

## MANDURAH BOWLING and RECREATION CLUB Incorporated

### CONSTITUTION and Regulations

#### 1) NAME

The name of The Club shall be Mandurah Bowling & Recreation Club Inc.

#### 2) CLUB COLOURS

The official colours of the Club shall be green and gold. Club insignia, logos and letterheads shall be as currently registered from time to time with the Dept. of Consumer and Employment Protection and the Office of Fair Trading.

#### 3) OBJECTS

- (a) The principal object of the club is to establish, maintain and conduct a club devoted to fostering the game of lawn bowls, table tennis, darts, pool and any other sporting, recreational, cultural and community pursuits that may be lawfully, compatibly and conveniently carried on, in or at the club premises. Subsidiary objects include the promotion of social fellowship and the provision of facilities for social, literary, scientific, athletic, professional and any other lawful purpose as a means of providing benefits and enjoyment for the members of the club.
- b) To affiliate with Bowls WA, to recognise its constitution, rules and regulations and to conduct all games in accordance with these regulations.
- c) To apply the property and income of the club solely towards the promotion of the objects of the club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of these objects.
- d) To borrow, raise or secure the payment of money for the purpose of The Club in such manner as the members think fit.
- e) To maintain a club license under the Liquor Licensing Acts, their amendments and other relevant legislation, current from time to time.
- f) To provide and maintain a clubhouse and sporting amenities for the use of the members.

#### 4) CLUB YEAR

The Club Financial Year shall be from 1 April to 31 March of the following year.

5) DEFINITIONS

In reading this Constitution, unless the context or such otherwise indicates or requires:

- a) 'The Club' means the Mandurah Bowling & Recreation Club Inc.
- b) 'The Club Premises' means all land building and structures thereon of which The Club is the bona fide occupier.
- c) 'The Committee' means the Managing Committee of The Club, duly elected for the time being in accordance with these Rules.
- d) 'The Club Manager' means the Manager or Administrative Secretary of The Club for the time being and includes any deputy or person temporarily fulfilling the office of manager or secretary.
- e) Bar Manager means the manager or supervisor of the bar.
- f) The 'Treasurer' means the treasurer of the club the for time being and includes any deputy or person temporarily fulfilling the office of treasurer.
- g) 'Rules' means this constitution together with any additional rules or amendments approved by Special Meeting.
- h) 'The Act' means the *Liquor Licensing Act 1988*, its amendments and any other legislation that may come into force to replace or supplement this Act, and shall form part of these Rules.
- i) 'Bank' means any bank as defined by the Banking Act or any recognised financial institution.
- j) 'Annual Meeting' means any Annual General meeting.
- k) 'Special General Meeting' means a General Meeting, called in accordance with Rule 35 hereunder, at which only business that has been described in the notice may be transacted.
- l) 'General Meeting' means the General meeting of The Club whether Annual or Special.
- m) 'Month' means a calendar month.
- n) 'Financial Year' means from 1 April each year, until the following 31 March.
- o) 'Regulations' means the codes of rules made and adopted by the management Committee in accordance with Rule 28 and included as appendices to the Constitution.
- p) 'Member' means a fully paid up person registered under one of the membership categories in rule (19).

- q) 'Financial Member' means a member who has paid all fees and dues for the current year by the dates and times detailed in rule (21c).
- r) 'Executive Officers' are those office holders specified in rule (27).
- s) 'Servant' means any employee, office holder or member of the Club.
- t) 'Stranger' means a non-member who is not a guest of a member.

6) INTERPRETATION OF RULES

- a) The Committee shall decide all questions of interpretation of these Rules and its decision shall be binding. Words importing the masculine gender shall include the feminine gender and words importing the singular shall include the plural.
- b) In the event of ambiguity, the powers invested in the Committee shall be construed so as to widen and not restrict the powers of the Committee.
- c) Every member and member's guest in the club shall submit to the rules and regulations of the club.

