



CANUNGRA BOWLS CLUB INC.

Club Constitution

Rules & Articles

By-Laws

Standing Orders

&

Rules of Debate

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Constitution
Canungra Bowls Club Inc.
[re-issued 2011]

1 **Name**
Canungra Bowls Club Inc herein called "The Club"
Club colours are Green and Gold

- 2 **Definitions**
- [a] the "Act" means the Association Incorporation Act 1981 [as amended from time to time]
 - [b] "Club" means Canungra Bowls Club Inc
 - [c] "Constitution" means the Constitution of the club in force for the time being
 - [d] "DBA" means District Bowls Association
 - [e] "DLBA" means District Ladies Bowling Association
 - [f] "Member" means any member of the Club
 - [g] "Board of Management" or the "Board" means the Members for the time being of the Board of Management of the Club as constituted in accordance with this constitution and is the controlling body of the Club subject only to the direction of members at a General Meeting.
 - [h] Bowls Queensland – Ladies Division
 - [i] Bowls Queensland – Mens Division
 - [j] "GCTDBA" means Gold Coast Tweed District Bowls Association trading as Bowls Gold Coast Tweed.
 - [k] "GCTDLBA" means Gold Coast Tweed Ladies Bowls Association.
 - [l] Bowls Australia
 - [m] Reference to any gender included the opposite gender unless context indicates otherwise.
 - [n] Singular includes plural unless context indicates otherwise

3. OBJECTS

The objects for which the Club is established are:-

- (a) To advance and promote the Game of Bowls
- (b) To provide the best possible facilities for Members for the social and competitive playing of the game of bowls in accordance with the Laws of the Game prescribed by the World Bowls Board and the Laws and By-Laws of Bowls Australia Inc.
- (c) To provide, develop and promote such activities as from time to time are deemed appropriate to provide good fellowship between Members of the Club.
- (d) To promote and enhance the game of bowls in the local community.

4. POWERS

The Powers of the Club are:-

- (a) To control the funds and other assets and the liabilities of the Canungra Bowls Club Inc.
- (b) To subscribe to, become a Member of and co-operate with any other Association, Club or Organisation, whether incorporated or not, whose objectives are altogether or in part similar to those of the Club. Provided that the Club shall not subscribe to or support with its funds, any Club, or Association or Organisation which does not prohibit the distribution of its income and property among its Members to an extent at least as great as that imposed on the Club under or by virtue of Rule 35(j) of the Act.
- (c) In furtherance of the objects of the Club, to buy, or sell and deal in all lawful kinds of articles, commodities and provisions, both liquid and solid, for the Members of the Club or persons frequenting the Club's premises.
- (d) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real or 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.
- (e) To enter into any arrangements with any Government or Authority which are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club.

- (e) To obtain from 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.
- (f) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purpose of the Club.
- (g) To remunerate any person or body corporate for services rendered, or to be rendered. Whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the Incorporated Club or in or about the Incorporated Club or promotion of the Incorporated Club or in the furtherance of its' objects.
- (h) 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. To contribute to, subsidise or otherwise assist and take part in the construction, improvements, maintenance, development, working, management, carry out alterations or control thereof.
- (i) To invest and deal with the money of the Club not immediately required in such a manner as may from time to time be thought fit.
- (j) To borrow or to raise money either alone or jointly with any other person or legal entity in such manner as the Club in its absolute discretion may think fit whether upon fixed or fluctuating advance account, overdraft or otherwise and to secure the moneys so borrowed and/or so raised pursuant to this power by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the Club's property or assets present or future and to purchase, redeem or pay off any such securities.
- (k) In furtherance of the objects of the Club to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Club, subject to Article 40 of this Constitution.
- (l) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any part of the Club's property of whatsoever kind sold by the Club, or any money due to the Club from purchasers or others.
- (m) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the provision in sub-rule (d).

- (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) In furtherance to the objects of the Club to transfer all or any part of the property, assets, liabilities and engagements of the Club to any one or more of the Incorporated Associations with which the club is authorised to amalgamate.
 - (q) To make donations to patriotic, charitable or community purposes.
 - (r) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged.
 - (s) To do such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club.
- [t] To accede to all reasonable requests made to the Club through Men's and Ladies' Sections of the GCTDBA & GCTDLBA in respect of greens space and facilities.

MEMBERSHIP

- (a) The Club consists of Ordinary Members, Life Members, Junior Members, Honorary Members, Associate Members, Social and Temporary Members and Honorary Bowlers, each of whom shall be bound by this Constitution, rules and By-Laws as duly amended from time to time.
- (b) The membership of the Club may be limited, either generally or as to any particular class, or classes as the voting Members may from time to time determine at a General Meeting.
- (c) Every applicant for any class of membership of the Club shall be proposed by one (1) Ordinary or Life Member of the Club and seconded by another such Member. The application for membership shall be made in writing, signed by the applicant, the proposer and the seconder and shall be in such form as the Board from time to time prescribes.

QUALIFICATIONS FOR MEMBERSHIP

To be eligible for membership of any class other than classified as Junior or Social Member a person must be:-

- (a) Not less than eighteen (18) years of age;

- (b) Interested in playing the game of bowls;
- (c) Prepared to support and promote the welfare of the Club and the game of bowls;
- (d) Of good repute and character and compatible with other Members;
- (e) Free from indebtedness to any Bowls Club, District Association or any State Bowls Authority and not under an order or notice of suspension or expulsion from any Bowls Club or Bowls Association.

