

# CONSTITUTION AND RULES



## LOCKLEYS BOWLING CLUB INC

MAY 2019

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# PART A - NAME AND OBJECTIVES

## 1. NAME

The name of the Club shall be **Lockleys Bowling Club Inc.**

### 1.1 OFFICIAL COLOURS OF THE CLUB

The colours of the Club are Blue and Yellow.

### 1.2 CLUB LOGO (BADGE)

The design of the logo is to incorporate an eagle on a yellow background, with the words "Lockleys Bowling Club", either together or split as "Lockleys" and "Bowling Club", to appear on a blue scroll either at the top or bottom (or both) of the desi

### 1.3 CLUB UNIFORM AND CLUB LOGO

The Principle colours shall be blue and yellow.

## 2. INTERPRETATIONS

2.1 In these Rules, except in so far as the context or subject-matter otherwise indicates or requires:

2.1.1 **"The Act"** means the Association Incorporation Act (SA) 1985, as amended.

2.1.2 **"Administrative Secretary"** means the Secretary of the Club elected in accordance with these Rules.

## PART A - NAME AND OBJECTIVES cont...

- 2.1.3 **“Board of Management”** means the members for the time being of the Board of the Club as constituted in accordance with the Rules and is the governing or controlling body of the Club subject only to any direction of the members at an Annual General Meeting or Special General Meeting.
  - 2.1.4 **“Bowls SA”** means Bowls SA Inc, the peak body of the sport of Lawn Bowls in South Australia.
  - 2.1.5 **“Chairman”** means the Chairman according to the current officeholder in the various committee categories.
  - 2.1.6 **“Club”** means the club referred to in Rule 1.
  - 2.1.7 **“Day”** means calendar day not business day.
  - 2.1.8 **“Financial Year”** means the Club’s Financial Year and, unless altered by the members at an Annual General Meeting or Special General Meeting, shall be the period April 1 to March 31.
  - 2.1.9 **“Member”** means any member of the Lockleys Bowling Club Inc.
  - 2.1.10 **“Month”** means a calendar month.
  - 2.1.11 **“Rules”** means the Rules of the club in force for the time being.
  - 2.1.12 **“Special Resolution”** means a resolution of the Club which is passed by a majority which comprises not less than three-quarters of such members of the Club as, being entitled under these Rules so to do, vote at an Annual General Meeting or Special General Meeting of which not less than twenty-one (21) days’ written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these Rules.
- 2.2 In these Rules:
- 2.2.1 words importing the singular include the plural and vice versa;
  - 2.2.2 words importing any gender include the other gender; and
  - 2.2.3 a reference to ‘writing’ shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in a visible form, including messages sent by electronic mail.

# **PART A - NAME AND OBJECTIVES continued...**

## **3. OBJECTIVES AND PURPOSES**

The objectives and purposes of the Club shall be:

- 3.1 to maintain and conduct a Club of non-political character, and to provide a clubhouse, bowling green and other conveniences for the use and recreation of the members at such place or places as decided by the members;
- 3.2 to promote such other objects as the members shall determine but always to have in mind the advancement and best interests of the sport of bowls;
- 3.3 to affiliate with Bowls SA and any other organisation that may be desirable in the pursuit of these objects and purposes;
- 3.4 to do all such things necessary to the attainment of the above objects and purposes.

## **4. POWERS**

The Club shall have the power to:

- 4.1 acquire, hold, deal with and dispose of any real or personal property.
- 4.2 construct, maintain and alter any buildings, grounds, playing surfaces, conveniences or works necessary or convenient for the purposes of, or which seem likely to advance, the interests of the members of the Club.
- 4.3 open and operate financial institution accounts.
- 4.4 invest money:
  - 4.4.1 in any security in which trust monies may, by Act of Parliament, be invested.
  - 4.4.2 in any other manner that the Board of Management deems fit.
- 4.5 borrow or acquire money upon such terms and conditions as the Board of Management deems fit.
- 4.6 give such security for the discharge of liability incurred by the Club as the Board of Management deems fit.
- 4.7 appoint agents to contract any business of the Club on behalf of the Club.
- 4.8 enter into any other contract the Club considers necessary or desirable.
- 4.9 do all such acts and things as are incidental, conducive or subsidiary to all or any of the objects of the Club.

## **PART B – MEMBERSHIP**

### **5. MEMBERSHIP QUALIFICATIONS**

A person is qualified to be a member of the Club if, but only if:

- 5.1 the person is a person who has not ceased to be a member of the Club at any time after incorporation of the Club under the Act.
- 5.2 the person is a person who:
  - 5.2.1 has been nominated for membership of the Club as provided by these Rules.
  - 5.2.2 has been approved for membership of the Club by the Board of Management.

### **6. REGISTER OF MEMBERS**

- 6.1 The Administrative Secretary shall establish and maintain a Register of Members of the Club specifying the name, address and membership class of each person who is a member of the Club together with the date on which the person became a member.
- 6.2 The Register of Members shall be kept at the principal place of administration of the Club and shall be open for inspection by any member of the Club.

### **7. SERVICE OF NOTICES**

- 7.1 For the purposes of these Rules, a notice may be served by or on behalf of the Club on any member either personally or by sending the notice by post to the member at the member's address shown in the Register of Members or by publishing the notice in the 'Public Notices' section of a newspaper circulating generally throughout the State.
- 7.2 Where a document is sent to a person by properly addressing, prepaying and posting to the person, a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purpose of these Rules to have been served on the person at the time at which the letter would have been delivered in ordinary course of post.

### **8. MEMBERSHIP QUOTA**

The Board of Management may in its absolute discretion impose a maximum quota on the number of members of the Club.

## PART B – MEMBERSHIP cont...

### 9. MEMBERSHIP CLASSES

The Club shall, in respect of bowling members, consist of such classes of membership as conform with the registration requirements of Bowls SA. In addition, the Club may, in respect of non-bowling members and visiting interstate and/or overseas bowlers, consist of such classes of membership as the Club deems appropriate.

9.1 **Full Members** shall be entitled to use the Club's greens and play in all Bowls SA and Bowls Australia events for which they are qualified, and open or invitation tournaments of other clubs, as well as all Club competitions and tournaments, the pennant competition, mid-week and off-season Club bowls competitions, Night Owls and competitions organised by other organisations.

9.2 **Life Members** shall be entitled to use the Club's greens and play in all Bowls SA and Bowls Australia events for which they are qualified, and open or invitation tournaments of other clubs, as well as all Club competitions and tournaments, the pennant competition, mid-week and off-season Club bowls competitions, Night Owls and competitions organised by other organisations.

#### 9.3 **Associate Bowler Members**

9.3.1 shall be entitled to use the Club's greens and play in Club championships and tournaments, mid-week and off-season Club bowls competitions, Nights Owls and competitions organised by associations other than Bowls SA or Bowls Australia.

9.3.2 shall not be eligible to play in Bowls SA or Bowls Australia events or events of other clubs, nor the pennant competition.

