LEONARDS BOWLING CLUB INC. C O N S T I T U T I O N

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THE STRUCTURE OF THE ST LEONARDS BOWLING CLUB INC

POSITION	RESPONSIBILITY
1. Board of Management	Elected at AGM
1.1 Chairperson	Elected at AGM
1.2 Secretary	Elected at AGM
1.3 Treasurer	Elected at AGM
1.4 Director of Bowls (2)	Elected at AGM Two (2) of opposite gender
1.5 Director Administration (3)	Elected at AGM Three(3) preferably a gender mix
1.6 Deputy Secretary / Treasurer	Elected at AGM
2. Sub –Committees	
2.1 Bowls Committee	BD
2.2 Membership	BOM
2.3 Greens Management	Greens Manager appointed by BOM
2.4 Bar Management	AD
2.5 Planning and Development	BOM
2.6 Catering	AD
2.7 Sponsorship	AD
2.8 Bowls Promotion	BOM and Members
2.9 Selection Committees	Up to five (5) members for each of Saturday and Midweek Pennant
2.10 Tournament	BD
2.11 Social Bowls	BD
2.12 Fund Raising	AD
2.13 Club House Hire	AD
2.14 Social Functions	AD
2.15 Delegates to GBR	BD (2)
2.16 Coaching	BD
2.17 Umpires	BD
2.18 Indoor Bowls	BD

Note

BOM - Board of Management

AD – Administration Director

BD – Bowls Director

AGM - Annual General Meeting

ST. LEONARDS BOWLING CLUB INC. C O N S T I T U T I O N

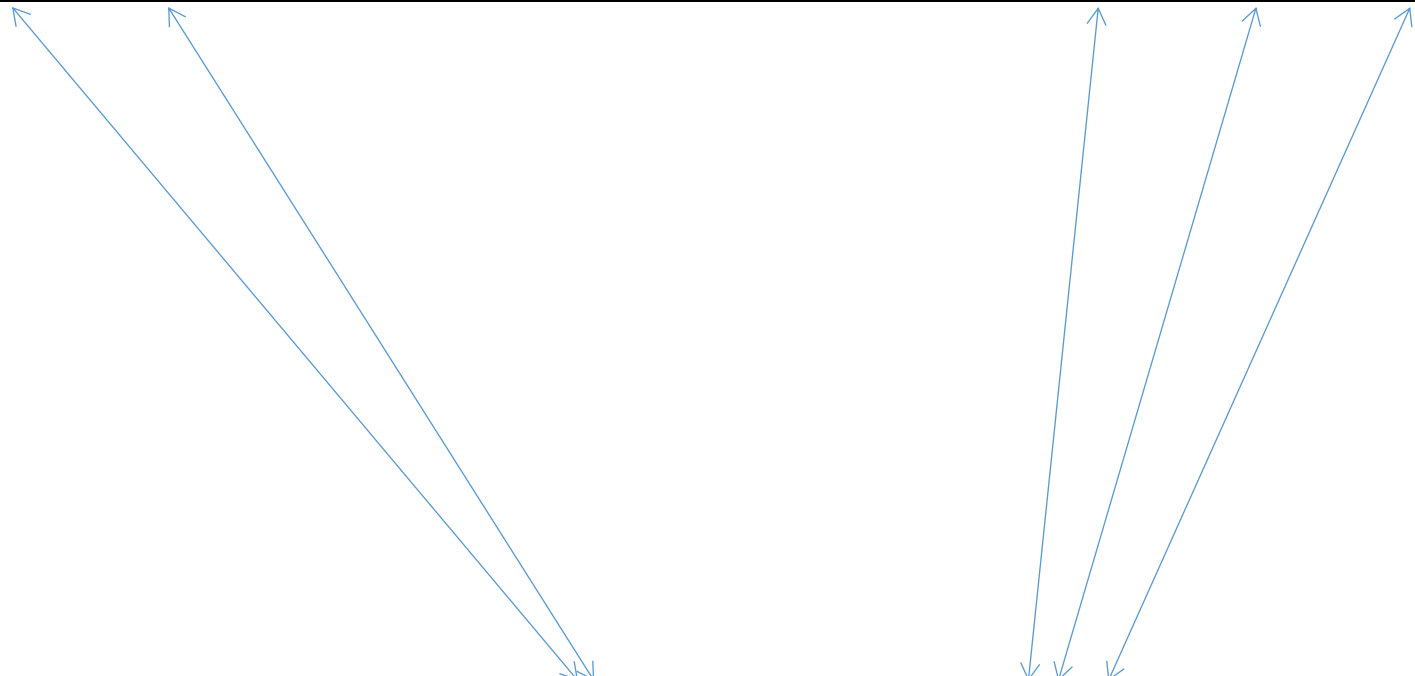
Director Bowls (Male)	Director Bowls (Female)	Secretary Bowls Secretary	Chairperson	Treasurer	Deputy Secretary Treasurer	Admin Director (Deputy Chairperson)	Admin Director	Admin Director
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Saturday Selection Midweek Selection (Two Committees)
Appropriate Sub Committees



Selection & Club Games
Tournaments
Social
Coaching
Umpires
Delegates
Indoor Bowls
Green setup
Barefoot Bowls

Bar Management
Rules & Constitution
House Maintenance
Planning & Development
Greens Management
Sponsorship
Membership
Club House Hiring
Bingo
Social Activities
Club Catering
Fundraising
Appropriate Sub Committees



SECTION 1 NAMES AND OBJECTIVES

1. NAME

The name of the club is the “St. Leonards Bowling Club Incorporated”.

2. INTERPRETATION

In these rules unless there is something in the subject or context inconsistent therewith, the following interpretations shall operate.