7. CLASSIFICATIONS AND PRIVILEGES OF MEMBERS

- (a) Ordinary Members will comprise such Members who have paid the FULL membership subscription fees and they shall be entitled to exercise all the privileges of membership and enjoy all the benefits of the Club. An Ordinary Member may be a member of more than one Bowls Club.

- (b) Life Members will comprise those persons so honoured and appointed under the following terms:-

An Ordinary Member on the recommendation of the Board may be elected as a Life Member of the Club in honour of special services rendered to the Club. Such election shall be by resolution of a two-thirds (2/3) majority of Members present and entitled to vote at any Annual General Meeting of the Club of which proper notice has been given by the Board. Life Members shall be free to enjoy all Club privileges and exercise all rights. They shall be exempt from payment of the Annual Subscription and any levy, affiliation and capitation fees.

- (c) Junior Members will comprise such Members who are under the age of eighteen (18) years. They shall not be entitled to vote nor to nominate Members for office, nor to nominate other persons to membership of the Club. They shall be entitled to play bowls in any club competition according to the conditions laid down for the playing of the event. They shall not be allowed under any circumstances to be served, to obtain or to consume liquor from or on the Club premises.

- (d) Honorary Members will comprise such persons who have rendered service or benefit to the Club and who on the recommendation of the Board have been elected as Honorary Members at any General Meeting of the Club. An Honorary Member shall be entitled to the social privileges of the Club but shall not be entitled to hold any office in the Club, nor to nominate persons for membership of the Club, nor to take part in Inter Club Matches and Club Championships. They shall be exempt from the payment of Annual Subscription and levies to the Club.

- [e] Associate Members. The Board may elect any qualified person as an Associate Member of the Club for such period or periods and charge membership fees as the Board shall determine. Associate Members shall be permitted to play for the Club in DOMESTIC inter-club challenges when required.

- (e) Associate Members shall not be entitled to hold any office in the Club, nor to attend meetings, nor to nominate persons for membership, nor to take part in any Club Competitions. Associate Members may participate in social play provided that space is available and that such persons are registered bowlers in accordance with Bowls Australia By-Law 17. An Associate Member must currently be a full paying Member declared for another club.
- (f) Honorary Bowlers will comprise persons who are no longer active bowling members. An Honorary Bowler shall be entitled to the Social privileges of the Club but shall not be entitled to hold any office in the club, nor to nominate persons for membership of the Club. Honorary Bowlers may play social bowls but shall not be able to compete in Club Competitions. Honorary bowlers will be charged membership fees as set by the Board.
- (g) Social Members. The Board may elect any person as a Social Member of the Club and charge such membership fees as the Annual General Meeting shall determine. A Social Member shall be entitled to the social privileges of the club, but shall not be entitled to hold any office in the Club, nor to take part in, nor to vote at Meetings of the Club, nor to nominate persons to membership of the club, nor to take part in the game of bowls, except on occasion when persons other than Members may be playing bowls on the invitation of the Board, such as a bowls promotion day.
- [h] Temporary Members. The Board may admit as a Temporary Member any person who does not normally reside within the district where the Club is established, provided always that such person is a full subscribing member affiliated with World Bowls and is not under order or notice of suspension or expulsion by order of that club or any other club so affiliated. Such membership shall not exceed six [6] months period but shall be subject to renewal at the discretion of the Board. Temporary members shall not be entitled to hold any office in the Club, take part in nor vote at any meetings nor to nominate persons for membership nor to take part in Club Championships. Temporary Members may participate in social play provided space is available and play for the Club in DOMESTIC inter-club challenges when required.

8. MEMBERSHIP FEES

- (a) The membership fees for each class of membership shall be such sum as the Members shall determine from time to time at any Annual General Meeting or Special General Meeting called for that purpose.
- (b) The membership fee for each class of membership shall be payable at such time and in such manner as the Board shall from time to time determine provided these times and manner are in accordance with Article 31 "Finance".

9 ADMISSION AND REJECTION OF MEMBERS

- [a]** All details of applications for membership **MUST** be displayed on the Club notice board for at least seven [7] days before being considered by the Board. At the next meeting of the Board after the expiration of these seven [7] days and after the receipt of the fee applicable for any class of membership, such application shall be considered by the Board, who shall thereupon determine upon the admission or rejection of the applicant .
- [b]** All applicants transferring from another Club **MUST** present a Clearance Form, duly signed and dated, from the Club they are transferring from. Such Clearance Form **MUST** accompany their Nomination Form when read at the meeting.
Such Clearance Form **MUST** be the original. Photocopies are not acceptable .
- [c]** Any applicant who receives three quarters [3/4] majority of the votes of the Members of the Board present at the meeting at which the application is being considered, shall be accepted as a Member to the class of membership applied for.
- [d]** Upon acceptance or rejection of an application for any class of membership the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.
- [e]** The Board is **NOT** required to give a reason for the rejection of an application and all fees shall be refunded to the unsuccessful applicant.
- [f]** All applicants shall be considered in the order of lodgement.