#### 9.4 **Junior and Youth Members**

9.4.1 Junior Members shall be persons under the age of sixteen (16) years as at July 1 in the year of registration.

9.4.2 Youth Members shall be persons aged between 16 and 25 years as at July 1 in the year of registration.

9.4.3 Junior and youth members shall be entitled to use the Club's greens and play in all Bowls SA and Bowls Australia events, events at other clubs, Night Owls and competitions organised by other associations, as well as the pennant competition.



## **PART B – MEMBERSHIP cont...**

### **9.5 Night Eagle Transition Members**

- 9.5.1 Night Eagle transition members shall be players who are being encouraged by the Club to transition from Night Owls to full membership.
- 9.5.2 Night Eagle transition members shall be entitled to use the greens and play in mid-week and off-season Club bowls competitions, Club tournaments, Nights Owls and competitions organised by other associations.
- 9.5.3 Night Eagle transition members are not eligible to play in Bowls SA or Bowls Australia events, or Club championships, or events of other clubs.
- 9.5.4 Night Eagle transition members shall be encouraged to 'fill in' during the pennant competition. However, if they play five games before the Christmas/New Year break, they would be ineligible to be selected for further games unless they transition to full membership by paying the difference between Night Eagle transition and Associate membership for that year.

### **9.6 Night Eagle Members**

- 9.6.1 Night Eagle members shall be players who compete in one or both of the mid-week Night Owls competitions.
- 9.6.2 Night Eagle members are entitled to use the greens for practice. They may play in mid-week and off-season Club bowls competitions but would need to transition to Night Eagle Transition membership to play on a regular basis. They similarly may 'fill in' for the very occasional pennant game. They are not eligible to play in Bowls SA or Bowls Australia events, or Club championships or tournaments, or events at other clubs, or competitions organised by other associations.

### **9.7 Social Members**

- 9.7.1 Social members shall be members who have access to the Club's facilities but are not eligible to use the greens or participate in any bowling activity or event.

## 10. NOMINATION AND ADMISSION OF FULL MEMBERS

- 10.1 A nomination of a person for membership of the Club:
  - 10.1.1 must be made by a member of the Club who has personal knowledge of the nominee.
  - 10.1.2 must be made by a member of the Club in writing on a form prescribed in the By-Laws.
  - 10.1.3 must be lodged with the Administrative Secretary of the Club.
  
- 10.2 As soon as practicable after receiving a nomination for membership, the Administrative Secretary shall:
  - 10.2.1 refer the nomination to the Board of Management who shall determine whether to approve or to reject the nomination.
  - 10.2.2 post a copy of the application form on the Club's notice board at least seven (7) days immediately preceding the day of admission to membership.
  
- 10.3 Where the Board of Management in its absolute discretion, determines to approve a nomination for membership, the Administrative Secretary shall, as soon as practicable after the determination, notify the nominee of that approval and request the nominee to pay within the period of twenty-eight (28) days after receipt by the nominee of the notification, the sum payable under these Rules by a member as entrance fee and annual subscription.
  
- 10.4 The Administrative Secretary shall, upon payment by the nominee of the amounts referred to in Rule 10.3 within the period referred to in that clause:
  - 10.4.1 enter the nominee's name in the Register of Members and, upon the name being so entered, the nominee becomes a member of the Club.
  - 10.4.2 provide the nominee with a copy of the current Rules, By-laws and Regulations and record the receipt of those documents by the nominee.
  
- 10.5 Where the Board of Management rejects the nominee's application or where the nominee fails to make the payments referred to in Rule 10.3 within the period referred to in that clause, the nominee shall not again be nominated for a period of at least six (6) months from the date of rejection or voiding of membership. The nominee shall be notified in writing.

## **PART B – MEMBERSHIP cont...**

### **11. LIFE MEMBERS**

- 11.1 Any current full member of the Club may be nominated to become a life member. Any such nomination must be put to an Annual General Meeting or Special General Meeting of the Club for decision. To succeed the nomination must be supported by at least 75% of those present, who are entitled to vote, voting by secret ballot. All nominations are to be made via a Nominations Committee of three (3) persons appointed from time to time by the Board of Management. It is desirable that one member of the Nominations Committee be a Life Member, and that one be a member of the Board of Management; one person could satisfy both requirements. The Nominations Committee is to provide guidance as to the criteria which would be addressed in the nomination documentation. Without being prescriptive, such issues as length of service, significance of the contribution made, and the standing of the member in the eyes of members generally, should be addressed. Contributions might be within the club, representing the club externally, through administration or coaching or playing, or in a special segment of the club's or the sport's life and activities, or a combination of these things. Overall the contribution made by the member should be thought of as 'outstanding'. The Nomination Committee will make its recommendation to the Board of Management. If the Board of Management concurs, the recommendation will be placed before the Annual General Meeting or Special General Meeting. The number of Life Members at any one time, should not exceed 10% of the total number of Full Members (excluding life members).
- 11.2 A Life Member shall not be relieved of any financial obligation other than the Club annual subscription.

### **12. ASSOCIATE MEMBERS**

Associate Bowler Members may be admitted in the same manner as Full Members, subject to the terms of these Rules, and be entitled to play bowls and be engaged in other forms of recreation conducted by the Club.

### **13. JUNIOR AND YOUTH MEMBERS**

Junior and Student Members may be admitted in the same manner as Full Members, subject to the terms of these Rules, and be entitled to play bowls and be engaged in other forms of recreation conducted by the Club.

## **PART B – MEMBERSHIP cont...**

### **14. CLASSES OF MEMBERSHIP NOT REQUIRING BOWLS SA REGISTRATION**

#### **14.1 Social Members**

Social Members may be admitted as non-bowling members of the Club in the same manner as Full Members and shall be entitled to such privileges as the Board of Management shall determine from time to time.

#### **14.2 Temporary Members**

A member of any other bowling club that is under the jurisdiction of the World Bowls Board, Bowls SA or any other State Authority as provided in the Constitution and By-laws of Bowls Australia, who visits the Club on any date for the purpose of playing bowls, shall be a Temporary Member of the Club for that day. The name and bowling club of such Temporary Member must be recorded on score cards.

#### **14.3 Honorary Members**

The President or Administrative Secretary shall have the power to confer Honorary Membership on a visiting member of an overseas or interstate club, or any club affiliated with Bowls SA during the period of their visit, provided that such visitor is sponsored by a current member of the Club.

### **15. MEMBERS' ENTITLEMENTS**

The entitlements of members of the Club are as follows:

15.1 Full Members and Life Members are entitled to all Club privileges and are the only members entitled to vote at the Annual General Meeting or Special General Meetings of the Club.

15.2 Associate Bowler, Social, Honorary, Temporary, Junior and Student Members and Restricted Players are entitled to such privileges as the Board of Management determines from time to time but are not entitled to vote at the Annual General Meeting or Special General Meetings of the Club.

## **PART B – MEMBERSHIP cont...**

### **16. CESSATION OF MEMBERSHIP**

A person ceases to be a member of the Club if the person:

- 16.1 dies.
- 16.2 forfeits their membership.
- 16.3 resigns that membership.
- 16.4 is expelled from the Club.