- a. “Club” means the above-mentioned Club.
- b. “Clubhouse” means that area as defined by the Liquor License permit.
- c. “Club Premises” means all that area of land within the Club boundaries.
- d. “Bowling Green” means all the playing area set aside for the conduct of the game of Bowls.
- e. “Member” means any person elected to membership of the Club.
- f. “Rules” mean the Rules of the Club in force for the time being.
- g. “Board” mean the members for the time being of the Board of Directors constituted in accordance with the Rules.
- h. “Chairperson” means as defined in Rule 27.
- i. “Secretary” means as defined in Rule 28.
- j. “Month” means Calendar Month.
- k. “Year” means the Club’s financial year and unless altered by the Members, shall be from the 1st April to 31st March.
- l. “Association” means Bowls Victoria and/or Geelong Bowls Region
- m. “By-law” means a secondary, supplementary or subordinate rule made by the Board.
- n. In the event of any doubt or difficulty arising as to the meaning of any Rule, By-law or Regulation or should any question arise as to their interpretation, the Board shall have power to pronounce decision thereon, subject only to affirmation or reversal by a Special General Meeting called for that purpose.
- o. Throughout the Rules, unless otherwise appearing by the context, the singular shall include the plural and the plural includes the singular, and the masculine shall include the feminine.
- p. “Relevant documents” means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following—
 - (a) its membership records;
 - (b) its financial statements;
 - (c) its financial records;
 - (d) records and documents relating to transactions, dealings, business or property of the Association.

3. STATEMENT OF PURPOSE

The purposes for which the Club is established are:

- (a) To maintain and conduct a club of a non-political character and to provide a Clubhouse, Bowling Green and other facilities for the recreation and sport of the members at such place or places as decided by the members.
- (b) To raise and borrow any monies required for the purpose of the Club upon such terms and conditions and /or on such securities as may be determined.
- (c) To purchase, take, lease, exchange, hire or otherwise acquire any real or personal property and other rights and privileges necessary or convenient for the purpose of the Club.
- (d) To construct, alter, add to or maintain all buildings and other property belonging to the Club.
- (e) To sell, mortgage, improve, manage, develop, lease, dispose of, turn to account or otherwise deal with all or any part of the property of the Club, having regard at all times that the Club is prohibited from making any distributions whether in money, property or otherwise to its members.
- (f) To affiliate with the Association.
- (g) To incorporate under the Associations Incorporation Reform Act 2012 - "The Act".
- (h) To apply for, hold and renew a Club License pursuant to the Liquor Control Reform Act 1998 and any Permit of the Authority thereunder.
- (i) To apply to the Victorian Casino and Gaming Authority, Minor Gaming Unit, for a permit to conduct the game of Bingo, Raffles and Lucky Envelopes in accordance with the Gaming No. 2 Act, 1997.
- (j) To provide and maintain its facilities from the joint funds of the Club.
- (k) To promote the game of Bowls.
- (l) Such other objects as the members shall determine but always to have in mind the advancement and best interests of the game of bowls and the engendering by association of a fraternal feeling amongst bowlers.
- (m) To do all such things as are incidental or necessary for the purpose of the above objects or any of them

SECTION 2 MEMBERSHIP

4. CLASSIFICATION OF MEMBERS

1. Ordinary Members (including non-affiliated)
2. Life Members
3. Social Members
4. Honorary Members
5. Junior Members

Ordinary and Life Members shall be entitled to all the privileges of the Club, while Social, Honorary and Junior Members shall be entitled to the privileges set out in these Rules.

5A. REGISTER OF MEMBERS

The Secretary shall keep on the Club Premises a Register of Members, setting forth in full

- A. The names and addresses of all Members of the Club
- B. The date of becoming a member
- C. The latest payment by each Member of their subscription.
- D. Any other information determined by the Board
- E. For each former member the date of ceasing to be a member

Such register to be open for inspection of Members of the Club

Note

Under Section 59 of the Act, access to the personal information of a person recorded in the Register of Members may be restricted in certain circumstances. Section 58 of the Act provides that it is an offence to make improper use of information about a person obtained from the Register of Members.

Such Register shall be open at any time to inspection of the Licensing Inspector in whose division the Club premises are situated, and authorised member of the Police Force and any supervisor of the licensed premises.

Every Member shall communicate in writing their address or change thereof to the Secretary who shall register same. All notices posted or delivered to such address shall be deemed to have been delivered. If no address be given, notices left at the Club premises shall be deemed to have been delivered.

5B. INSPECTION OF BOOKS AND RECORDS

Members may on request inspect free of charge and obtain copies of:

- (a) The minutes of general meetings;
 - (b) Subject to subrule (3), the financial records, books, securities and other relevant documents of the Association including minutes of Committee meetings.
1. See notes following for details of access to the register of members
 2. The Committee may refuse to permit a member to inspect records of the Club that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Club.

3. The Committee must on request make copies of these rules available to members and applicants for membership free of charge.
4. Subject to subrule (3), a member may make a copy of any of the other records of the Club referred to in this rule and the Club may charge a reasonable fee for provision of a copy of such a record.
5. Members may apply to the Secretary in writing to have their details restricted on the members register.

6. NOMINATION AND ELECTION

- (a) Any person of 18 years of age and over wishing to become a Member of the Club must be proposed by one member and seconded by another, each of whom should have personal knowledge of this applicant. The nomination form should contain the name, address and occupation of the candidate, and the date of application, and other relevant details as the Club may determine. The nomination paper, when properly completed shall be handed to the Secretary.
- (b) The names and addresses of persons proposed as Ordinary Members of the Club shall be displayed in a conspicuous place in the Club Premises for at least a week before the election and an interval of not less than two (2) weeks shall elapse between nomination and election of Ordinary Members.
- (c) The Board shall elect all members by ballot, two adverse votes shall exclude the applicant, and the Secretary shall keep a record.
- (d) Immediately on the election of a new member the Secretary shall hand or forward to such member a copy of the Rules, By-laws and Regulations of the Club for the time being in force.
- (e) If a newly elected Member fails to pay their subscription within thirty (30) days after their election, their election shall be void unless they justify the delay to the satisfaction of the Board.
- (f) The payment of the subscription or using the Club's property shall imply a member's acquiescence in the Rules and the By-laws of the Club.
- (g) Any person whose application for membership is rejected or whose election is voided under Rule 6 (e) shall not again be nominated for a period of at least six (6) months from the date of the rejection of voidance of membership.

6B. LIFE MEMBERS

The award exists to recognise the valuable contribution of individuals to the current and future existence of the Club. Life membership is an honour and should only awarded in exceptional circumstances.