7) ALTERATION AND REPEAL OF RULES

- a) No repeals of any existing rules and no new rules or alteration, amendments or suspensions of a rule shall be valid unless a motion therefore is carried by a three quarters majority (75%) of members present and voting at a General or Special General Meeting.
- b) Notices of motions to add, repeal, alter or suspend any rule shall be given to the Manager in writing at least 21 days preceding the Annual or Special General Meeting at which the motion shall be presented. The Manager shall exhibit the proposal on The Club notice board at least fourteen days prior to such meeting.
- c) Within fourteen days after making of any amendment or addition to the rules of the club, the Committee shall send or deliver to the Director of Liquor Licensing a certified copy of the amendment or alteration. No effect will be given to the amendments without the approval of the director. In addition, all amendments passed as a special resolution must be advised to the Dept of Consumer and Employment Protection and Bowls WA.

8) COMMON SEAL

The Club shall have a common seal, which shall be kept in the custody of the Manager and shall not be used except on the authority and prior resolution of the Committee. Any document to which the seal is affixed shall be signed by the President or Deputy President and countersigned by the manager or an officer appointed by the Management Committee for that purpose. The Manager shall keep a register of all applications of the common seal.

9) CERTIFICATE OF REGISTRATION

On any application to the Director of Liquor Licensing for a Certificate of Registration, and whilst the Club shall continue to hold such Certificate of Registration, these Rules shall be interpreted in all cases as being subject to the provisions of the Act and such provisions shall be deemed to be included in and form part of these Rules.

10) BANK

- a) The funds of the Club shall be placed to the credit of the Club in such Bank Accounts and Authorised Trustee Investments as the Committee may from time to time determine.
- b) Such account or accounts shall be operated on the authorisation of the President, Deputy President and any other two elected officers appointed for the purpose. Cheques shall be signed by any two of these officers.
- c) A list of cheque payments shall be presented to the Management Committee by the Treasurer for confirmation by formal resolution at the next scheduled committee meeting.

11) EMPLOYEES

The Committee shall be responsible for engaging and termination all employees of the Club and shall do so having regards to the relevant Acts and regulations from time to time in place.

12) INDEMNITY

The Club shall keep the President and all its elected officers jointly and severally indemnified against all costs, charges, losses, damages, and expenses that they may sustain or incur in the execution of their duties. The Club shall also indemnify its officers against any court or legal action sustained in the course of the joint and several duties and pay any costs, charges, damages and expenses from the Club funds where it considers its officers to have acted responsibly, honestly and in good faith in carrying out their club duties.

13) GENERAL PROVISIONS

- a) No member shall be entitled to take any legal action against the Club (other than a claim for goods sold and delivered and services rendered) and must conform to the decisions of the Committee and in the case of an appeal, to the decision of the General meeting to which he/she may appeal.
- b) These rules shall be the rules of The Club and shall be binding to members.
- c) Correct electronic accounts and/or books shall be kept showing the financial affairs of The Club and the particulars usually shown in business records of a like nature.

- d) No liquor shall be sold or supplied for consumption other than on The Clubs premises, unless the member purchasing it removed such liquor from the premises of The Club.
- e) The Clubhouse and other Club facilities are to be provided and maintained from the joint funds of The Club and no person shall be entitled under these rules to derive any benefit or advantage from The club which is not available equally to every member thereof.
- f) The Club will make certain records available under the Incorporated Associations Act 1987.

14) PROPERTY AND INCOME

- a) The Club shall provide and maintain bowling greens, buildings, grounds and such amenities as shall be deemed necessary from time to time for the use, accommodation and enjoyment of its members in accordance with the objectives of The Club.
- b) The Club shall make such arrangements as may be necessary for the purchase, lease or maintenance of land on which The Club is situated.
- c) The Club may, as deemed necessary by a resolution at an Annual or Special General meeting, borrow money by way of a loan or overdraft or be the issue of debentures to carry out the activities of The Club, and to invest any surplus funds.
- d) The Club shall not be responsible for the loss or damage to any article whatsoever brought in or onto The Clubs premises by members, their guests or visitors.
- e) No member shall take, injure or destroy any property of The Club and any loss or damage The Club property so caused shall be made good to the satisfaction of the committee.