### **17. FORFEITURE OF MEMBERSHIP**

- 17.1 If a member fails to pay the annual subscription within the time prescribed in Rule 23.4, then that person shall cease to be a member of the Club.
- 17.2 The Board of Management may in its absolute discretion restore the member's name to the Register of Members where the Board of Management accepts, in its absolute discretion, a satisfactory explanation from the member and the member has paid the amount/s due.
- 17.3 The Administrative Secretary shall give notice to each member when their subscription is due. This notice must be served on the member in accordance with Rule 7.
- 17.4 Where a member of the Club for whatever reason ceases to be a member for one or more years, such member may be re-admitted under such conditions as determined by the Board of Management.

### **18. RESIGNATION OF MEMBERS**

- 18.1 A member of the Club is not entitled to resign their membership except in accordance with this Rule.
- 18.2 A member wishing to resign from the Club shall give seven (7) days' notice in writing to the Administrative Secretary and shall pay all monies due at the date of such notice including the current Financial Year's subscription or such portion thereof as the Board of Management may determine.
- 18.3 Where a member ceases to hold membership, the Administrative Secretary shall make an appropriate entry in the Register of Members recording the date on which the member ceased to be a member.

## **PART B – MEMBERSHIP cont...**

- 18.4 Where a member ceases to hold membership and intends to transfer to another club the Administrative Secretary shall immediately complete a clearance form to indicate that the member has left in good standing. The Administrative Secretary shall provide two copies of the clearance form to the member and shall forward a further copy to Bowls SA. The Administrative Secretary shall retain a copy of the clearance form for the records of the Club.
- 18.5 A member resigning from the Club or ceasing for any reason whatever to be a member thereof, shall not have any right, title or interest in or to any property of the Club.

### **19. DISCIPLINING OF MEMBERS**

- 19.1 Where the Board of Management is of the opinion that a member of the Club:
- 19.1.1 has persistently refused or neglected to comply with the provision or provisions of these Rules;
  - 19.1.2 has persistently and wilfully acted in a manner prejudicial to the interests of the Club;
  - 19.1.3 has engaged in conduct deemed by the Board of Management to be undesirable; the Board of Management may, by resolution:
    - 19.1.3.1 expel the member from the Club.
    - 19.1.3.2 expel the member from membership of the Club for a specified period.
    - 19.1.3.3 censure the member.
- 19.2 A resolution of the Board of Management under Rule 19.1 has no effect unless the Board of Management, at a meeting held not earlier than seven (7) days and not greater than twenty-eight (28) days after service on the member of a notice under Rule 19.3, confirms the resolution in accordance with this Rule.
- 19.3 When the Board of Management passes a resolution under Rule 19.1, the Administrative Secretary shall, as soon as practicable, cause a notice in writing to be served on the member:
- 19.3.1 setting out the resolution of the Board of Management and the grounds on which it is based with sufficient particularity that the member adequately knows the case to be answered. In the event that the case changes prior to the hearing then the member shall be given adequate notice of such changes.

## **PART B – MEMBERSHIP cont...**

- 19.3.2 stating that the member may address the Board of Management at a meeting to be held not earlier than seven (7) days and not later than twenty-eight (28) days after service of the notice.
- 19.3.3 stating the date, place and time of that meeting.
- 19.3.4 informing the member that the member may do any or all of the following;
  - 19.3.4.1 object to any member of the Board of Management on the grounds of bias which matter the Board of Management shall determine as a preliminary point;
  - 19.3.4.2 attend and speak at that meeting;
  - 19.3.4.3 arrange for a representative of the member to attend and speak at that meeting on member's behalf;
  - 19.3.4.4 submit to the Board of Management at or prior to the date of that meeting written representations relating to the resolution on the member's behalf;
  - 19.3.4.5 arrange for a representative of the member to submit to the Board of Management at or prior to the date of that meeting written representations in relation to the resolution on the member's behalf;
  - 19.3.4.6 bring such witnesses to the meeting to give evidence as to facts or character;
  - 19.3.4.7 call for any statements made to the Board of Management relevant to the case against the member and for the witness/es making their statement/s to be available for cross-examination if so advised.
- 19.4 At a meeting of the Board of Management held in accordance with Rule 19.3, the Board of Management shall:
  - 19.4.1 give due consideration to any written representations submitted to the Board of Management by the member, or the representative of the member, at or prior to the meeting.
  - 19.4.2 by resolution determine whether to confirm or revoke the resolution.
- 19.5 Where the Board of Management confirms a resolution under Rule 19.4, the Administrative Secretary shall, within seven (7) days after that confirmation, by notice in writing, advise the member of the fact and of the member's right of appeal under Rule 20.

## **PART B – MEMBERSHIP cont...**

- 19.6 A resolution confirmed by the Board of Management under Rule 19.4 does not take effect:
- 19.6.1 until the expiration of the period within which the member is to appeal against the resolution where the member does not exercise the right of appeal within that period.
  - 19.6.2 where within that period the member exercises the right of appeal, unless and until the Board of Management confirms the resolution pursuant to Rule 19.4.

### **20. RIGHT OF APPEAL OF DISCIPLINED MEMBER**

- 20.1 A member may appeal to a Special General Meeting against a resolution of the Board of Management which is confirmed under Rule 19.4, within seven (7) days after notice of the resolution is served on the member by lodging with the Administrative Secretary a notice to that effect.
- 20.2 Upon receipt of the notice from a member under Rule 20.1, the Administrative Secretary shall notify the Board of Management which will convene a Special General Meeting to be held within twenty-eight (28) days after the date on which the Administrative Secretary received the notice.
- 20.3 At the Special General Meeting of the Club convened under Rule 20.2:
- 20.3.1 no business other than the question of the appeal shall be transacted.
  - 20.3.2 the Board of Management and the member, or the member's representative, shall be given the opportunity to state their respective cases orally or in writing, or both.
  - 20.3.3 Members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- 20.4 If at the Special General Meeting the meeting passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

### **21. ABSENCE OF A MEMBER**

Any member contemplating absence for a period may, on application to the Board of Management, be granted leave of absence for a period not exceeding two years, subject to the payment of a fee as determined by the Board of Management.



## **PART B – MEMBERSHIP cont...**

### **22. FEES AND SUBSCRIPTIONS**

Except as otherwise provided in these Rules:

- 22.1 A member of the Club shall upon admission to membership, pay to the Club an entrance fee as determined by the members from time to time at an Annual General Meeting or Special General Meeting.
- 22.2 In addition to the amount payable by the member under Rule 22.1, a member of the Club shall pay to the Club an annual subscription as determined by the members from time to time at an Annual General Meeting or Special General Meeting.
- 22.3 The subscription fee shall be payable annually by no later than June 30th, or at such other time as the Board of Management shall determine from time to time.
- 22.4 For registration, administrative and annual fee payment purposes, the membership year is defined as 1st July to 30th June on an annual basis.
- 22.5 Any member whose annual subscription is outstanding for more than two (2) months after the due date, shall cease to be a member of the Club, provided always that the Board of Management may reinstate such a person's membership on such terms as the Board of Management deems appropriate.
- 22.6 Members who are admitted to membership after the first day of January in any year shall pay such proportion of the annual subscription as shall be determined by the Board of Management.
- 22.7 A member new to the Club may be admitted as a Full Member, or an existing member may be upgraded to Full Membership, upon payment of a first-year initial subscription fee as determined by the Board of Management.