In considering the award of Life Membership an individual should have demonstrated significant, sustained and high quality service enhancing the reputation and future of the Club overall.

GENERAL CONSIDERATIONS FOR LIFE MEMBERSHIP

- (a) The general attitude and overall demeanour of the nominee shows a dedication to the game of bowls and values of the Club
- (b) Commitment to the principles of good sportsmanship
- (c) Good role modelling that reflects credibility upon the Club

LENGTH OF SERVICE

- (a) The nominee must have a minimum of 15 years membership; this may be continuous or multiple separated periods of membership aggregating to the required total

- (b) The nominee must have a minimum of 10 years' service in an organisational or operational role for the club. This service may be an aggregate of several roles or functions.

OTHER CRITERIA

- (a) Nominations must articulate the reasons why life membership is considered appropriate and, where possible, specify examples of the work or involvement that has significantly contributed to the Club
- (b) The Board will take into account whether the nominee's service has been on a purely voluntary basis.

APPOINTMENT OF LIFE MEMBERSHIP

- (a) For a nomination to be successful there can only be one dissenter at Board level.
- (b) Members will be entitled to full privileges without payment of any subscription provided that there shall not be at any time any more than 10 Life Members in the Club.
- (c) A life member shall not be relieved of any other financial obligation other than the Annual Club Subscription.

6C. DISTINGUISHED SERVICE AWARD

Where a nomination does not meet the criteria for Life Membership the Board, if it is considered appropriate, may grant a Distinguished Service Award. This award will not relieve a member of any financial obligation to the Club and shall not make a person ineligible for consideration of Life Membership at a later date.

8. HONORARY MEMBERS

- (a) Subject to the approval of two (2) Members, one who is a member of the Board, friends of members and Members of or persons playing for any other Bowls Club, who may visit the Club, shall be Honorary Members for the day on which they visit the Club.
- (b) Any member of any Bowls Club whose green is distant more than 25km from the Club premises may, on the introduction by a member, of the Club be admitted by any two Members of the Board, as an Honorary Member for a period not exceeding fourteen (14) consecutive days, if so desired, on conditions to be determined by the Board.
- (c) The name and address of each Honorary Member together with the name of the host Member shall be entered in a visitor's book to be kept for that purpose and the host Member shall be responsible for the bona fides of the person introduced.
- (d) The Board shall have power to withdraw all or any privileges from Honorary Members, and Honorary Members are not and shall not be entitled to take part in any Annual or Special Meeting nor vote on any subject thereat. They shall not have any right, title or interest in or to any property of the Club.
- (e) A person shall not (i) be admitted as an Honorary 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.

9. SOCIAL MEMBERS

- (a) The Board shall have the power to elect Social Members to the Club on such conditions as shall be fixed by the Board.

ST. LEONARDS BOWLING CLUB INC. C O N S T I T U T I O N

- (b) Social Members shall be entitled to all privileges of the Club, other than the use of the greens, the right to vote or hold office on the Board or Committees.
- (c) Social Members shall not be entitled to take part in bowling on the Club greens, except by invitation of the Director/s of Bowls for the purpose of recruitment as Ordinary Members. New bowlers must have at least 3 lessons and be approved by an accredited coach and to play Social Bowls must pay full membership, less affiliation.
- (d) On production of satisfactory proof a person who is a financial member of the Club with which this Club has a reciprocal arrangement documented in writing and held by the Secretary, may on signing the guest register and entering the name of the reciprocal Club, be admitted as a Social Member. A register containing the name and address of all clubs which this club has such reciprocal arrangements must be maintained by the Secretary.

10. JUNIOR MEMBERS

- (a) No person under the age of eighteen (18) years shall be admitted as a member other than as a Junior Member.
- (b) Any person of good character over the age of twelve (12) years and under the age of eighteen (18) years is eligible subject to nomination and election to be a Junior Member of the Club in accordance with these Rules on payment of an annual subscription as determined by the Board.
- (c) Junior Members shall not be entitled to purchase or consume liquor on the premises, nor shall they be eligible to hold office or vote at any meeting of the Club, but shall be entitled to participate in such Bowls activities on the greens as the Director/s Bowls shall determine.
- (d) On attaining the age of eighteen (18) years, Junior Members shall be ineligible to continue in such membership class but shall be eligible for nomination and election to other membership as provided in these Rules without delay.

11. LIABILITY OF MEMBERS

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 Officer for the amount so paid.

12. FORFEITURE OF MEMBERSHIP

If any Member fails to pay their Annual subscription by 30th June each year (unless alternative financial arrangements are made with the Treasurer) they shall cease to be a Member of the Club and may only be re-admitted as a Member when the provisions relating to election of Members have been complied with. The Secretary shall give notice to each Member when their subscription is due. Should any Member of the Club from any cause whatever, cease to be a Member for one or more years and is re-elected, they may be re-admitted without the payment of back subscriptions, providing the majority of the Board consent thereto.

13. ABSENCE OF MEMBER

Any Member contemplating absence for a period may on application to the Board be granted leave of absence for a period not exceeding two (2) years, subject to the payment of a nominal amount fixed by the Board.

14. RESIGNATION OF MEMBERS

- (a) Any Member wishing to retire from the Club shall give seven (7) days notice in writing to the Secretary, and shall pay all monies due at the date of such notice.

- (b) Any Member retiring from the Club or ceasing for any reason whatsoever to be a Member thereof, shall not have the right, title or interest in or to any property of the Club.

15. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS

1. Grounds for taking disciplinary action

The BOM may take disciplinary action against a member in accordance with this Constitution if it is determined that the member—

- (a) has failed to comply with these Rules; or
- (b) refuses to support the purposes of the Club; or Association
- (c) has engaged in conduct prejudicial to the Club or Association.

2. Disciplinary subcommittee

- (1) If the BOM is satisfied that there are sufficient grounds for taking disciplinary action against a member, the BOM must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
- (2) The members of the disciplinary subcommittee—
 - (a) may be BOM members, members of the Club or anyone else; but must not be biased against, or in favour of, the member concerned.