15) DISSOLUTION OF THE CLUB

The Club may be dissolved or wound up by a special resolution at any Annual General meeting or Special general meeting called for such a purpose.

16) DISPOSITION OF ASSETS

If upon winding up or dissolution of The Club there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members but shall be given or transferred:

- a) To another Club incorporated under the Act; or
- b) For charitable purposes,

which incorporated club or purposes, as the case requires shall be determined by the resolution of the members when authorising and directing the Committee under section

33(3) of the Act to prepare a distribution plan of the surplus property of The Club in the event of the winding up or dissolution within 30 days of the dissolution.

17) MEMBERSHIP ROLL

The Club shall keep an up to date register of all members' names and addresses in accordance with the Act. This register must be continually available for inspection at the club premises.

18) APPLICATION FOR MEMBERSHIP

- a) Any person desiring to become such a member of The Club shall sign an application form provided and such form must bear the signatures of two Member of The Club who are entitled to vote, as a proposer and seconder. When the Manager receives the application form, it shall then be placed on the notice board in The Club premises for a period of not less than 7 days before election, provided also that an interval of not less than two weeks shall elapse between nomination and election. The applicant will then be accepted or denied membership.
- b) No person shall be entitled to exercise any of the privileges of a member until they have paid all subscriptions due by them.
- c) The Committee shall have the right to refuse to admit any person to membership without assigning any reason for doing so.
- d) On the election of each candidate, the Manager shall notify the same to them, and they shall on payment of the subscription be enrolled as a Member of The Club, and become entitled to the privileges and be bound by its rules and by all consequences resulting from breach or non-performance thereof, and shall thereby absolve every person concerned in carrying out enforcing such rules from all personal responsibility or legal liability on such account.
- e) Life Member – A member may propose another member for Life Membership to the Committee in writing giving reasons that Life Membership should be granted. A General Meeting may, upon a 75% majority vote, confer Life Membership on a member who has rendered special and outstanding services to The Club. The holder of a Life Membership shall be entitled to all privileges of a full member, be exempt from subscriptions but shall pay any levies and association capitation fees.

19) MEMBERSHIP

Membership of The Club shall consist of the following categories:

- a) Full Member – Persons over 18 years of age with access to all club facilities including bowling. Where a member becomes an employee of the Club, he/she shall not hold any office.
- b) Life Member – the Members may elect, as Life Members, persons who have rendered meritorious service to the Club over a period in excess of ten years. Life

members shall enjoy the rights and privileges of a full member and shall be elected at an AGM. The total number of Life Members shall not exceed 21 members.

- c) Social Member – Persons over the age of eighteen years who wish to enjoy limited privileges of membership. Social members may not use the bowling greens except on invitation from the committee, but may use the premises for social or other sporting pursuits. Fees will be as set by the committee from time to time. Social members may not stand for office not vote in any ballot or General Meeting of The Club.
- d) Temporary Member Persons who are a member or an official of, or a person assisting a team this is to contest a pre-arranged sport on that day, or at the invitation of a member to engage in that sport on that day.
- e) Junior Member – Persons over the age of 12 but under the age of 18 years may make application to the Club as a Junior Member, and if accepted shall pay the prescribed subscription. Persons granted this category of membership, will require a sporting affiliation, but shall have no voice in the management of the club and shall not be entitled to hold any office or vote at any meeting of The Club. This category of member may not propose or second any application for membership of the club or have the authority to sign in guests to The Club. Any Junior Member on attaining the age of 18 years, wishing to remain a member of the Club, shall be granted the appropriate club membership and shall pay the full subscription as set down from time to time.
- f) Provisional Member – is a person with a minimum of ten years membership who, for age, ill health, infirmity or distance from The Club, has retired from active participation but desires to retain an association with The Club. Provisional Members shall not be entitled to vote or be present at any meeting of the members of The Club, nor have any right, title or interest in or to any of the property of The Club, nor propose or second any candidate for admission as a member. Provisional members will be admitted along the same member as Temporary Members in that they need only display their credentials to meet the criteria. Provisional membership shall be 50% of the full membership fee.
- g) Honorary Member – Membership that may be granted to Club Patrons, Sponsors, Selected Government Officers and any other such persons as the Committee may decide from time to time. Such honorary memberships are to be proposed in writing by a full member and decided by a vote at the committee.
- h) Country Member – Country membership is open to persons living more than 25 kilometres from the Club on payment of 50% of the full fee
- i) Designated Member – Designated members shall only be permitted to enter The Club for the specific purpose designated on the membership card. They shall be charged an annual subscription as determined by the committee at a figure not less

than that set down by the Liquor Act. Any person may be considered for membership in this category.