### **23. MEMBERS' LIABILITIES**

The liability of a member of the Club to contribute toward the payment of the debts and liabilities of the Club or the cost, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club as required by Rule 22.

## **PART C - MANAGEMENT BY MEMBERS**

### **24. MANAGEMENT BY MEMBERS**

- 24.1 The Club shall be managed by the members of the Club through the Annual General Meeting and/or Special General Meetings.
- 24.2 The President shall, subject to this Constitution, preside as Chairperson at every Annual General Meeting, Special General Meeting, General Meeting and Board of Management Meeting of the Club. If the President is not present, or is unwilling or unable to preside, the Vice President shall preside. If the Vice President is not present, or is unwilling or unable to preside, the members entitled to be present and vote at that meeting shall appoint one of their number to preside as Chairperson of that meeting only.

### **25. ANNUAL GENERAL MEETING**

- 25.1 With the exception of the first Annual General Meeting of the Club, the Club shall convene an Annual General Meeting of its members by no later than May 31 each year.
- 25.2 The Club shall hold its first Annual General Meeting:
  - 25.2.1 within the period of eighteen (18) months after its incorporation under the Act; and
  - 25.2.2 within the period of two (2) months after the expiration of the first Financial Year of the Club.
- 26.3 Rules 25.1 and 25.2 have effect, subject to any extension of permission granted by the Commission under the Act.
- 25.4 The Annual General Meeting of the Club shall, subject to the Act and to Rules 25.1 and 25.5, be convened on such date and at such place and time as the Board of Management deems fit.
- 25.5 The Board of Management shall provide members with at least twenty-eight (28) days' notice of the Annual General Meeting and must affix a copy of the Notice of the Meeting to the notice board inside the clubhouse.
- 25.6 The business to be transacted at the Annual General Meeting shall be in the following order:
  - 25.6.1 Reading of the Notice convening the Meeting.

## **PART C - MANAGEMENT BY MEMBERS cont...**

- 25.6.2 Confirmation of the Minutes of the previous Annual General Meeting and/or Special General Meetings.
- 25.6.3 Presentation of Annual Report.
- 25.6.4 Consideration and adoption of Annual Report.
- 25.6.5 Presentation of Balance Sheet and Statement of Accounts.
- 25.6.6 Consideration and adoption of Balance Sheet and Statement of Accounts.
- 25.6.7 Other reports.
- 25.6.8 Election of office bearers.
- 25.6.9 Nomination and election of Auditors.
- 25.6.10 Fix amount of annual subscription for all classes of membership.
- 25.6.11 Notices of Motion.
- 25.6.12 Any other general business.

### **26. SPECIAL GENERAL MEETINGS**

- 26.1 The Board of Management shall convene a Special General Meeting when requested to do so by requisition in accordance with this Rule.
- 26.2 The Board of Management shall, on a requisition in writing of not less than three (3) of its members, or fifteen (15) members of the Club, convene a Special General Meeting.
- 26.3 A requisition for a Special General Meeting:
  - 26.3.1 shall state the purpose or purposes of the Meeting.
  - 26.3.2 shall be signed by the members making the requisition.
  - 26.3.3 shall be lodged with the Administrative Secretary.
  - 26.3.4 may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- 26.4 A Special General Meeting shall be held on a date determined by the Board of Management, such date being not less than fourteen (14) clear days and not more than twenty-eight (28) clear days from the date of requisition. The Administrative Secretary shall post the requisition and Notice of Meeting on the notice board of the Club.

## **PART C - MANAGEMENT BY MEMBERS cont...**

- 26.5 If the Board of Management fails to convene a Special General Meeting in accordance with Rule 26.4, any one or more of the members who made the requisition may convene a Special General Meeting to be held not later than three (3) months after the date of the requisition.

### **27. MEETING PROCEDURE**

- 27.1 No item of business shall be transacted at any Annual General Meeting or Special General Meeting of the Club unless a quorum of members entitled under these Rules to vote is present during the time the meeting is considering that item.
- 27.2 At least twenty percent of the members of the club being present in person and entitled under these Rules to vote at an Annual General Meeting or Special General Meeting, shall constitute a quorum.
- 27.3 If within fifteen (15) minutes after the appointed time for the commencement of an Annual General Meeting or Special General Meeting a quorum is not present, the meeting if convened upon the requisition of members, shall be dissolved, and in any other case, shall stand adjourned to the same day in the following week at the same time and at the same place, unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members.
- 27.4 If at the adjourned Annual General Meeting or Special General Meeting a quorum is not present within fifteen (15) minutes after the time appointed for the commencement of the meeting, the members present, being not less than ten percent of the members of the Club entitled to vote, shall constitute a quorum.

### **28. VOTING**

- 28.1 At an Annual General Meeting or Special General Meeting of the members of the Club the election of all officers, where there are more nominations than vacancies, shall be by secret ballot which shall be conducted by two Returning Officers appointed at such meeting. Ballot papers containing votes for a greater or lesser number of persons to be elected shall be informal. If two or more candidates receive an equal number of votes, the Chairperson shall, in such case, draw lots to decide the successful candidate.

## **PART C - MANAGEMENT BY MEMBERS cont...**

- 28.2 All other questions for decision by the members of the Club at an Annual General Meeting or Special General Meeting shall be duly proposed and seconded and shall be determined by a show of hands unless a secret ballot is asked for by ten percent (10%) of members present and entitled to vote. The ballot shall then be taken. When a ballot is taken, two Returning Officers shall be appointed by the Chairperson to conduct the ballot. The result of each ballot shall be deemed to be a resolution of the Club adopted at such Annual General Meeting or Special General Meeting.
- 28.3 The Chairperson of an Annual General Meeting or Special General Meeting shall, subject to Rule 28.1, be entitled to a deliberative and a casting vote.
- 28.4 Full Members and Life Members only will be entitled to vote at Annual General Meetings and Special General Meetings of the Club.
- 28.5 At any Annual General Meeting of the Club, only such members who were financial at the close of the previous Financial Year or any new member who has paid the current fee shall be entitled to attend such meeting. This provision shall apply also to any Special General Meeting of the Club held between the close of the previous Financial Year and the Annual General Meeting of the Club. At all other Special General Meetings only members who are financial according to these Rules shall be entitled to attend such meetings.
- 28.6 Proxy or postal voting shall not be permitted at any Annual General Meeting or Special General Meeting of the Club.
- 28.7 At any Annual General Meeting or Special General Meeting of the Club, a declaration by the Chairperson that a resolution has been carried, or lost, or not carried by a particular margin, if such is required, and an entry to that effect appearing in the 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.
- 28.8 All resolutions passed at the Annual General Meeting of the Club or at any Special General Meeting of the Club shall be conclusive and binding on all members of the Club, whether they shall have been present or not at such meeting.