10 TERMINATION OF MEMBERSHIP

- [a]** A member may resign from the Club at any time provided they are not under notice of suspension or expulsion, by giving notice in writing to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary, unless a later date is specified in the notice when it shall take effect on that later date
- [b]** A resignation from membership shall not be valid unless received and acknowledged in writing by the Secretary of the Club. A Member shall not be deemed to have resigned from the Club unless their resignation is in writing and delivered to the Secretary and is acknowledged as aforesaid. No such resignation shall relieve any person from the payment of any subscription or other money due or payable by them at the time of their resignation. The resignation of any Member shall involve automatic forfeiture of all rights and privileges in respect to all Club matters. A request for transfer of membership [clearance] shall **NOT** be taken as a registration.
- [c]** **[i]** A Member of the Club or a member of an affiliated Club who fails to observe any of the **RULES** or **By-Laws** of the Club, the **District Bowls Association** or the relevant **State Bowls Authority** or who is deemed guilty of an act, practice, or conduct calculated to bring discredit to the game of Bowls or to the Club or the District Association or its Members, or who on any Club or District Association premises engages in illegal gambling, betting, or uses obscene or abusive language, renders themselves liable to expulsion or suspension.

- (ii) A written report of such conduct shall be handed to the Secretary, signed by the complainant.
- (iii) All reasonable actions shall be taken to give the offender written notice of the complaint by hand delivery or Registered Post and this shall call for an appearance in person before a Meeting of the Board in no more than seven (7) days from service of such notice.
- (iv) The offender may not be represented by any solicitor or agent at such hearing and if he fails to appear the case may be heard in his absence. However in the event of a Junior Member being called before the Board on a charge or complaint, such Junior Member shall be entitled to be accompanied by a Parent/Guardian.
- (v) Should a penalty of suspension or expulsion be imposed at that hearing the offender shall have seven (7) days in which to lodge with the Secretary written notice of their intention to appeal the decision of the Board.
- (vi) If such appeal is lodged a Special General Meeting shall be called to hear the said appeal within twenty-one (21) days of lodgment of intention to appeal .
- (vii) Until such hearing has occurred or such appeal has been conducted the member shall retain all rights and privileges of Membership.
- (viii) At the Special General Meeting to determine the appeal the offender shall be given the opportunity to present his case and a Member of the Board shall likewise present their case.
- (ix) Should the appeal be dismissed the imposed penalty shall have effect immediately.

11. REGISTER OF MEMBERS

- (a) The Board shall keep a register of Members in which shall be entered:-
 1. Name, address and phone numbers.
 2. Date and class of Membership granted.
 3. Major Club or District Offices and achievements and qualifications including date of appointment, relevant Certificate numbers and expiry date.
 4. Resignations and terminations of membership and any further particulars the Board may require from time to time.
 5. The register shall be open for inspection at all reasonable times by any Member who previously applies to the Secretary for such inspection.

12. CLUB MANAGEMENT

- (a) The general management of the Club shall be under the control of the Board who shall, subject to these rules and By-Laws, exercise all powers of the Club.
- (b) The Board of Management of the Club shall consist of a Chairperson, Deputy Chairperson, Secretary, Treasurer, Providor, Greens Director, Games Director, President, Nominee and Immediate Past President all of whom shall be Members of the Club, and such number of other Members as the Members of the Club at any Annual General Meeting may from time to time determine.
- (c) All officers under these Rules shall be honorary and elective save as hereinafter provided. Every financial Ordinary Member and Life Member of the Club shall be eligible to hold any such office.
- (d) Save as is otherwise provided in these Rules and subject thereto every office bearer in the Mens and Ladies Sections and Members of the Board shall be elected at the Annual General Meeting of the Club and shall hold office from the conclusion of the Annual General Meeting at which they are elected until conclusion of the election held at the next ensuing Annual General Meeting of the Club but shall be eligible for re-election.
- (e) At the Annual General Meeting of the Club, all the Members of the Board and officers of the Mens and Ladies sections for the time being shall retire from office but shall be eligible upon nomination for re-election.
- (f) Any office bearer who has held the same position for five (5) consecutive years MUST receive a two-thirds (2/3) majority vote of all Members present at the Annual General Meeting to be elected and to continue in the said position. Should less than the two-third (2/3) majority vote be received the position will be declared vacant and nominations called from the floor.
- (g) The election of officers and other Members of the Board shall take place as described in By-Law 6 "Elections".
13. Any Member of the Board may resign from membership of the Board at any time by giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice, when it shall take effect on that later date.
14. (a) Any Executive Officer and any Member of the Board may be removed from office by Special Resolution at a Special General Meeting of the Club. Such person shall have due notice of such meeting and shall be afforded reasonable facilities for making such representations to the meeting as thought fit. He shall not be entitled to be represented by a Solicitor, Barrister or any other agent. The decision of the meeting shall be final.

(b) All elected officers and Board Members must retire from office if their principal place of residence is transferred out of the area of the GCTDBA and GCTDLBA as appropriate.

15. VACANCIES ON THE BOARD OF MANAGEMENT

- (a) The Board shall have the power at any time to appoint any eligible Member of the Club to fill any casual vacancy on the Board until the next Annual General Meeting.
- (b) The continuing Members of the Board may act notwithstanding any casual vacancy on the Board, but if so long as their number is reduced below the number fixed by or pursuant to these Rules as the necessary quorum of the Board the continuing Member or Members may act for the purpose of increasing the number of Members of the Board to that number or of summoning a Special General Meeting of the Club for that purpose.