3. Notice to member

- (1) Before disciplinary action is taken against a member, the Secretary must give written notice to the member—
 - (a) stating that the Club proposes to take disciplinary action against the member; and
 - (b) stating the grounds for the proposed disciplinary action; and
 - (c) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the ***disciplinary meeting***); and
 - (d) advising the member that he or she may do one or both of the following—
 - i. attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
 - ii. give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
 - (e) setting out the member's appeal rights under sub rule 5.
- (2) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

4. Decision of subcommittee

- (1) At the disciplinary meeting, the disciplinary subcommittee must—
 - (a) give the member an opportunity to be heard; and
 - (b) consider any written statement submitted by the member.
- (2) After complying with subrule (1), the disciplinary subcommittee may—
 - (a) take no further action against the member; or

(b) subject to sub rule (3)—

- i. reprimand the member; or
- ii. suspend the membership rights of the member for a specified period; or
- iii. expel the member from the Club.

(3) The disciplinary subcommittee may not fine the member.

(4) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

5. Appeal rights

(1) A person whose membership rights have been suspended or who has been expelled from the Club under sub rule (4) may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.

(2) The notice must be in writing and given—

to the Secretary not later than 48 hours after the vote to suspend or expel the person is taken.

(3) If a person has given notice under sub rule (3), a disciplinary appeal meeting must be convened by the BOM as soon as practicable, but in any event not later than 21 days, after the notice is received.

(4) Notice of the disciplinary appeal meeting must be given to each member of the Club who is entitled to vote as soon as practicable and must—

(a) specify the date, time and place of the meeting; and

(b) state—

- i. the name of the person against whom the disciplinary action has been taken; and
- ii. the grounds for taking that action; and
- iii. that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

6. Conduct of disciplinary appeal meeting

(1) At a disciplinary appeal meeting—

(a) no business other than the question of the appeal may be conducted; and

(b) the Disciplinary Sub Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and

(c) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.

(2) After complying with sub rule (1), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.

(3) A member may not vote by proxy at the meeting.

(4) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

GRIEVANCE PROCEDURES

7. Application

- (1) The grievance procedure set out in this Constitution applies to disputes under these Rules between—
 - (a) a member and another member;
 - (b) a member and the Board or Committees;
 - (c) a member and the Association.
- (2) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

8. Parties must attempt to resolve the dispute

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

9. Appointment of mediator

- (1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 8, the parties must within 10 days—
 - (a) notify the Board of the dispute; and
 - (b) agree to or request the appointment of a mediator; and
 - (c) attempt in good faith to settle the dispute by mediation.
- (2) The mediator must be—
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement—
 - i. if the dispute is between a member and another member—a person appointed by the Board; or
 - ii. if the dispute is between a member and the Board or the Association—a person appointed or employed by the Dispute Settlement Centre of Victoria.
- (3) A mediator appointed by the Board may be a member or former member of the Club or Association but in any case must not be a person who—
 - (a) has a personal interest in the dispute; or
 - (b) is biased in favour of or against any party.

10. Mediation process

- (1) The mediator to the dispute, in conducting the mediation, must—
 - (a) give each party every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties throughout the mediation process.
- (2) The mediator must not determine the dispute.

11. Failure to resolve dispute by mediation

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

SECTION 3 MANAGEMENT BY MEMBERS

16. BOARD OF MANAGEMENT

- (a) The business and affairs of the club shall be under the management of the Board elected at the Annual General Meeting.
- (b) The Board shall consist of nine (9) financial Ordinary or Life Members and all Officers of the Board shall be elected by Members generally at the Annual General Meeting.

17. ANNUAL GENERAL MEETING

- (a) The Annual General Meeting of Members shall be held at a date fixed by the Board, but not later than 31st day of May in each year. A half-yearly meeting may be convened if deemed necessary by the Board.
- (b) Fourteen (14) days notice in writing shall be given to all voting members of the time and place appointed by the Board for such meeting, and a copy of the notice shall be posted on the notice board inside the Clubhouse fourteen (14) days before the date of such meeting.
- (c) Ordinary and Life Members shall be entitled to nominate eligible candidates for, and vote, in the annual election of the Board, and Committees.
- (d) The business to be transacted at the Annual General Meeting shall be in the following order:
 - a. Reading of notice convening the Meeting.
 - b. Reading and confirmation of Minutes of previous Annual and/or Special Meetings
 - c. Reading of the Annual Report.
 - d. Consideration and adoption of the Annual Report.
 - e. Presentation of the Balance Sheet and Statement of Accounts.
 - f. Consideration and adoption of the Balance Sheet and Statement of Accounts
 - g. Election of Office Bearers-Board
 - h. Elect Selection Committees, and any other Special Committees.
 - i. Nomination and election of Auditors.
 - j. Fix amount of annual subscription.
 - k. Determine the number of Pennant teams to be entered in Pennant competitions, but on the resolution of the Members this matter may be referred to the relevant Directors with power to act.
 - l. Transact any other business affecting the interest and welfare of the Club, of which due notice has been given according to the rules.
 - m. Any other general business.
- (e) Nominations for all positions shall be in writing signed by the candidate and the proposer and seconder and shall be lodged with the Secretary not less than seven (7) days before the date fixed for the Annual General Meeting. All retiring officers shall be eligible for re-election.
- (f) In the event of a sufficient number of members not being nominated for election on the Board, or as Officers as provided in the last preceding Rule, the vacancies may, notwithstanding, be filled up at

the Annual General Meeting then being held, provided that a motion to do so is carried by a two-thirds majority of those present. If such a motion is not carried, the vacancies shall be filled by the Board as applicable.

18. SPECIAL GENERAL MEETING

- (a) A Special General Meeting shall be convened by the Chairperson or the Secretary upon receiving a requisition in writing to the effect from five (5) Members of the Board or from not less than fifteen (15) Members of the Club whose subscriptions are not in arrears. The date of holding such meeting shall be fixed by the Board and shall be held not less than fourteen (14) and not more than twenty-eight (28) clear days from the time of receiving the requisition provided always that such requisition shall state clearly the object of such Special General meeting, and no matters shall be discussed except those stated in the written requisition.
- (b) On receipt of any requisition requesting the holding of a Special General Meeting, the Chairperson or the Secretary shall immediately post the same on the notice board of the Club and give at least seven (7) days notice to every voting member in writing or by telephone.
- (c) A Special General Meeting shall be held whenever determined by the Board, of which notice shall be given to all voting Members by posting a notice thereof on the notice board of the Club, and by giving each voting Member seven (7) clear days notice, by writing or telephone, before the date fixed for holding such Meeting. Such notice shall clearly set out the nature of the Meeting and the proposals to be submitted to the voting Members.