## **PART D - MANAGEMENT BY OFFICERS**

### **29. BOARD OF MANAGEMENT**

The affairs of the Club including financial and property affairs shall be managed and controlled by the Board of Management.

### **30. POWERS OF THE BOARD OF MANAGEMENT**

The Board of Management, subject to the Act, the Regulations and these Rules, and to any resolution passed by the Club at an Annual General Meeting or Special General Meeting:

- 30.1 shall control and manage the affairs of the Club.
- 30.2 has power to perform all such acts and do all such things as appear to the Board of Management to be necessary or desirable for the proper management of the affairs of the Club, including, but not limited to, the following powers:
  - 30.2.1 to delegate, in accordance with Rule 36, the exercise of functions to committees and sub-committees.
  - 30.2.2 to fill casual vacancies on the Board of Management.
  - 30.2.3 to appoint such officers and employees as are required to carry out the objects of the Club, including a Public Officer, and may delegate any of its powers to such officers and employees.
  - 30.2.4 to impose levies on members, subject to the approval of an Annual General Meeting or the Special General Meeting of the Club.
  - 30.2.5 to review the resignation of a member in accordance with Rule 19.
  - 30.2.6 to make By-Laws in conformity with the Rules of the Club.
  - 30.2.7 to interpret the Rules and By-Laws of the Club, and such interpretation shall be final.
  - 30.2.8 to carry out all resolutions, including those of which the prescribed notice has been given, and which have been passed at an Annual General Meeting or Special General Meeting of the Club.
  - 30.2.9 to ensure compliance with the Rules and By-Laws of the Club, and deal with any breaches as provided in Rule 20.
  - 30.2.10 to deal with other matters which may arise or matters which are not specifically provided for in the Rules of the Club.

## **PART D - MANAGEMENT BY OFFICERS cont...**

30.2.11 to cause correct financial accounts and books, and administrative records, to be kept showing the affairs of the Club. The Board of Management shall authorise all expenditure including any expenditure passed at an Annual General Meeting or Special General Meeting of the Club and direct the method of dealing with monies received for or on behalf of the Club.

30.2.12 to invest funds in any security which trust money may by an Act of Parliament be invested, or in any other manner specifically authorised by the members at a General Meeting of the Club.

### **31. OFFICE BEARERS – BOARD OF MANAGEMENT**

31.1 The first Board of Management shall hold office until the first Annual General Meeting after incorporation at which time half of the members of the Board of Management, who shall be chosen by ballot, shall retire but shall be eligible for re-election.

31.2 The Board of Management of the Club shall be:

- 31.2.1 the President,
- 31.2.2 the Vice President,
- 31.2.3 the Treasurer,
- 31.2.4 the Administrative Secretary,
- 31.2.5 the Bowls Director,
- 31.2.6 two Ordinary Directors

31.3 The President, Administrative Secretary, Treasurer, Vice President, Bowls Director and the two other Board Members shall be elected from amongst nominations submitted to LBC in accordance with this Constitution for a term of 2 years, which shall commence from the conclusion of the Annual General Meeting at which the election occurred until the conclusion of the second Annual General Meeting following.

31.4 All Board positions shall be for two-year terms with half of the Board retiring each year. At the first AGM under the amended Constitution (ie. 2017), the Vice President, Treasurer, Bowls Director and one Ordinary Director shall be appointed. At the 2018 AGM the President, Administrative Secretary and one Ordinary Director shall be appointed. Appointments at subsequent Annual General Meetings, elections shall follow this two-year rotation of appointments.

31.5 In the event of a casual vacancy occurring, the Board of Management may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office, subject to these rules, for the remainder of the term of the appointed period relating to that vacancy.

## **PART D - MANAGEMENT BY OFFICERS cont...**

### **32. ELECTION OF OFFICE BEARERS - BOARD OF MANAGEMENT**

- 32.1 Nominations of candidates for election as members of the Board of Management of the Club:
- 32.1.1 shall be made in writing and signed by a nominator and a seconder, both of whom are fully registered members of the Club and certified by the nominee expressing willingness to accept the position for which nominated.
  - 32.1.2 shall be delivered to the Administrative Secretary not less than fourteen (14) days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.
- 32.2 If insufficient nominations are received to fill all vacancies on the Board of Management, the candidates nominated shall be deemed to be elected and further nominations may be received at the Annual General Meeting.
- 32.3 If insufficient further nominations are received, any vacant positions remaining on the Board of Management shall be treated as casual vacancies in accordance with Rule 31.5.
- 32.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 32.5 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- 32.6 The ballot for the election of the Board of Management shall be conducted at the Annual General Meeting in such usual and proper manner as the Board of Management may direct.
- 32.7 There is no restriction of any member of the Board of Management holding dual office.

### **33. CASUAL VACANCIES - BOARD OF MANAGEMENT**

For the purpose of these Rules, a casual vacancy in the office of a member of the Board of Management occurs if the member:

- 33.1 dies.
- 33.2 ceases to be a member of the Club.



## **PART D - MANAGEMENT BY OFFICERS cont...**

- 33.3 becomes an insolvent under administration within the meaning of the Corporations Law.
- 33.4 resigns office by notice in writing given to the Administrative Secretary.
- 33.5 is removed from office under Rule 34.
- 33.6 becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health.
- 33.7 is absent without the consent of the Board of Management from three (3) consecutive meetings of the Board of Management.

### **34. REMOVAL OF MEMBER FROM THE BOARD OF MANAGEMENT**

- 34.1 The Club at a Special General Meeting may, by resolution, remove any member of the Board of Management from the office of member before the expiration of the member's term of office, and may by resolution, appoint another person to hold office until the expiration of the term of office for members so removed.
- 34.2 Where a member of the Board of Management, to whom a proposed resolution referred to in Rule 34.1 relates, makes representations in writing to the Administrative Secretary or President and requests that the representations be notified to the members of the Club, the Administrative Secretary or the President may send a copy of the representations to each member of the Club or, if they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

### **35. MEETINGS AND QUORUM - BOARD OF MANAGEMENT**

- 35.1 The Board of Management shall meet at least once each month at such place and time as the Board of Management shall determine.
- 35.2 Special Meetings of the Board of Management may be convened by the President or at the request of three (3) members of the Board of Management provided that the Administrative Secretary shall give at least two (2) days' notice of the meeting to each member of the Board of Management.
- 35.3 Oral or written notice of a meeting or Special Meeting of the Board of Management shall be given by the Administrative Secretary to each member of the Board of Management at least two (2) days before the time appointed for the holding of the meeting.