**N.B. Only Full Members and Life Members shall be allowed to propose new members and vote in any election of committee office holders.**

20) Members Rights

- a) The rights and privileges of every member shall be personal and shall not be in any manner transferable by their own act or through any other person on their behalf or by operation of law, and on any member ceasing by death (or otherwise) to be a member all their interest shall go to the estate.
- b) The Committee or approved bar staff may revoke the membership of any honorary, temporary or provisional member at any time without notice.
- c) Honorary, Provisional, Social or Temporary Members shall not be entitled to vote or be present at any meeting of the members of The Club, not have any right, title or interest in or to any of the property of The Club, not propose or second any candidate for admission as a member.
- d) Employees – Members who are employees of the Club are entitle to all the rights and privileges of membership excluding those rights concerned with the selection, election and holding of office with The Club.
- e) Guests – Full and Life Members of the Club
  - i) Shall be at liberty to invite guess to The Club, but the number of guests shall not exceed the maximum number as contained in Section 48(4)(b) of the Liquor Licensing Act 1988.
  - ii) Shall be entitled to hold private family and business functions without limit to number of guess, providing that the sale of liquor shall be:
    - Ancillary to a meal supOplied at the Club by or on behalf of The Club to a member and to each of the guests of that member, prior notice of whole attendance was given to the Club.
    - To a member, for consumption by the guests of that member at a function held by or on behalf of that member of the club.
  - iii) Are entitled to host functions on the Club premises after written application for said function has been considered and approved by the Committee. Said function cannot exclude any member his/her rightful access to Club premises. The Manager will furnish the applicant with a written copy of Club rules relating to functions after



the application has been approved together with any additional conditions and restrictions the Management Committee shall see fit to impose.

**Note:** Where guests are brought onto the Club premises, it shall be the sole responsibility of the introducing member to ensure that his/her guests behave in accordance with the Liquor Licensing Act. The Club constitution and any additional regulations or rules that may be in place from time to time.

- f) Juveniles – A Club member may bring juveniles into the Club for the purposes of Junior coaching, for the consumption of a meal or for other social purposes. No juveniles shall be permitted in the sportsman's bar or within two metres of the bar elsewhere. Juveniles in the Club must, at all times, be under the strict supervision of their parents or guardians and must not do anything to the detriment or annoyance or other Club members.

#### 21) NOMINATIONS/SUBSCRIPTIONS

- a) The entrance (nomination) fee and annual subscription of The Club shall be set by majority vote of the Management Committee in January prior to the commencement of the new financial year.
- b) Notice of the few fees and subscriptions shall be advertised on the Club notice board and invoiced to the member in February for payment by 30 April.
- c) All subscriptions are due on the first day of April each year and must be paid in full before the date of the Annual General Meeting.
- d) New Members Subscriptions must be paid within two weeks of election.

#### 22) RESIGNATION

Resignations from members are deemed to be effective from the time they are received by and duly accepted by the Committee at a formal meeting of the Committee. No member resigning from the Club or ceasing from any cause to be a member, shall be entitled to have any claim upon any portion of the property of funds of the Club, provided that any debenture held shall be disbursed to him/her on the agreed date.

#### 23) LIABILITY FOR SUBSCRIPTION

- a) Any member who does not notify the Manager in writing or otherwise before 30 April of his/her withdrawal from the club shall be liable for the subscription for the current club year.
- b) The Committee shall have the power by resolution to remove from the roll of members the name of any new member who fails to pay his/her subscription within two weeks from the date of his/her election.