19. VOTING

- (a) At the Annual General Meeting or a Special General Meeting of the Members, the election of all officers shall be announced after voting had been counted by scrutineers appointed by the Board. The method of voting shall be by crossing out the name or names of the Member or Members nominated not desired and leaving the correct number of Members to fill the vacant offices. Ballot papers on which there is a greater or lesser number of names there are persons to be elected shall be informal. If two or more candidates receive an equal number of votes the Chairperson shall have a second or casting vote.
- (b) All questions for decisions by the Members of an Annual or Special General Meeting shall be duly proposed and seconded, and shall be determined by a show of hands unless a ballot is asked for. The ballot may then be taken at the Meeting. When a ballot is taken at the Meeting two (2) scrutineers shall be appointed to conduct the ballot. The result of each ballot shall be deemed to be a resolution of the Club adopted at such Meetings.
- (c) At any Annual General Meeting or Special General Meeting only those Members who are financial at that Meeting and are personally present shall be entitled to vote, except that Members financial at the time of an Annual General Meeting but unable to attend such Meeting, may cast an absentee vote for election of Officers in writing signed by that Member, and lodged with the Secretary at least twenty four (24) hours or not more than seven (7) days prior to such Meeting. The Chairperson shall be entitled to vote at all such Meetings and when the votes are equal, except in the case of election of Officers, the motion of amendment, as the case may be, shall be lost.
- (d) Voting by proxy shall not be allowed.
- (e) At any Annual General Meeting or Special General Meeting or unless a ballot is deemed by at least ten (10) members a declaration by the Chairperson for the time being that a resolution has been carried by a particular majority or lost or not carried by a majority and an entry to that effect in the

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Minute Book of the Club shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution.

- (f) All resolutions passed at the Annual General Meeting or at any Special General Meeting shall be conclusive and binding on all Members whether they shall have been present at such meeting or not.

20. QUORUM

- (a) At any Annual or Special General Meeting of the Club, 25% of the total number of Ordinary, Life Members shall form a quorum.
- (b) At all General or Special Meetings of the Members of the Club, should a quorum not be present within thirty (30) minutes of the specified time, then such Meeting, if convened upon the requisition of the Members, shall be dissolved. In any other case it shall stand adjourned to such day as the Board determine, and if at such adjourned Meeting, other than an adjourned Annual General Meeting, a quorum of Members is not present, it shall lapse. In the case of an adjourned Annual General Meeting, the Members present at such Meeting shall form a quorum. No notice in writing of an adjourned Annual General Meeting need be given to the Members, but notice thereof shall be posted on the Club's notice board.

SECTION 4 MANAGEMENT BY OFFICERS

21. MANAGEMENT BY OFFICERS

- (a) The members shall vest control and business of the Club in a Board of Directors elected by them at the Annual General Meeting. Such Board shall consist of the Officers as hereinafter provided and shall hold office until their successors are elected.

The Officers of the Board shall be as follows:

- a. Chairperson
- b. Secretary
- c. Treasurer
- d. Director of Bowls (2) of opposite gender
- e. Director of Administration (3) preferably of mixed gender . One of which will be the Deputy Chairperson.
- f. Deputy Secretary / Treasurer

To be eligible for a position on the Board, Members must be paid up Ordinary or Life Members, excluding Junior, Social, Honorary Members and persons who are members by reason only of reciprocal arrangements with another Club.

- (b) The Board shall meet at least monthly, or as required for transaction of the business of the Club and Minutes of all resolutions and proceedings of the Board shall be entered in a book to be provided for that purpose. The Chairperson and/or Secretary shall where necessary or when requested by three (3) Members of the Board, convene a Special Meeting of the Board.
- (c) The Secretary shall give at least two (2) days notice of all Special Board Meetings to all Members of the Board.
- (d) The Chairperson, or in their absence, one of the Board shall preside at all Board Meetings.
- (e) Should any Member of the Board fail to attend for three (3) consecutive Board Meetings without leave, or apology delivered at or prior to the Meetings, such Member shall thereupon cease to be a Member of the Board.
- (f) The Board may, from time to time, delegate any of their powers to such Committees, consisting of members of the Club, as they think to appoint and may recall or revoke any such delegation or appointment. Any such Committee shall, in the exercise of the powers so delegated, conform to any regulation that may be prescribed by the Board and shall be subject and subordinate to such Board, provided always that the Board shall have no power of the supply of liquor to the Club.

SPECIAL NOTE

Conflict of interest

- (1) A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.
- (2) The member—
 - (a) must not be present while the matter is being considered at the meeting; and
 - (b) must not vote on the matter.

Note

Under section 81(3) of the Act, if there are insufficient committee members to form a quorum because a member who has a material personal interest is disqualified from voting on a matter, a general meeting may be called to deal with the matter.

- (1) This rule does not apply to a material personal interest—
 - (a) that exists only because the member belongs to a class of persons for whose benefit the Club is established; or
 - (b) that the member has in common with all, or a substantial proportion of, the members of the Club.

22. VACANCIES

The Board shall have power, should a vacancy occur in their number to fill such vacancy for the unexpired term, from the Members of the Club qualified to accept office.

23. REMOVAL OF A MEMBER OF THE BOARD

- (a) The Club in a general meeting may by resolution remove any Member of the Board before the expiration of their term of Office and appoint another Member in their stead to hold Office until the expiration of the term of the first Member.
- (b) Where the Member to whom a proposed resolution referred to in sub-clause (a) makes representations in writing to the Secretary of the Club (not exceeding a reasonable length) and requests that they be notified to the Members of the Club the Secretary may send a copy of the representations to each voting Member of the Club or if they are not so sent the Member may require them to be read out at the meeting.