## **PART D - MANAGEMENT BY OFFICERS cont...**

- 35.4 Notice of a meeting given under Rule 35.3 shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the members of the Board of Management present at the meeting unanimously agree to treat as urgent business.
- 35.5 Any four (4) members of the Board of Management shall constitute a quorum for the transaction of the business of a meeting of the Board of Management.
- 35.6 No business shall be transacted by the Board of Management unless a quorum is present and, if within fifteen (15) minutes of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week.
- 35.7 If at the adjourned meeting a quorum is not present within fifteen (15) minutes of the time appointed for the meeting, the meeting shall be dissolved.
- 35.8 At a meeting of the Board of Management:
- 35.8.1 the President shall preside.
- 35.8.2 if the President is not present or unable to preside Rule 24.2 shall apply.

### **36. DELEGATION BY THE BOARD OF MANAGEMENT TO COMMITTEES AND SUBCOMMITTEES**

- 36.1 The Board of Management may establish committees and/or sub-committees to exercise such functions as the Board of Management shall determine and appoint members to those committees and sub-committees.
- 36.2 In the establishing resolution, the Board of Management may delegate such functions as are specified in the resolution, other than:
- 36.2.1 this power of delegation.
- 36.2.2 a function imposed on the Board of Management by the Act, by these Rules or by any other law.
- 36.3 A function, the exercise of which has been delegated to a committee and/or sub-committee under this Rule may, while the delegation remains unrevoked, be exercised from time to time by the committee and/or subcommittee in accordance with the terms of the delegation.
- 36.4 A delegation under this Rule may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.

## **PART D - MANAGEMENT BY OFFICERS cont...**

- 36.5 Notwithstanding any delegation under this Rule, the Board of Management may continue to exercise any function delegated.
- 36.6 Any act or thing done or suffered by a committee and/or sub-committee acting in the exercise of a delegation under this Rule has the same force and effect as it would have if it had been done or suffered by the Board of Management.
- 36.7 The Board of Management may, by instrument in writing, revoke wholly or in part, any delegation under this Rule.
- 36.8 A committee and/or sub-committee shall meet and adjourn as it deems appropriate.

### **37. VOTING AND DECISIONS – BOARD OF MANAGEMENT**

- 37.1 Questions arising at a meeting of the Board of Management or of any committee and/or sub-committee appointed by the Board of Management shall be determined by a majority of the votes of members of the Board of Management or committee and/or sub-committee present at the meeting.
- 37.2 Each member present at the meeting of the Board of Management or of any committee and/or sub-committee appointed by the Board of Management, including the person presiding at the meeting, is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a deliberative and a casting vote. Subject to Rule 35.5, the Board of Management may act notwithstanding any vacancy on the Board of Management.
- 37.3 Any act or thing done or suffered, or purporting to have been done or suffered, by the Board of Management or by a committee and/or subcommittee appointed by the Board of Management, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or disqualification of any member of the Board of Management or committee and/or sub-committee.

## **PART E - FUNCTIONS OF OFFICERS**

### **38. PRESIDENT**

- 38.1 The President shall regulate and keep order at all meetings at which the President is to preside as prescribed by these Rules.
- 38.2 The President may take only such other actions as are determined by the Board of Management, or by the members of the Club at any meeting of the Club, in assisting to ensure:
  - 38.2.1 that the Rules and the By-laws of the Club are effectively implemented.
  - 38.2.2 that effective administrative actions follow decisions made at those meetings over which the President is prescribed by these Rules to preside.
- 38.3 The President may take action in any matter specifically detailed by these Rules.

### **39. ADMINISTRATIVE SECRETARY**

- 39.1 Administrative Secretary shall be the executive officer of the Board of Management and the Public Officer of the Club. The Administrative Secretary shall:
  - 39.1.1 as soon as practicable after being appointed as Administrative Secretary, lodge notice with the Club of his or her address.
  - 39.1.2 attend all meetings of the Board of Management, Annual General Meeting and Special General Meetings of the Club.
  - 39.1.3 keep minutes of all appointments of members of the Board of Management.
  - 39.1.4 keep minutes of the names of members of the Board of Management present at any Board of Management meeting.
  - 39.1.5 keep minutes of all proceedings at meetings of the Board of Management, the Annual General Meeting and Special General Meetings.
  - 39.1.6 ensure that the minutes are signed by the Chairman or any other member presiding at the meeting.
  - 39.1.7 attend to all correspondence in connection with the general business of the Club.
  - 39.1.8 prepare for submission to the Annual General Meeting of the Club, the report of the Board of Management on the activities of the Club during the year.

## **PART E - FUNCTIONS OF OFFICERS cont...**

39.1.9 maintain a register of members in accordance with Rule 6.1 and the date of the latest subscription payment.

39.1.10 carry out those duties usually associated with the office of Secretary with the approval or direction of the Board of Management.

### **40. TREASURER**

40.1 It is the duty of the Treasurer:

40.1.1 to receive all moneys belonging to the funds of the Club, and within a reasonable time to deposit or arrange for the deposit of such moneys with the Club's bankers, or as directed by the Board of Management.

40.1.2 to be responsible for payment of all Club accounts which have been passed for payment by the Board of Management.

40.1.3 to keep correct accounts of all moneys received and expended.

40.1.4 to prepare the annual Income and Expenditure budget for approval by the Board of Management.

40.1.5 to prepare and submit financial statements at meetings of the Board of Management and at the Annual General Meeting of the Club.

### **41. INDEMNITY OF ADMINISTRATIVE SECRETARY AND TREASURER**

If the Administrative Secretary or Treasurer are required by their office to pay any money for an act, default or omission of any other person, such money shall be paid by the Club, or any such money paid by the Administrative Secretary or Treasurer shall be refunded by the Club.

### **42. BOWLS DIRECTOR**

42.1 The Bowls Director shall be responsible to the Board for:

42.1.1 the effective operation of the Bowls Committee, including coordinating and chairing Bowls Committee meetings

42.1.2 ensuring that an annual program of bowls activities is ratified by the Board of Management prior to the commencement of the bowls season

42.1.3 ensuring effective oversight of any sub-committees set up by the Bowls Committee

- 42.1.4 liaising with the Green Keeper and Greens Manager in respect of the greens
- 42.1.5 providing regular reports to the Board of Management
- 42.1.6 ensuring that the activities and decisions of the Bowls Committee are publicised to members of the LBC, and
- 42.1.7 working in collaboration with Club Officers and other Committees.

## **PART F - FINANCIAL**

### **43. FUNDS - MANAGEMENT**

- 43.1 All moneys received by the Club shall be deposited as soon as practicable and without deduction to the credit of such bank accounts of the Club.
- 43.2 The bank accounts of the Club are to be retained with such financial institutions as shall from time to time be approved by the Board of Management.
- 43.3 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two of the following office bearers:
  - 43.3.1 the President, the Administrative Secretary, the Treasurer and one other appointed officer bearer of the Club.
- 43.4 In the event that any one of the abovementioned office-bearers is absent through illness or for any other reason, the Board of Management may appoint a substitute signatory to the accounts of the Club.