- c) Any member whose subscription is in arrears at the AGM shall cease to be a member, unless the Committee upon receiving an explanation from that member shall otherwise decide.

24) LEVIES

Levies or capitations as determined by Bowls WA shall be payable in addition to fees and subscriptions of the Club. The committee also has the power to recommend for approval by the members, special levies for special projects, as it may think appropriate. Such levies must be approved at a Special or Annual General meeting of members.

25) MANAGEMENT

Management of the Club shall be vested in the Management Committee and shall consist of the following office holders:

1. President
2. Deputy President
3. Immediate Past President (non voting)
4. Ladies Director of Bowls
5. Mens Director of Bowls
6. Treasurer (Finance Manager)
7. Ladies Captain (Ladies Bowls Committee)
8. Mens Captain (Mens Bowls Committee)
9. Indoor Green Manager
10. Member Services Manager
11. House Facilities Manager
12. Marketing Manager
13. Club Secretary/Manager (non voting)

**Note 1** The Committee may co-opt up to 3 additional members to service on the Management Committee, in the interests of furthering the objects of the Club.

26) ELECTION OF OFFICE BEARERS

- a) All office holders shall be elected initially for a two year term but may nominate for further terms if they wish. If the sitting President is not re-elected in the following year or does not nominate for re-election, he/she becomes immediate Past President.

- b) Each year sub-committee not already having two representatives on the Management Committee may nominate any other financial full or life member to be their assistant representative to sit on the Management Committee, provided that such nominee be accepted by the Management Committee in a vote.
- c) The annual election of officers shall be by ballot held immediately prior to each Annual General Meeting and counted in the presence of the returning officer and two scrutineers elected by the members for that purpose. Members unable to attend the AGM may lodge a vote on the approved ballot paper with the manager prior to the meeting, having also recorded and signed an apology for the meeting on an outer sealed envelope the contains the sealed ballot paper.
- d) Nominations for all vacant positions must be in writing signed by the proposer and nominee and must be in the hands of the Manager not less than 28 days before the Annual General Meeting. The nominations shall be exhibited on the notice board and distributed with voting papers to financial full and life members eligible to vote under Rule 19, at least 14 days prior to the closure of the ballot which will be no more than 2 days before said meeting.
- e) The Club shall provide a ballot box, locked by the returning officer and placed in the club to receive completed ballot papers.
- f) Ballot papers shall show the names of candidates for each position in which an election is necessary and the order of such names shall be in accordance with a draw conducted for the purpose.
- g) In case no more than the required number of officers shall be nominated, those so nominated shall be declared elected.
- h) All ballots shall be decided on a 'first past the post' voting system. The candidate securing the highest number of votes being elected winner: the candidate securing the second highest being second and so on.
- i) If there shall be insufficient nominations to fill all vacancies, those nominated shall be declared elected and shall have power to fill the vacancies and any casual vacancies that may occur, by invitation.
- j) If two or more candidates receive the same number of votes, the returning officer shall determine the result by lot or simple draw.
- k) The returning officer shall present the results to the Annual General Meeting and post the results on the notice board.
- l) Voting papers which show more candidates marked than the number permitted; which are defaced or mutilated; which do not reveal the identity/membership number of the voter on the outside of the envelope, or which, in the opinion of the returning officer do not constitute a proper vote shall be considered to be information votes and shall be disregarded.