24. POWERS AND FUNCTIONS OF THE BOARD

The Board shall have the power to:

- (a) Elect sub-committee, 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 of the Club. All sub-committees and persons appointed for the special purpose by it shall be subject to and subordinate to the Board.
- (b) On the Authority of the Annual General Meeting or of a Special General Meeting of the Club, to impose levies on the Members.
- (c) To deal with resignations of Members which must be submitted in writing.
- (d) To interpret the Rules and By-laws of the Club.
- (e) To carry out all resolutions passed at an Annual or Special General Meeting of the Club.
- (f) To enforce discipline by fines, suspension, or expulsion of any misconduct or wilful infringement of the Rules and By-laws of the Club.
- (g) To manage the Club's finances, to cause correct accounts and books to be kept, showing the financial affairs of the Club, and the particulars usually shown in the books of accounts of a like nature. It shall authorise all expenditure including any expenditure passed at an Annual or Special General Meeting, and direct the method of dealing with monies received for or on behalf of the Club.
- (h) To control all paid staff with right to hire and fire.

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- (i) To oversee all major modification of Club premises (including plans, specifications, tenders and permits).
- (j) To arrange borrowings as approved by members in General Meeting.
- (k) To enter into lease arrangements by Members.
- (l) To promote the Club.
- (m) To ensure that the Club conforms to the Rules and Lawful Directions of all affiliated regulatory Authorities.
- (n) To hold and administer the Club Liquor License.
- (o) To authorise the use of the Club's Common seal.
- (p) To supervise the hiring of the Club's premises.
- (q) To make By-laws and Regulations not inconsistent with these Rules for the efficient working of the Club, and to alter, amend or rescind same as occasion may require. All By-laws shall be entered by the Secretary in a book to be kept for the purpose, and be available for inspection by the Members.
- (r) To deal with other matters which may arise or which are not specifically provided for in the Rules of the Club.

25. QUORUM

At any Meeting of the Board five (5) Members thereof shall form a quorum.

26. INDEMNITY OF OFFICERS

If the Secretary or the Treasurer in their office as such has paid or is liable to pay money for any act, default or omission of any other person, such money shall be refunded to them by the Club or paid by the Club.

DUTIES OF OFFICERS OF THE BOARD

27. CHAIRPERSON

The duties of the Chairperson shall be to preside at Board and General Meetings, to regulate and keep order at all proceedings and to carry into effect the Rules and By-laws of the Club. The Chairperson shall have the right to attend all meetings of the committees.

28. SECRETARY

The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.

The duties of the Secretary will be:

- (a) To attend, if possible, all meetings of the Board and General and Special Meetings of the Club, and record minutes of all meetings in a book to be kept for that purpose.
- (b) To conduct all correspondence in connection with the general business of the Club.
- (c) To prepare the submission to the Annual General Meeting of the Club, the report of the Board on the activities of the club during the year.
- (d) To keep a register of the Members at the Clubhouse, setting forth the name in full and address of each Member of the Club, and the date of the latest payment of their subscription, such register to be open to inspection of Members of the Club.
- (e) Except as otherwise provided in these Rules, to keep in custody or under control all the books, documents and securities of the Club.
- (f) In any other respect, to carry out those duties usually associated with the office of Secretary.
- (g) keep custody of the common seal (if any) of the Club and, except for the financial records referred to in rule 29, all books, documents and securities of the Club.
- (h) The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.
- (i) If possible attend all Bowls Committee Meetings and to record minutes of all meetings in a book to be kept for that purpose and, to conduct all correspondence in connection with bowls business of the club.

29. TREASURER

The duties of the Treasurer will be:

- (a) To receive all monies belonging to the funds of the Club and, within reasonable time, to deposit or arrange for the deposit of such monies with the Club Bankers.
- (b) To pay all accounts as authorised by the Board.
- (c) To keep correct accounts of all monies received and expended.
- (d) To prepare and submit financial statements to each Annual Meeting.
- (e) To produce a statement of each cash transaction and of the financial position of the Club, including the Bank Balance at each Ordinary Meeting of the Board.
- (f) To prepare and submit financial statements and returns as required by regulatory authorities.

- (g) To keep proper books of accounts which shall be open for the inspection of the Board at any time.

30. BOWLS DIRECTORS

- (a) Two Directors of opposite gender shall be elected by the respective members at the Annual General Meeting.
- (b) (b)The Directors shall be responsible to the Board for the day to day management of the bowls section, to preside at Bowls Committee Meetings and to regulate and keep order at all proceedings and to carry into effect the Rules and By-laws of the Club and Association.

31. BOWLS MANAGEMENT COMMITTEE

- (a) There shall be a Sub Committee within the Club which shall consist of the two Bowls Directors, the Secretary and a minimum of 5 members elected by the respective members at the Annual General Meeting responsible for bowls and associated interests.
- (b) The Sub Committee shall be responsible to the Board for the management of the day to day running of the club, bowls and associated activities, greens , arranging rosters and working bees, and to give support to all sub-committees and appointed Officers, to instigate or assist in various fund-raising activities, to receive reports and report to the Board, to affiliate with the relevant Associations and to enter Pennant teams.
- (c) The Bowls Committee shall meet at least once a month for transaction of business.
- (d) To be eligible for a position on the Committee Members must be a financial Ordinary Member or a Life Member.

32. DEPUTY SECRETARY / TREASURER

The duties of the Deputy Secretary / Treasurer shall be to, if possible attend all Board meetings, understudy the Secretary / Treasurer roles and undertake those duties where appropriate.

33. VACANCIES

The Bowls Committee shall have power, should a vacancy occur in their committees, to fill such vacancy for the unexpired term, from the Members of the Club qualified to accept office.

SUB-COMMITTEES AND APPOINTEES

34. GREENS MANAGER

1. The Board shall have power to appoint a Greens Manager.
2. The Greens Manager shall have power to prevent play at any time when it is considered that the area may be injured thereby. Notice posted by the Greens Manager shall be sufficient. No Member shall be allowed on the playing area unless wearing smooth rubber-soled and heel-less shoes.
3. In the absence of the Greens Manager, any two (2) Member(s) of the Bowls Committee appointed on the advice of the Greens Manager, shall have power to prevent play at any time.
4. In all other respects, the supervision and control of the Greens shall be in the hands of the Greens Manager.