### **44. ACCOUNTS**

- 44.1 The Club shall keep such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the Club.
- 44.2 No expenditure exceeding twenty thousand (\$20,000) dollars shall be entered into without the approval of the members at an Annual General Meeting or Special General Meeting of the Club.
- 44.3 The Board of Management may approve expenditure within the above limit and shall pass for payment all accounts incurred under provisions of this and the preceding paragraph before payment is made.
- 44.4 The Board of Management shall determine limits within which any committee and/or sub-committee may incur expenditure. All accounts for expenditure incurred under this authority shall be passed for payment by the Board of Management.
  - 44.4.1 Expenditure exceeding two thousand (\$2000) dollars shall not be entered into without the prior consent of the Board of Management.

## **PART F – FINANCIAL cont...**

### **45. CONTROL OVER PROPERTY**

- 45.1 The prior approval of an Annual General Meeting or Special General Meeting of the Club is required for the following matters:
- 45.1.1 negotiating a loan.
  - 45.1.2 issuing debentures.
  - 45.1.3 granting security over any property of the Club.
  - 45.1.4 selling of any real estate on behalf of the Club.
  - 45.1.5 leasing any property of the Club.
  - 45.1.6 all other measures in any way extending the liabilities of the Club beyond the assets and estimated revenue of the Club.
- 45.2 In all other respects the property of the Club shall be subject to the control and disposition of the Board of Management. The Board of Management, subject to the approval of an Annual General Meeting or Special General Meeting in accordance with Rule 44.1, is empowered to:
- 45.2.1 negotiate loans.
  - 45.2.2 issue debentures.
  - 45.2.3 sell or purchase any real estate on behalf of the Club.
  - 45.2.4 lease any property of the Club.
- 45.3 A direction of an Annual General Meeting or Special General Meeting of the Club correctly recorded in the minutes of such meeting, the minutes having been confirmed by the Chairman of the meeting, imposes an obligation on the Board of Management to operate in accordance with the direction made.
- 45.4 The duly confirmed minutes provide a justification for the performance of the required direction provided that the terms of the recorded direction have been adhered to.
- 45.5 No person who is not a member of the Club shall be entitled to enquire into the regularity of such direction beyond the verification of the signature of the Administrative Secretary.

## **PART F – FINANCIAL cont...**

### **46. BORROWING POWERS**

- 46.1 Subject to this Rule, the Annual General Meeting or a Special General Meeting of the Club may authorise the Board of Management to borrow funds.
- 46.2 If the Board of Management is authorised to borrow funds pursuant to Rule 46.1 then the Board of Management may borrow funds at such rate of interest, and in such form and manner and upon such security as shall be specified in any such resolution of the Annual General Meeting or Special General Meeting.
- 46.3 If the Board of Management is authorised to borrow funds pursuant to Rule 46.1 then the Board of Management shall make all dispositions of the Club's property, or any part thereof, and enter into such agreements in relation thereto as the Board of Management may deem proper for giving security for such loans and interest.
- 46.4 Subject to section 52 of the Act the Club may invite and accept deposits of money from any person on such terms and conditions as may be determined by the Board of Management from time to time.
- 46.5 All members of the Club shall be bound by the decision of the meeting authorising the borrowing of funds.

### **47. BOOKS**

- 47.1 All records, books of accounts and other financial documents relating to the Club shall be kept by the Treasurer.
- 47.2 These records, books of account and other financial documents shall be open to the inspection of the Board of Management.

### **48. AUDIT**

- 48.1 The Club shall where required by the Act appoint an Auditor and shall cause the accounts of the Club to be audited.
- 48.2 The Auditor shall be appointed at each Annual General Meeting of the Club. The Auditor shall not be a member of the Board of Management and shall be appointed in a manner consistent with the terms of the Act.
- 48.3 Nominations for the office of Auditor shall be submitted at the Annual General meeting of the Club in each year.



## **PART F – FINANCIAL cont...**

- 48.4 The Auditor shall have power at all times to examine the books and documents of the Club.
- 49.5 The Auditor shall, as soon as possible after the close of the Financial Year in each year, audit the Statements of Receipts and Expenditure and Balance Sheets of the Club since the end of the preceding Financial Year. These statements shall be prepared by the Treasurer in accordance with accepted accounting principles.
- 48.6 The Auditor's Report shall be submitted to the Annual General Meetings of the Club.

## **PART G – GENERAL**

### **49. HONORARY SOLICITOR**

The Board of Management may appoint an Honorary Solicitor to the Club upon such terms and for such period as the Board of Management shall direct.

### **50. DAMAGE TO PROPERTY**

- 50.1 No member shall remove from the Club any property of any kind without the permission of three members of the Board of Management, nor deface or damage any article which is the property of the Club.
- 50.2 Any member who removes, breaks or damages any of the Club's property shall pay for the property at a price determined by the Board of Management.

## **PART G – GENERAL cont...**

### **51. WINDING UP AND DISSOLUTION**

- 51.1 The Club may be wound up in the manner provided for in the Act.
- 51.2 In the case of a voluntary winding up or dissolution, the following procedure is to be followed:
  - 51.2.1 The Board of Management shall call a Special General Meeting of the Club to consider whether or not the Club should be wound up or dissolved.
  - 51.2.2 A motion to wind up or dissolve the Club must be carried at the Special General Meeting by a majority of those present and entitled to vote.
  - 51.2.3 If such a motion is carried then a second Special General Meeting of the Club must be called:
    - 51.2.3.1 not less than one calendar month after the first-mentioned Special General Meeting of the Club
    - 51.2.3.2 the quorum at this Special General Meeting shall be not less than half of the members of the Club entitled to vote.
  - 51.2.4 At this second Special General Meeting a Special Resolution motion to confirm the motion to wind up or dissolve the Club shall be put.
  - 51.2.5 If the Special Resolution referred to in Rule 51.2.4 is carried, then the Board of Management must, subject to the provisions of the Act, appoint a person, who may be a member of the Club, to act as liquidator and have the appointment approved by the Corporate Affairs Commission.
  - 51.2.6 On confirmation from the Corporate Affairs Commission of the liquidator's valid appointment, the liquidator will proceed to sell and realise the property and assets of the Club and out of the net proceeds of such sale and realisation to discharge and satisfy all the liabilities of the Club.

### **52. APPLICATION OF SURPLUS PROCEEDS**

If after the winding up of the Club there remains "surplus assets" as defined in the Act, such surplus assets shall not be distributed among the members but shall be given to other lawn bowling organisation(s), or charitable institution(s), or other body(s) as may be determined by the Board of Management in their absolute discretion.

## **PART G – GENERAL Cont...**

### **53. ALTERATION OF RULES**

- 53.1 No new rules shall be made nor any existing rule altered or repealed except at an Annual General Meeting or at a Special General Meeting of the Club called for that purpose, and then only by Special Resolution.
- 53.2 A copy of the proposed new rule, alteration or repeal, as aforesaid, shall be delivered to the Administrative Secretary at least twenty-eight (28) 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 considered, and notice thereof shall be posted on the notice board of the Club twenty-one (21) days before the meeting.
- 53.3 The Administrative Secretary shall comply with all requirements of section 24 of the Act to give effect to any new rule or alteration to the Constitution.
- 53.4 The Administrative Secretary shall also notify Bowls SA of any new rule or alteration to the Constitution.
- 53.5 Any such new or altered rules shall come into operation from the date of adoption unless another date is specified in the motion.