16. FUNCTIONS OF THE BOARD OF MANAGEMENT

- (a) Except as otherwise provided by these rules and subject to any resolutions of the Members of the Club carried at any General Meeting of the Board, the Board shall:-
- (i) Have the general control and management of the administration of the affairs, property and funds of the Club;
- (ii) Have authority to interpret the meaning of these Rules and any matter relating to the Club on which these Rules are silent.
- (b) The Board may exercise all powers of the Club:-
- (i) to borrow or raise or secure the payment of money in such manner as the Members may think fit and secure the same for payment or performance of any debt, liability, contract guarantee or other engagement incurred or to be entered into by the Club in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Club's property, both present and future, and to purchase, redeem or pay off any such securities;
- (ii) to borrow money from Members at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Brisbane for overdrawn accounts on money lent, whether the term of the loan be long or short and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt liability or obligation of the Club, and to provide and pay off any such securities; and

- [iii] to invest in such manner as the Members of the Club may from time to time determine;
- [iv] to regulate the opening and closing of greens;
- [v] to transact and authorise expenditure, provided that the Board is not empowered to authorise any single item of expenditure in excess of four thousand dollars [\$4 000] without prior approval of the Annual General Meeting or of a Special general Meeting of the Club;
- [vi] to appoint Committees;
- [vii] to call general Meetings of the Members;
- [viii] to arrange Meetings of the Board;
- [ix] control Members and elect new Members as provided and subject to Articles 6 & 7;
- [x] to hire or let premises and greens;
- [xi] to engage or dismiss labour, greenkeepers and assistants;
- [xii] to make or vary By-Laws from time to time but not inconsistent with these rules, the Laws of the Game or the Provisions of the Liquor Act 1992 and the Gaming Machines Act 1992;
- [xiii] to otherwise act in the interest of the Members.

17 MEETINGS OF BOARD OF MANAGEMENT

- [a] to exercise its functions, the Board shall meet at least once every calendar month on a set day of the month. Should that day be unavailable for a meeting, due to Bowls commitments, another suitable date will be decided at the previous meeting. There will be no meeting in January unless deemed necessary by the Board.
- [b] A Special Meeting of the Board shall be convened by the Secretary on the requisition in writing signed by not less than one third [1/3] of the members of the Board. Such requisitions shall clearly state the reasons why such Special meeting is being convened and the nature of the business to be transacted.
- [c] At every meeting of the Board a simple majority of the number of members elected and/or appointed to the Board as at the close of the last General Meeting of members shall constitute a quorum.
- [d] Subject as previously provided in the rule, the Board may meet together and regulate proceedings as it thinks fit; provided that questions arising at any Meeting of the Board shall be decided by a majority of votes and in the case of equality of votes, the question shall be decided in the negative.

- [e] A Member of the Management Committee shall not vote in respect of any contract with the Club in which he is interested or any manner arising therefrom.
- [f] Not less than one [1] day's notice shall be given by the Secretary to members of the Board of any Special meeting of the Board. Such notice shall clearly state the nature of the business to be discussed.

18 **BOWLS MANAGEMENT**

- [a] for the purpose of management of the Game of Bowls within the Club the club shall consist of two [2] sections -- the Men's Section and the Ladies' Section.
- [b] Each section shall elect a President, Games Director and the desired number of Selectors for match arrangements and team selections.
- [c] At mixed weekend events and function the Presidents of each Section may share the Official Club Host duties, as they see fit. In their absence a Vice president may act as Host or in the absence of both President and Vice President then a Past President will act as Host.

19 **MEN'S SECTION**

- [a] The Men's Section shall consist of male Life, Ordinary, Junior members and Honorary Bowlers of the Club. It shall be responsible for the control of the men's games through its elected Games Director and Selectors, and wherever other matters the Board may require.
- [b] Affiliation with Bowls Queensland – Men's Division and GCTDBA shall be the responsibility of the Men's Section. Fees and Levies to those bodies shall be based on the membership of this Section and shall be paid through the Board additional to the annual subscriptions as required under Article 31.
- [c] The Secretary of the Board shall be responsible for correspondence with other clubs in relation to games and affiliations.
- [d] At special men's bowling events and functions the President of this Section shall be the official Host for that event or function. In his absence a Vice President will act as host and in the event of no Vice President in attendance a past President will be host.

20 **LADIES' SECTION**

- [a] The Ladies' Section shall consist of all female Life, Ordinary, Associate and Junior members and Honorary Bowlers of the Club. It shall be responsible for control of Ladies' games through its elected Games Director and Selectors, and whatever other matters the Board may decide.
- [b] Affiliation with Bowls Australia, Bowls Queensland – Ladies' Division, and the GCTDLBA shall be the responsibility of the Ladies' Section. Fees and Levies to those bodies shall be based on the membership of this Section and shall be paid through the Board additional to the Annual subscription as required under Article 31.

[c] The Secretary of the Board shall be responsible for correspondence with other clubs in relation to games and affiliations.

[d] #####

21 **AFFILIATION – MEN**

[a] The men's section of the Club may affiliate with Bowls Queensland – Men's Division and on affiliation shall accept and abide by the Rules and By-Laws of Bowls Queensland – Men's Division.

[b] The Men's Section of the Club shall affiliate with the GCTDBA and on affiliation shall accept and abide by the Rules and By-Laws of GCTDBA.

[c] The Men's Section may renew its affiliation with Bowls Queensland – Men's Division and GCTDBA in accordance with the Rules and pay the Annual fees to GCTDBA from monies paid to the Board for that purpose and held in trust by the Board.

[d] The Men's Section of the Club shall elect a Delegate to GCTDBA in accordance with the Rules and By-Laws of GCTDBA.

[e] The Men's Section shall provide to Bowls Queensland – Men's Division such returns as are required by those bodies.