35. ASSOCIATION DELEGATES

- (a) The delegates will be the (2) Bowls Directors or nominated deputies.

- (b) Any nominated deputies absenting themselves from two (2) consecutive meetings of the Association without good and valid reason to the satisfaction of the Bowls Directors shall be held to have vacated their office.
- (c) The Bowls Committee shall have power to fill any vacancy.

36. SELECTION COMMITTEES

1. The Committees called the Selection Committees comprising of up to five (5) financial Members for each of Saturday and Mid-week Pennant Competitions, shall be elected by their Members at the Annual General Meeting of the Club
2. The duties of the Selection Committees shall be to arrange and select all teams and control and manage all Club and Pennant fixtures with regard to drawing and handicapping and all matters relating to the playing of these games.
3. In case of any Member or Members of the Selection Committee vacating their position for any reason whatsoever, then such vacancy shall be filled by another financial Member or Members to be appointed by the Bowls Committee.
4. The Club Coach (if appointed) will be invited to be a de facto member of the Selection Committees.

37. TOURNAMENT AND SOCIAL BOWLS COMMITTEES

1. The Tournament and Social Bowls Committees shall organise and control all games of bowls and other sports, with the exception of games organised and controlled by the Selection Committees.
2. The Tournament and Social Bowls Committees shall have power at any time to co-opt any financial member or members to assist in the conducting of Tournaments.

38. DIRECTORS ADMINISTRATION

Three Directors, preferably of mixed gender (one of which will be the Deputy Chairperson) shall be elected by the respective members at the Annual General Meeting and shall be responsible to the Board for

- (a) The day to day maintenance of the clubhouse, grounds and surrounds (other than the greens)
- (b) Rules and Constitution
- (c) Sponsorship
- (d) Fund raising
- (e) Bar management
- (f) Catering and social activities
- (g) Kitchen Management

39. RESIGNATION

No officer of the Club shall be held to have resigned their office until their resignation in writing shall have been accepted by the Board/Bowls Committee.

40. VOTING

All questions for the decision of meetings of the Club thereof shall be proposed and seconded and the result thereof determined by a show of hands, unless a ballot is requested by at least three (3) Members.

SECTION 5

41. FINANCIAL FUNDS

The funds of the Club shall be derived from entry fees, annual subscriptions, donations and such other sources as the Board determine.

42. BANKING ACCOUNT

- (a) The Banking Account of the Club shall be kept with such Bank as shall from time to time be appointed by the Board and all monies banked therein.
- (b) All cheques drawn on the account shall be signed by any two (2) members of the Board, provided that should any of these officers be absent through illness or other cause and a substitute or acting appointment be made by the Board, then such person acting in place of one of the Officers mentioned shall be empowered to sign cheques on the Club's Bank Account in like manner.

43. ACCOUNTS

- (a) Correct accounts and books shall be kept showing the financial affairs of the Club and the particulars usually shown in books of account of a like nature.
- (b) No expenditure apart from normal running costs for the proper conduct of the Club shall be entered into without consent of the Board and the Board shall pass all accounts against the Club before payment is made.

44. CONTROL OVER PROPERTY

Save that the negotiation of a loan, the issuing of debenture, the giving of any security over any property of the Club, the selling or purchasing of any realty, the leasing of any land or buildings the property of the Club for any term exceeding three (3) years, and all other measures in any way extending the liabilities of the Club beyond the assets and estimated revenue of the Club shall require the previous sanction of a General or Special General Meeting of the Club, the property of the Club shall be subject to the control and disposition of the Board, who are empowered to negotiate loans, issue debentures, and sell or purchase any realty, and lease any land buildings of the Club for any term exceeding three (3) years, subject to such sanction aforesaid. The order in writing of a quorum of those assembled at the Meetings, and signed by the Chairperson of the day and attested by the Secretary, shall be obligatory upon and a justification to the Board as to anything thereby directed and shall vindicate anything done or reported to be done by them in pursuance of such direction and no person not being a Member of the Club shall be entitled to enquire into the regularity of such direction beyond the verification of the signature of the Secretary.

45. SUBSCRIPTIONS

The Annual Subscriptions, which does not include affiliation fees, for the various categories of the Members shall be such amount (being not less than \$10.00) except as approved by Liquor Licensing Victoria as may be fixed from time to time by the members in Annual General Meeting and, when so fixed, such subscription shall be deemed to be the Annual Subscription pursuant to this Rule. The Annual Subscription year for Ordinary, Life, Social and Junior members commences on the 1st June each year and ends on the 31st of May each year.

The BOM may determine that any new member who joins after the start of a financial year must, for that financial year, pay a fee equal to—

- (a) The full annual subscription; or

- (b) A pro rata annual subscription based on the remaining part of the financial year; or
- (c) A fixed amount determined from time to time by the BOM.

46. BORROWING POWERS

If at any time the Club in General Meeting or Special General Meeting shall pass a resolution authorising the Board to borrow money, the Board shall thereupon be empowered for the purpose of the Club to borrow such amount of money, either at one time or from time to time, and at such security as shall be specified in such resolution and thereupon the Board shall make all dispositions of the Club property, or any part thereof, and enter such agreements in relation thereof loans and interest. All Members of the Club shall be bound by the decision of the Meeting.

47. AUDIT

The Annual audited statement of accounts and balance sheet shall be submitted to the Board and thereafter presented to the annual meeting for acceptance by the members. An auditor appointed annually by the members at an Annual General Meeting shall audit all accounts and books. Such auditor shall have access at all times to the books accounts and records of the Club and may require from all the Officers, Board, Servants and Members of the Club such information or explanations as such auditor may deem necessary for the proper performance of his duties. If any vacancy in this position occurs the Board may appoint an auditor who shall hold the position until the next Annual General Meeting.