27) THE COMMITTEE AND TERMS

- a) The Executive Committee shall be President, Deputy President, Finance chairperson (Treasurer) and any other as determined by the full Committee; it shall be elected at the first meeting of the elected Committee.
- b) The Manager of The Club and the Bar Manager may attend all Committee meetings to give their respective reports and then leave at the discretion of the Committee,
- c) The quorum at all Committee meetings shall be 1 member of the Executive Committee and 5 other financial members present in person. If there be no quorum after 30 minutes, the meeting shall stand adjourned until the same time the following week when those present shall have power to transact the business of the meeting.
- d) Committee meetings shall be held monthly. Urgent committee meetings may be called by the President, or on the request of three members of the Committee, with a minimum of 24 hours notice.
- e) Minutes of every committee meeting shall be taken, to be confirmed by resolution of the committee and signed by the chairperson of the meeting as a true record.
- f) A formal minute book shall be kept for all committee and General meetings and shall be available for inspection by members.
- g) Proxy votes, left with the Secretary/Manager in a sealed envelope or sent in by post shall be permitted where committee members are absent but have been appraised fully of the circumstances of the cote.
- h) If, without satisfactory explanation, any Committee personal shall absent him/herself from three consecutive Committee meetings, his/her office shall be terminated forthwith unless the disqualification shall be dispensed with on a resolution of the Committee.
- i) No member of the Committee shall be held to have resigned his seat until; his resignation, in writing, has been accepted by the Committee.
- j) Any vacancy occurring in the Committee shall be filled at a meeting of the Committee when a member shall be elected to fill such a vacancy until the next election in the place of, and upon the same terms and conditions as their predecessor, had the latter continued in the office.
- k) The President shall preside at all meeting of the committee of the Club and, in his absence the Deputy President shall preside. Should neither be present, the meeting shall elect a Chairperson.
- l) All resolutions of the committee shall be decided by a majority vote of all those present, including the President. In the case of equality of votes, the proposal before the Committee shall be decided in the negative.

- m) Only the President or, in his absence, the acting President shall be authorised to speak on behalf of the Club.
- n) Minutes of the committee proceedings shall be recorded and made available to members.

28) POWERS OF THE COMMITTEE

The business of The Club shall be managed by the Committee, who may exercise all powers of the club except those required to be exercised by The Members at a General Meeting. Without prejudice to the powers conferred by the last preceding rule, the Committee shall be subject to the rules and regulations and have power to do the following thing:

- a) To purchase or otherwise acquire any books, newsletters or periodicals and dispose of them as it may see fit.
- b) To determine from time to time the conditions on which and time when, members may use the property of The Club or any part or parts thereof, and when and under what conditions the premises of The Club or any part or parts thereof, shall be used by the members.,
- c) To determine what person (if any) not being members of The Club shall be permitted to use the premises of The Club or any part or parts thereof and during what time and under what conditions and when and at what times and places and under what conditions such persons shall be supplied with refreshments and accommodation.
- d) To appoint any other officials or servants of The Club and to remove them as occasions may require at their discretion and to define their respective duties. Persons appointed to a paid position, such as Club Manager or Bar Manager shall be engaged under a contract, award or Registered Australian Workplace Agreement.
- e) To delegate (subject to such conditions as it thinks fit) any of its powers to sub Committees consisting of such members of the Committee and other members of The Club co-opted for the purpose as it may determine and to make such regulations as to the proceedings of such sub Committees as maybe thought desirables.
- f) To set and monitor all wages, green fees, bar prices and any other costs and charges as they determine to be fair and appropriate for the successful running of the Club.
- g) To regulate and control their own meeting and the transaction of business thereat.
- h) To pay any servant of the Club any gratuity for faithful and diligent service as deemed fit.
- i) In accordance with the rules to suspend, or expel any member.

- j) To enter into or accept any lease or tenancy of the premises whereof The Club shall conduct its affairs or of any future, goods and effects, which may be required for the use of The Club on such terms and on such conditions as The Club may deem expedient.
- k) To take and defend all legal proceedings by or on behalf of the club and to appoint all necessary Attorneys for any such purpose.
- l) To borrow, raise loans or secure the payment of money, and to sell and dispose of the assets of the Club.
- m) Borrowings totalling in excess of \$100,000 must have prior approval by vote at an Annual or Special General Meeting.
- n) To appoint an assistant treasurer or any other assistance officer to assist in the affairs of the Club.
- o) To make, alter and repeal regulations not inconsistent with these rules for the use and management of The Club premises, the admission of members and the conduct of the Club and its affairs generally.
- p) To do and perform any other act, matters and things in connection with or relative to the management of The Club as shall not be these rules be required to be done by the Club in General Meetings.
- q) To appoint such number of delegates to sporting bodies and associations with which The Club may from time to time be affiliated as may be required by the rules thereof and such delegates shall hold office in accordance with the rules of such sporting bodies and associations respectively.
- r) Every member of the Committee shall be indemnified against any loss, expenses or liability incurred by reason of any act or deed performed by him/her in good faith on behalf of the Committee and the Committee may use the funds of The Club for any such purpose required, together with any reasonable expenses incidental to Committee activities.
- s) A member of the Committee who has any direct or indirect pecuniary interest in any matter under contemplation by the Committee, shall, as soon as he/she becomes aware of his/her interest, disclose the nature and extent of such interest to the Committee and shall not take part in any decision of the Committee with respect to that matter.
- t) Should very urgent business arise, the President and the Executive Officers elected for the purpose, shall have power to take action, but shall submit a report at the next full meeting.