AFFILIATION – LADIES

[f] The Ladies Section of the Club may affiliate with Bowls Queensland – Ladies' Division and shall accept and abide by the Rules and By-Laws of Bowls Queensland – Ladies' Division.

[g] The Ladies Section of the Club may affiliate with GCTDLBA and shall accept and abide by the Rules and By-Laws of GCTDLBA.

[h] The Ladies Section of the club may renew its affiliation with Bowls Queensland – Ladies Division and GCTDLBA in accordance with the Rules and By-Laws and pay any necessary fees and levies from monies paid to the Board and held in trust for that purpose.

[i] The Ladies Section of the Club shall elect a delegate to the GCTDLBA in accordance with the Rules and By-Laws of the GCTDLBA.

[j] The Ladies' Section shall provide to Bowls Queensland – Ladies Division and GCTDLBA such returns as are required by those bodies.

AFFILIATION – NATIONAL

[k] No Rule or By-Law of the Club shall be in conflict with the Rules and By-Laws of the relevant National, State or District Bowls Authority.

- (ii) The Club shall not affiliate with any Club, Association or Corporation which has an object or purpose of a political or religious nature.

22. COMMITTEES

- (a) The Board may delegate any of its powers to a sub-committee consisting of such members of the Club as the Board think fit. Any sub-committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Board.
- (b) Such committee may elect a Chairperson at its meetings. If no such Chairperson is elected, or if at any meeting the Chairperson is not present within ten (10) minutes after the time appointed for holding the meeting, the Members present may choose one of their number to be Chairperson of the meeting.
- (c) A committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the Members present and, in the case of equality of votes, the question shall be deemed to be decided in the negative.

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

24. A resolution in writing signed by all the Members of the Board from the time being entitled to receive notice of meeting of the Board shall be as valid and effectual as if it had been passed at a Meeting duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more Members of the Board.

25. ANNUAL GENERAL MEETING

- [a] The Annual Meeting shall be held as soon as possible after receiving Auditor's Report, but must be held between September 1st and October 12 [inclusive]
- (b) The business to be transacted at every Annual General Meeting shall be:-
- (i) the receiving of the Board's report and the statement of income and expenditure, assets and liabilities, mortgages, charges and securities affecting the property of the Club for the preceding financial year;
- (ii) the receiving of the Auditors Report upon the books and accounts for the preceding financial year;
- (iii) a Report from the Presidents of both Mens and Ladies Sections.

- (iv) the declaration of the results of the elections of the Board and the officers of the Mens and Ladies Sections.
- (v) the appointment of an Auditor
- (vi) the appointment of an Honorary Solicitor
- (vii) the appointment of Patrons for both sections
- (viii) honorarium payment to be decided for services rendered
- (ix) review of Annual Subscriptions

26. SPECIAL GENERAL MEETINGS

The Secretary shall convene a Special General Meeting:-

- (a) when directed to do so by the Board,
- (b) on the requisition in writing signed by not less than one third (1/3) of the Members presently on the Board or not less than the number of Ordinary Members of the Club which equals double the number of Members presently on the Board plus one (1). Such requisition shall clearly state the reasons why such a Special General Meeting is being convened and the nature of the business to be transacted thereat,
- (c) on being given a notice in writing of an intention to appeal against the decision of the Board to suspend or to terminate the membership of any person.
- (d) At a Special General Meeting NO business, other than the advertised business, is to be discussed.

GENERAL MEETINGS

- (a) At any General Meeting the number of Members required to constitute a quorum shall be two thirds (2/3) of the number of Members currently on the Board plus two (2) financial Ordinary or Life Members.
- (b) No business shall be transacted at any General Meeting unless a quorum of Members is present at the time when the meeting proceeds to business.
- (c) If within half an hour from the time appointed for the commencement of a General Meeting a quorum is not present, the meeting, if convened upon the requisition of Members of the Board or the Club, shall lapse.

In any other case it shall stand adjourned to the same day the next week at the same time and place, or to such other day and such other time and date as the Board may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the Members present shall be a quorum.

- (d) The Chairperson may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business unfinished at the meeting from which the adjournment took place. When a meeting shall be adjourned as in the case of an original meeting, save as aforesaid it shall be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.
28. (a) The Secretary shall convene all General Meetings of the Club by giving not less than fourteen (14) days notice of any such meeting to the Members of the Club.
- (b) The manner by which such notice shall be given shall be determined by the Board; provided that notice of any meeting convened for the purpose of hearing and determining the appeal of a Member against the suspension or termination of their membership by the Board, shall be given in writing to that person or persons.
- (c) General Meetings shall be held quarterly.
29. Unless otherwise provided by these Rules, at every General Meeting:-
- (a) The Chairperson shall preside as Chairperson or if there is no Chairperson or if he is not present within fifteen (15) minutes after the time appointed for the holding of the meeting or is unwilling to act, the Deputy shall be the Chairperson, or if the Deputy Chairperson is not present or is unwilling to act then the Members present shall elect one of their number to be Chairperson of the meeting;
- (b) The Chairperson shall maintain order and conduct the meeting in a proper and orderly manner;
- (c) Every question, matter or resolution shall be decided by a majority of votes by Members present.
- (d) Every Member present shall be entitled to one (1) vote and in the case of equality of votes the Chairperson shall have a second or casting vote. Provided that no Member shall be entitled to vote at any General Meeting if their annual subscription is more than one (1) month in arrears at the date of the meeting;
- (e) Voting shall be by show of hands or a division of Members, if one-fifth (1/5) of Members present demand a ballot, there shall be a secret ballot. The Chairperson shall appoint two (2) Members to conduct the secret ballot and the result of the ballot as declared by the Chairperson shall be deemed to be the resolution of the meeting;

- [f] The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Board meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial Member who previously applies to the Secretary for that inspection. For the purpose of ensuring the accuracy of the recording of such minutes, the minutes of every General Meeting shall be signed by the Chairperson of that meeting or the next succeeding meeting, providing the minutes of any Annual General Meeting shall be signed by the Chairperson of that Meeting or the Chairperson of the succeeding meeting, after the meeting has verified their accuracy.