48. APPLICATION OF PROFIT

The Club is a non-profit Club. The profit and other income of the Club shall be applied to the promotion of the purpose for which the Members of the Club are associated together and no payment of any dividends or distribution of profits of income to or amongst the Members of the Club shall be made, provided that nothing herein contained shall prevent the payment by way of Honorarium or refund of expenses of any Member of the Club for services rendered to the Club.

SECTION 6

49. COMMON SEAL

- (a) The Club shall adopt a common seal, which shall be kept in the custody of the Board Secretary.
- (b) The seal shall not be affixed to any instrument except by the authority of the Board and the Officers authorised to sign cheques shall attest the affixing of the seal.

50. SOLICITOR

There will be a Solicitor to the Club, who will be appointed by the Board upon such terms and for such period, as such Board shall direct.

51. COLOURS OF THE CLUB

The colours of the club shall be as determined by the majority of eligible voting Members, subject to approval or rejection by the Association.

52. SUPPLY OF LIQUOR

No liquor shall be sold or supplied to any person under 18 years of age except where any such person is accompanied by a spouse or parent or guardian and the liquor is sold or supplied for consumption as part of a meal supplied on the Club premises.

A member can be supplied liquor for consumption on or off the licensed premises.

Guests are not permitted to purchase liquor to take away from the premises.

No person under 18 years of age except persons who are being trained as waiter and are not allowed to serve behind the bar shall be employed in the Club.

No payment or part payment shall be made to any Secretary, or other Officer or servant of the Club by way of commission or allowance from or upon the receipt of the Club for liquor supplied.

No person shall receive a greater profit, benefit or advantage from the Club than that received by every member thereof other than a remuneration or honorarium approved by the Liquor Licensing Victoria for work done by the Secretary, Treasurer or other Officer of the Club, or salary or wages paid to employees.

53. GUESTS AND VISITORS

- (a) Members may, with the approval of the Board, introduce visitors to the Club. The Board may suspend or limit the admission of visitors to the Club on any occasion during any hours.
- (b) A Member introducing a visitor shall be responsible for the conduct of such visitor whilst the visitor is on the Club premises and shall require such visitor to leave the Club premises immediately upon being requested to do so by a member of the Board.
- (c) When the member who has introduced a visitor leaves the Club premises the visitor whom he has introduced shall leave with that member.
- (d) Not more than four (4) visitors shall be introduced by the same member on any one day and the same visitor shall not be introduced more than twelve (12) times in any period of twelve (12) months.
- (e) The name and usual residential address of each visitor shall be entered in a Visitor's Book provided by the Club and the member introducing the visitor shall sign his name and write his medallion or membership number opposite each such entry. Such entries in the Visitor's Book shall not be

required if the visitor is present for the purpose of attending a special function at the Club in respect of which the Club has obtained a Limited License pursuant to Schedule 1, Liquor Control Reform Act 1998.

- (f) A visitor shall not be supplied with liquor in the Club premises unless in the company of a member, except at a particular function or a
- (g) particular occasion in respect of which a Limited License has been granted under Schedule 1, Liquor Control Reform Act 1998.
- (h) A visitor may be admitted to the Club premises to attend a function or occasion held at such premises by a member or members provided holding of the occasion or function has been approved by the Board and where the whole of the expense is borne by the member or members and no contribution is made by the guest or visitors attending such function or occasion.

54. OBJECTIONABLE BEHAVIOUR

On the Club premises, no objectionable language, betting, or gaming other than that specifically authorised by the Club shall be allowed. Any infringements of this Rule is an offence under the Code of Conduct, as applied under Rule 15.

55. DAMAGE TO PROPERTY

No Member shall 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 Board. The unauthorized removal of property from the Club premises is not permitted.

56. NON-COMPLIANCE WITH THE RULES

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

57. LAWS OF THE GAME OF BOWLS

The Laws of the game of Bowls as adopted from time to time by the Association shall apply to all games played under the control of the Club, except where specifically stated otherwise. Failure to observe any such Laws will render the offending player liable to disqualification from the competition or match.

58. CLUBHOUSE OPEN

The Clubhouse shall be open to members for such times, and on such conditions, as may be decided by the Board from time to time.

59. CLUBHOUSE CAPACITY

No more than 270 persons or as otherwise approved by Liquor Licensing Victoria from time to time will be permitted on the licensed premises at any one time.

60. DISSOLUTION OF THE CLUB

1. The Club may be wound up voluntarily if the Club so resolves by a resolution passed by a majority of not less than three-fourths of such members of the Club as being entitled under these Rules to vote in person at a General Meeting of which not less than twenty-one (21) clear days notice specifying the intention to propose the resolution as a special resolution has been given to all the Members of the Club in the manner provided in these Rules.

2. Upon the passing of such special resolution or upon a winding up of the Club, any funds and property remaining after the satisfaction of all its liabilities, shall at the discretion of the Board, be paid or transferred to a registered charity or charities or to a body promoting the game of Bowls.

61. ALTERATION TO RULES – STATEMENTS OF PURPOSES

1. No rule or purpose shall be adopted nor any existing rule or purpose altered or repealed by special resolution except at a Special General Meeting called for that purpose and of which not less than twenty-one (21) clear days notice specifying the intention as a special resolution has been given to all the Members of the Club in the manner provided in these rules and then only upon three-fourths of such Members of the Club as being entitled under these rules to vote in person vote in favour thereof.
2. While and so long as the Club is licensed under the Liquor Control Reform Act 1998, the Secretary of the club shall within one (1) month from the making of any amendment or alteration in the Rules of the Club forward to the Secretary of the Department of Small Business and Consumer Affairs, a certified copy of every such amendment or alteration.
3. A copy of the proposed new rule, alteration or repeal, as aforesaid, shall be delivered to the Secretary at least thirty (30) days before such meeting, and shall be inserted in the notice convening the meeting at which such proposed new Rule, alteration, or repeal is to be brought and notice thereof shall be posted on the notice board of the Club twenty one (21) clear days before such meeting.

62. BY LAWS

The Board shall have the power from time to time to make by-laws and regulations not inconsistent with these rules for the efficient working of the Club, and to alter, amend or rescind same as the occasion may require.

All By-laws shall be entered by the secretary in a book to be kept for that purpose, and be available for inspection by the members.