29) CO-OPTED MEMBERS

The Committee shall have the power to co-opt up to a maximum of three financial full or life members, at any time to assist any of the elected officers or further the objects of the club. Such co-opted persons shall have full voting rights.

30) HONORARIUMS

All members of the Management Committee and sub committees shall act in an honorary capacity except that the Committee shall have the power to reward, remunerate or grant an honorarium to any member for services rendered to the Club: all cases being considered on its merits and decided by vote of the committee. Details of honorariums paid must be included in financial reports to members.

31) RESIGNATION OF COMMITTEE

In the event of a resignation of the committee, the management and affairs of the Club shall be vested in the Executive Officers who shall exercise all powers until the election of new offices at a Special General Meeting held for the purpose within 14 days of such resignation.

32) SUB COMMITTEES

The Management Committees may delegate any of its powers to Sub-Committees consisting of such Full Members as it thinks fit, provided that no act or decision of any Sub-Committee shall be binding on the Committee or Club until ratified by the Committee. All Sub-Committees must report to and be responsible to the Committee. The President and Deputy President shall be ex-officio members of all sub committees and may attend all meetings. They shall have no vote at such meetings.

33) DUTIES OF OFFICERS

Refer to the regulations current from time to time for a full description of the duties of office holders and chairpersons of the 5 main sub-committees.

34) GENERAL MEETINGS

The Annual General Meeting of members shall be held every calendar year in the month of May unless otherwise ordered by the committee. Notice of the meeting and agenda items including special notices of motion must be posted on the club notice board for 4 weeks before the date of the meeting. At this meeting a report shall be presented by the President on behalf of the Committee, and the Treasurer shall present the club's statement of accounts and balance sheet for the past year, duly audited. Other business in accordance with these rules may be transacted. The President shall preside over an AGM or in his/her absence, the Deputy President, or in the case of absence the members present shall elect a chairperson from those present. The President or Chairperson shall have a casting vote only.

10% of financial Full and Life members present in person shall form a quorum. In the case of insufficient members to form a quorum being present after 30 minutes following the advertised start time for an Annual General Meeting, said meeting will be automatically adjourned to re-convene at the same time seven days later and shall proceed with or without a quorum.

The order of business at the Annual Meeting shall be as follows:

- a) Reading notice of meeting
- b) Reading minutes of the last Annual Meeting and any other General Meeting not yet confirmed and confirming or amending same.
- c) Reading Presidents report, discussion and adoption or otherwise.
- d) Reading Statement of accounts and Balance Sheet to be received or otherwise.
- e) Declaration of ballot and election of new Management Committee.
- f) Election of Club Patrons
- g) Special Business of which Notices of Motion has been given.
- h) Other Business

35) SPECIAL GENERAL MEETINGS

- a) The Management Committee may, at any time call a Special General Meeting by giving adequate notice on the Club notice board. A Special General Meeting shall also be called by the committee on a requisition signed by no less than twenty members stating in detail the purpose of the meeting. Notice of the meeting, a copy of the requisition and notice of motion shall be posted in the building for at least 14 days before the date of the said meeting.
- b) Only business of which notice shall have been given as above, or in accordance with these rules, shall be transaction at a Special General Meeting.
- c) 10% of financial Full and Life members present in person shall form a quorum.
- d) In the case of insufficient members to form a quorum being present after 30 minutes following the advertised start time for a Special General Meeting, said meeting will be automatically adjourned to re-convene at the same time seven days later and shall proceed with or without a quorum.
- e) Proxy votes shall be permitted by way of sealed envelope or post.