30 **COMMON SEAL**

- [a] The Board shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Board and every instrument to which a seal is affixed shall be signed by a Member of the Board and shall be countersigned by the Secretary or by a second Member of the Board or by some other person appointed by the Board for that purpose.

31 **FINANCE**

- [a] The Financial year of the Club will end on 30th June each year. The Annual Subscription shall be payable in advance, either as a full amount, or in quarterly or half yearly instalments due as at June 30th annually. The relevant State and District fees will be due and payable as at December 31st annually.

- [b] [i] An entrance fee and Annual Subscription shall be payable by all Members irrespective of class, except as proved by these Rules. Such fees and subscriptions shall be determined at the Annual General Meeting or at a Special General Meeting called for that purpose in March or April and shall be deemed to be due and payable before July 1st and shall apply to the period commencing July 1st and ending June 30th the following year.

[ii] **Unfinancial-**

If members fail to pay their Annual Subscription either annually, quarterly or half-yearly within one [1] month of its becoming due, they shall be deemed to be unfinancial.

- [c] The fees as fixed, shall be payable by new members joining the Club in the twelve [12] months following the Annual General Meeting. Any person taking up membership throughout the financial year of the Club shall pay their subscription on a quarterly pro-rata basis from the date of acceptance as a Member to the end of the financial year.
- [d] The Board shall have the power to charge a green fee, such fee being subject to variation as determined by the majority decision of the Board.

- (e) The Club at any time may strike a special per capita levy on all Ordinary Members at an Annual or Special General Meeting of the Club, of which prior notice of at least fourteen (14) days has been given by the Board. No levy shall be payable to the Club unless it is passed by not less than two-thirds (2/3) of the majority of the Members present and entitled to vote at that meeting. A notice advising that the levy has been struck and that amount thereof, shall be placed on the notice board within two (2) days following the meeting.
- (f) Each Member who has not paid the levy within fourteen (14) days shall be advised by letter delivered to the member or posted to his address, of any levy struck as aforesaid. If a Member fails to pay the levy within one (1) month of the day following the posting of the letter of advice, they shall be deemed unfinancial.
- (g) Any Member who becomes unfinancial shall forthwith be deprived of all privileges of membership of the Club including:-
- (i) The right to hold office;
 - (ii) The right to speak or vote at any Meeting of the Board or at any General Meeting of the Club;
 - (iii) The right to nominate any person for office or be nominated for office in the Club;
 - (iv) The right to enter and play Club matches;
 - [v] The right to enter the Club [at the discretion of the Board at the time]

32. FUNDS AND ACCOUNTS

- (a) The funds of the Club shall be deposited as soon as possible in the name of the Club in such bank or government approved banking institution as the Board may from time to time direct.
- (b) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Club and particulars usually shown in books of a like nature.
- [c] All accounts shall be paid by cheques signed by any two [2] of the Chairperson, Secretary, Treasurer or other Member authorised from time to time by the Board.
- (d) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupment which may be open.
- (e) The Board shall determine the amount of petty cash which shall be kept in the imprest system.
- (f) All expenditure shall be approved or ratified at a Board Meeting.

- (g) As soon as practicable after the end of the financial year the Treasurer shall cause to be prepared a statement containing particulars of:-
- (i) The income and expenditure for the financial year just ended; and
 - (ii) The assets and liabilities and of all mortgages, charges and securities affecting the property of the Club at the close of that year.
- (h) All such statement shall be examined by the Auditor who shall present this report upon such audit to the Secretary prior to the holding of the Annual General Meeting, next financial year in respect of which such audit was made.
- (i) Income and property of the Club whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein. No portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividends, bonus or otherwise by way of profit to or amongst the Members of the Club provided that nothing herein contained shall prevent the payment in good faith of interest to any such Member in respect of moneys advanced to him or remuneration to servants of the Club or other person in return for any services actually rendered to the Club provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any Member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Club, or reasonable and proper rent for premises demised or let to the Club.
- (j) No office or employee of the Club shall receive any monies by way of commission or allowance calculated be reference to the quantity of liquor sold or supplied by the Club or the receipts of the Club for such liquor.

33. VISITORS

- (a) Members shall have the privilege of introducing a friend or friends to the Club. No visitor shall be supplied with refreshments unless on the invitation and in the company of a Member or Members who shall be responsible for ensuring the visitor's name and address are entered in the visitors book.
- (b) All visitors who are members of any club affiliated with Bowls Australia, or with any Controlling Body affiliated with World Bowls or International Womens bowling Board and who are not under any notice or order of suspension or expulsion shall be deemed to be visiting members of the Club whilst on Club premises. Such visitors shall be accorded the privileges of Members of the Club but shall not take part in any meeting of the Club or vote thereat.
- (c) All visitors shall, whilst on the Club premises, be subject to the control of the Club. The Club reserves the right to refuse and/or terminate admission to the Club premises of any visitor without assigning any reason for such refusal, and to regulate the attendance of visitors at the Club for any such period it deems advisable.