### **54. INTERPRETATION OF RULES**

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 of Management shall have power to pronounce a decision thereon and its decision shall be final and binding on the members, subject only to affirmation or reversal by a Special General Meeting of the Club called for that purpose.

### **55. VISITORS**

- 55.1 A member shall be allowed to introduce visitors to the Club on such conditions as the Board of Management shall determine from time to time.
- 55.2 Notwithstanding Rule 55.1, no person who has been suspended or expelled from membership of a bowling club or whose conduct or presence on the Club's premises may be considered objectionable to the interests of the Club, shall be introduced as a visitor.

## **PART G – GENERAL Cont...**

### **56. APPOINTMENT OF DELEGATES**

The delegates to the appropriate meetings of Bowls SA shall be elected by the Board of Management.

### **57. DISPUTES AND SUGGESTIONS**

57.1 All suggestions and complaints to be drawn to the attention of the Board of Management shall be made in writing to the Administrative Secretary, who shall list the same for discussion at the next meeting of the Board of Management.

57.2 If any dispute or disagreement arises between members concerning any matter relevant to the Club, the same may be referred in writing to the Board of Management by either party. The Board of Management shall have the power to deal with such matters as it deems necessary in a manner consistent with these Rules.

### **58. PRIVACY ACT**

The Club, in conducting the business and carrying out the objects of the Club, shall abide by the National Privacy Principles of the Privacy Act 1988 as amended by the Privacy Amendment (Private Sector) Act 2000 and adopted December 21 2001.

### **59. EMERGENCY ADMINISTRATIVE ACTION**

In emergency circumstances, action taken by an officer or officers of the Club and ratified by the appropriate Committee shall not render any proceedings void unless the members so direct at an Annual General Meeting or Special General Meeting.

### **60. APPLICATION OF BENEFIT**

60.1 The Club is a non-proprietary Club. The income and property of the Club shall be applied solely towards the promotion of the objects and purposes of the Club. No portion of the income or property of the Club shall be paid or transferred, directly or indirectly by way of dividend, bonuses or otherwise to any member.

60.2 Nothing contained in Rule 60.1 shall prevent the payment by way of honorarium or refund of expenses to any member or officer of the Club for services rendered to the Club.

## **PART G – GENERAL Cont...**

### **61. GREENS COMMITTEE AND GREENS MANAGER**

- 61.1 The Board of Management shall have the power to appoint a Greens Committee and a Greens Manager who shall not necessarily be members of the Board of Management.
- 61.2 The Greens Committee shall have full control and supervision of the playing area and power to prevent play at any time when it is considered the playing area may be damaged, subject to consultation with the Club and, where applicable, Bowls SA. Notice to this effect posted by the Greens Manager shall be sufficient.
- 61.3 In the absence of the Greens Committee, the Greens Manager and any one:
- 61.3.1 member of the Board of Management on the advice of the green keeper, shall have power to prevent play at any time. In all other respects the supervision and control of the playing area and lawns shall be in the hands of the Board of Management whose ruling thereon shall be final.

### **62. BY-LAWS**

- 62.1 The Board of Management shall have 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 any By-Law or Regulation as occasion may require.
- 62.2 A record of all By-Laws and Regulations shall be maintained by the Administrative Secretary and shall be available for inspection by the members.

### **63. CLUBHOUSE OPEN**

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

### **64. LAWS OF THE SPORT OF BOWLS**

The Laws of the Sport of Bowls as adopted from time to time by Bowls Australia and conducted in accordance with the Rules and By-Laws of Bowls SA shall apply as appropriate to all games played under the control of the Club. Failure to observe any such laws renders the offending player or players liable to disqualification from the competition or match.



## **PART G – GENERAL Cont...**

### **66. STANDING ORDERS**

The following Standing Orders govern the conduct of business at all meetings, except as otherwise provided in the Rules. In regard to Special General Meetings, the Administrative Secretary shall, in the notice of meeting, specify the matters to be dealt with occasioning the calling of the meeting and no other matter shall be discussed.

#### **66.1 Time Limit**

Time limits for speakers, or for the discussion, shall be determined by the Chairman of the meeting.

#### **66.2 Property of the Meeting**

Any motion or amendment thereto, having been duly proposed and seconded, becomes the property of the meeting, and cannot be withdrawn unless leave is granted in accordance with these Standing Orders.

#### **66.3 Seconding Motion without Speaking**

Any member who seconds a motion without speaking to it may, at a later period, take part in the debate.

#### **66.4 Reply of Mover**

In all cases the member moving the motion has the right of reply, and this reply closes the debate.

#### **66.5 Chairperson's Ruling**

If the Chairperson at any time gives a ruling on any matter before the chair, the Chairperson may be asked to give the reasons. If the reasons given are not deemed satisfactory, any member may move that the "Chairperson's ruling be disagreed with". If the motion is seconded and carried, the Chairperson shall forthwith vacate the chair until the matter of his ruling is settled, provided that only the reasons given by the Chairperson for his/her ruling can be discussed, and not the subject matter of the original motion or question. In the absence of the Chairperson a deputy, or a person elected for the purpose, will occupy the chair.

## **PART G – GENERAL Cont...**

### **66.6 Question Be Now Put**

A motion moved and seconded "that the question be now put" shall take precedence over all business and, without any discussion, must immediately be put by the Chairperson. The mover and the seconder of this motion shall not be mover or seconder of the original motion. If the motion is carried, the original motion must be put without further debate. A motion "that the question be now put" may not be moved while a member is speaking.

### **66.7 Motion Withdrawn**

A motion or amendment may, at any time, by leave of the meeting, be withdrawn. A motion opposing the withdrawal, if seconded, may be received.

### **66.8 Motions and Amendments**

All motions must be moved and seconded. An amendment to the original motion may be moved at any stage of the discussion, provided a speaker is not interrupted. Notice of a further amendment may be given, and the amendment indicated, without discussion, but it cannot be moved until the first amendment has been disposed of. The Chairperson may limit the number of amendments to be received in excess of two. An amendment cannot be a direct negative to the original motion.

### **66.9 Amendments**

An amendment may be made to a motion by:

66.9.1 Striking out certain words.

66.9.2 Striking out certain words and inserting other words.

66.9.3 Adding or inserting other words.

### **66.10 Notice of Motion**

A notice of motion, other than to change these Rules, shall be submitted in writing, signed by the mover and seconder, to the Administrative Secretary twenty-one (21) days prior to the date of the meeting. The Administrative Secretary shall deliver a copy of the notice of motion to all members fourteen (14) days prior to the meeting. Notices of motion on the same subject shall appear on the notice paper in the order of receipt by the Administrative Secretary.

### **66.11 Amending Notice of Motion**

Any member desiring to amend his/her own notice of motion before moving same at the meeting must ask leave of the seconder and the meeting and read the amendment.