The Club's rights and powers under this rule may be exercised by the Chairperson or in their absence by a Member of the Board. If a visitor refuses a lawful request to leave the premises, they immediately become a trespasser and may be dealt with according to the law.

34. ILLEGAL GAMBLING, DISPUTES ETC

No political or religious subjects shall be discussed on the Club's premises, nor shall illegal gambling, betting on games, obscene or abusive language or unseemly conduct be allowed. Any alleged infringement of this rule, or report of any Members, shall be investigated by the Management Committee, which have the power to demand and direct apologies, and if necessary, if the offending party be a Member, to deal with him under Article 10 (c), or if he be a Member of another club to report his conduct to such club and to the relevant State Association. If he is a visitor, who is not a member of a Bowls Club, the Senior Officer of the Club present at the time shall have the authority to have him removed from the Club premises.

35. LAWS OF THE GAME

The laws and By-Laws of the Game adopted from time to time by Bowls Australia and Bowls Queensland respectively shall be the Laws and By-Laws of the Game for this Club.

36. ACTIVITIES SHALL BE LAWFUL

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

37. DOCUMENTS

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

38. INDEMNITY CLAUSE

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

39. DISSOLUTION

- (a) The Club may be dissolved by resolution of the Members at a Special General Meeting confirmed by a resolution at a further Special General Meeting called at an interval of not less than thirty (30) days thereafter.

The two (2) meetings may be convened by one (1) notice delivered or posted to every financial member fourteen (14) clear days before the date of the first Special General Meeting. The resolution proposed in connection with the voluntary dissolution shall not be deemed to have carried unless passed by three-fourths (3/4) of those financial members present and entitled to vote at each Special General Meeting.

- (b) The Club shall be dissolved when the financial membership is reduced to three (3) or fewer Members.

40. **DISTRIBUTION OF SURPLUS ASSETS**

If the Club shall be wound up in accordance with the provisions of the Act, and their remains after satisfaction of all its debts and liabilities, any property whatsoever, the same shall NOT be paid to or distributed among the Members of the Club, but shall be given or transferred to some other institution/s which have objects similar to the objects of the Club, and which shall prohibit the distribution of its or their income and amongst their members to an extent at least as great as imposed on the Club under or by virtue of Rule 35 (j) of the Act. Such institution/s to be determined by the Members of the Club provided the institution/s approved by the Commissioner of Taxation that the institution/s referred to in Section 23 of the Income Tax Assessment Act 1936 (amended).

41. **ACCEPTANCE OF RULES BY MEMBERS**

All Members on admission shall be deemed to have agreed to be bound by the Constitution, Rules and By-Laws of the Club from the time being in force.

42. **ALTERATION OF ARTICLES**

Subject to the provisions of the Act, these Articles may be amended, rescinded or added to from time to time by a special resolution carried at any General Meeting, provided that no such amendment, recision or addition shall be valid unless same have been previously submitted to and approved by the Director General of the Department of Consumer Affairs, Brisbane or the Department for the time being responsible and the relevant State and District Bowls Authorities.

BY-LAWS

1 BAR

No member other than the Chairperson of the Board, Licensee, Provider or members appointed by these persons will be allowed behind the bar, unless requested by the Provider, Chairperson or deputy Chairperson

2 TROPHIES

All trophies offered by the Club shall be played for under such conditions as the Club may from time to time determine subject to the Rules of the Board, and relevant Bowls Authorities. All trophies donated to the Club shall be subject to acceptance by the Board. They may be played for under such conditions as the donors may impose provided such conditions are approved by the Controlling Body.

3 DRAWS

All draws for Championships and Competitive games be made in accordance with the Conditions of Play as determined by the Bowls Sections and published before entries are called.

4 PLAYER COMMITMENTS

When a member of a Club has been called to fulfill a Bowls Australia, Bowls Queensland, District Bowls or Club commitment, in a match or on official business, on any day on which he has been drawn to play in Bowls Australia, Bowls Queensland, District Association or Club commitment the onus shall be on the player to notify Bowls Australia, Bowls Queensland, District Bowls Association or Club as the case may be.

The Controlling Body may determine circumstances which it will not accept as a valid reason for players unavailability. However, a substitute is not permitted if an intended player enters another competition scheduled to be played at the same time. If a substitute is refused on these grounds the Controlling Body shall declare the position of the absent player vacant and provisions of Law 39B[iv] shall apply.

Provisions consistent with this clause shall be included in all Club Rules and shall be deemed to be a condition of competitions conducted by the Club

5 INSURANCE

The Club shall be insured against loss or damage by fire, such of the insurable property of the Club and of its Members and in such sums as the Board thinks fit.

6. ELECTIONS

Nominations for all elected Members of the Board and elected officers of the Mens and Ladies Sections shall be called twenty-eight (28) days before the Annual General Meeting (AGM)

Nominations shall be on a form supplied by the Secretary and approved by the Board. Nominations must contain the name of the nominee, the position for which the nomination is made, the name and signature of the proposer and seconder and the signature of the Nominee declaring acceptance of the nomination.

Nominations MUST be lodged with the Secretary of the Board who shall give notice of each on a list on the Club notice board within twenty-four (24) hours of receipt of nomination.

Nominations shall close fourteen (14) days before the AGM.

Voting on all positions shall take place by secret ballot at the AGM by those present. No proxy, postal or absentee voting will be allowed. Scrutineers shall be elected at the AGM. Following the counting of votes and the announcement of the successful nominees all ballot papers will be destroyed immediately.

7. ALTERATION TO BY-LAWS

The Board may from time to time, make, amend or rescind these By-Laws not inconsistent with the Articles, and any By-Laws may be set aside by a General Meeting of the Club.

No By-Laws may be made, amended or rescinded by the Board or a General Meeting unless fourteen (14) clear days notice of intention to do so has been given in writing on the Club Notice Board.

STANDING ORDERS AND RULES OF DEBATE

ORDER OF BUSINESS

1. The order of business shall follow the agenda prepared by the Secretary and Chairperson. Members shall introduce new business only after the completion of the business set out in the agenda. The first item on the agenda shall be the confirmation of the Minutes as a correct record.

SUSPENSION OF THE AGENDA

2. Should any matter of urgency arise, a Member may move a Suspension of the Agenda for a stated period of time to allow the urgent question to be discussed.

CONDUCT OF SPEAKERS

3. No interruption of a speaker is allowed except for formal motion No.26 and on a point of order, which must be taken immediately the alleged breach has occurred.
4. The Chairperson shall choose speakers alternately for and against the motion.
5. All remarks shall be addressed to the Chairperson and any questions to another Member shall be put through the Chairperson.

CHAIRPERSON'S RULING

6. The Chairperson's ruling on all points of order shall be final, unless a motion is moved, seconded and carried "that the Chairperson's ruling be disagreed with". The mover may speak briefly in support of his motion and the Chairperson explain why the ruling was given. The Chairperson takes the vote.

MOTIONS AND AMENDMENTS

7. All proposals made to the meeting shall be in the form of motions.
8. Every speaker must keep to the question before the meeting.
9. All motions and/or amendments, except the closure, must be moved and seconded. If no seconder is found, the motion or amendment lapses.
10. The mover of a motion shall be allowed to present the motion for up to five (5) minutes. All other speakers shall be limited to three (3) minutes. A motion for extension of time for a speaker may be moved and seconded and put to a vote, but not debated.
A mover of a motion shall not be interrupted by the Chairperson seeking a seconder, until the mover finishes speaking.

11. No motion can be accepted by the Chairperson which is the same in effect, as one already negatived, except on notice of motion.
12. If a Chairperson wishes to discuss a motion or amendment, he shall do so before the reply by the mover.
13. No Member may speak twice to the same question except in explanation, unless the mover of the original motion exercising the right of reply.

WITHDRAWAL

14. No motion or amendment, which has been moved or seconded, shall be withdrawn without approval of the seconder and the consent of the meeting.

PERSONAL EXPLANATION

15. By permission of the Chairperson, a Member may speak briefly in personal explanation of his own previous statement, but must keep strictly to the point which has been misunderstood. The explanation must not interrupt another speaker.

ONLY ONE AMENDMENT

16. When an amendment is moved to an original motion, no further amendment shall be discussed until the first amendment is disposed of, but further amendments may be foreshadowed without discussion. Amendments are voted on before the motion.

NO DIRECT NEGATION

17. An amendment must be relevant to the question and so framed that it forms, with the part of the original motion unaffected by it, a sensible and consistent proposal. It must not be a direct negation of the original motion. No amendment can be accepted to the first part of a motion after the second or subsequent parts have been amended.

SPEAKING TO AMENDMENTS

18. A speaker shall not be interrupted except on a point of order.

RIGHT OF REPLY

19. The mover of a motion which is opposed may reply to the arguments raised before the motion is put, but he may not introduce any new matter. His reply ends the debate, if there are no amendments. If an amendment is moved, the mover of the original motion exercises his right of reply before the first amendment is put. His reply need not end the debate on the substantive motion. The mover of the amendment has no right of reply.

AMENDMENT NEGATIVED

20. If the first amendment is negatived, the original motion again becomes open to amendment.

SUBSTANTIVE MOTION

21. If the first amendment is carried, the motion as amended, becomes the substantive motion, and is again open to amendment. When the substantive motion is put to the meeting and carried it becomes the resolution.
22. No Member may speak on any motion after it has been put to the vote. No amendment may be moved after the substantive motion has been put to the vote.

AMENDMENTS TO MOTIONS ON NOTICE

23. Amendments may be moved to motions on notice provided they are within the scope of the notice and can involve the Club in no greater obligations than the notice specifies.

RESCINDING RESOLUTIONS

24. Resolutions may not be rescinded until six (6) months have elapsed except on notice of motion signed by four (4) Members, forwarded to every Member.

RESOLUTIONS NULL AND VOID

25. If a resolution is passed inadvertently in contravention to these Articles, it may be declared null and void by a unanimous vote of the meeting.

CLOSURE

26. A motion "that the question be put" known as "the closure" may be moved during the discussion of either a motion or an amendment. It can interrupt a speaker, and may not be debated. It needs no seconder. If moved on an amendment it affects the amendment only. It does not prevent the mover of the original motion exercising his right of reply.

VOTING

27. Voting shall be by voice or by show of hands except where a ballot is specified in the Articles or a secret ballot is granted in terms of Article 19.

CASTING VOTE

28. The Chairperson shall have both a deliberative and a casting vote but is not bound to exercise them. Where voting is equal the chair may declare the motion "not carried". This will not debar the motion from being debated at the next meeting.

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