36) PROCEDURES AT GENERAL MEETING

- a) The Chairperson shall have a casting vote only and shall decide all questions of order unless otherwise provided by these rules.
- b) All Notices of Motion for consideration at the Annual Meeting must be handed to the Manager in writing no less than 28 days prior to the date set



for said meeting and posted on the notice board in the club for 14 days before the meeting.

37) SUPPLY OF LIQUOR – LIQUOR ACT TO BE OBSERVED

- a) The Club shall appoint and maintain an approved manager for the purposes of observing liquor licensing requirements and regulations.
- b) The Club shall be open for sale of liquor during such hours as the committee shall from time to time determine, and as permitted under the Liquor Act.
- c) No liquor shall be sold or supplied for consumption elsewhere than on the club premises unless such liquor is removed from the license premises by or on the instruction of the member purchasing the liquor.
- d) No liquor shall be sold to any juvenile.
- e) No liquor shall be sold to any stranger

38) CLUB MANAGER/SECRETARY

- a) He or she shall be appointed by the Committee at such remuneration and conditions as the Committee may think proper.
- b) It shall be the duty of the Club Manager to conduct the affairs of The Club under the directions of the Committee, and to keep the books or accounts provided for that purpose correct, to keep a set of accounts showing the financial affairs of The Club and the particulars usually shown in accounts of a like nature, also full and accurate minutes of the proceedings of all meetings of members as well as meetings of the Committee which shall be produced to the Committee at every meeting thereof.
- c) The Manager shall enter in a database provided for that purpose, the name in full and the addresses of all members of the Club for the time being and the date of the last payment by each member of his/her subscription and in another database shall be entered the names in full and the addresses of all Honorary members, the date of their election and the period of their membership.
- d) All payments shall be made by cheque or electronic banking transfer on the authority of the committee and shall be signed or actioned by two Committee members authorised and appointed for the purpose by the Committee from time to time under rule 10.
- e) Every notice directed to be exhibited in the Club premises shall be exhibited on the Club's notice board.

39) MISCONDUCT: SUSPENSION OR EXPULSION OF MEMBERS

The President, Committee or approved manager in receiving a complaint from the Approved Manager or Approved Bar Staff, of a member's behaviour which is considered a serious breach of the liquor act or unacceptable member behaviour or where police involvement is required, may suspend a member for a period of time until disciplinary action under rule 39(c) & 39(d) can be taken.

The Management Committee is required to exempt any member of that Committee from hearing a charge in which he/she has an interest.

Misconduct charges may include, but not be limited to, the following:

- a) Who shall fail in the observance or commit any breach of any rule of The Club, or any by-law of The Club or of any order or direction of the Management Committee or of any General Meeting.
- b) Who shall in the sole judgement of the Management Committee have been guilty in or out of The Club's premises of any act, conducted matter or think calculated to bring discredit on The Club or its members, or to impair or affect the enjoyment of The Club by other members.
- c) Any member charged with misconduct as above shall be furnished with a written copy of the charge and be summoned before the Management Committee, who shall after hearing the accuser and accused and taking such evidence as they may consider proper, if they find the charge proved, inflict a penalty of suspension from all or any of the privileges of membership. If the Management Committee consider that on a charge of gross misconduct, suspension as above is insufficient, they may call on the member to resign, and if he/she neglects to resign within 10 days they may declare him/her to be expelled, but in any case the accused shall have the right of appeal to a Special General Meeting called for the purpose, whose decision shall be final as decided by the majority of the members present.
- d) Any expelled member of The Club who may be aggrieved by his/her expulsion by the Committee is required to lodge with his/her appeal the sum of \$50 with the manager to defray the cost of a special general meeting.
- e) Any person who has been refused membership of the Club, or who is under suspension or expulsion from the Club shall not be admitted as a guest of any member of the Club.

## REGULATIONS

### 1) SUB-COMMITTEE

- a) There shall be five major sub-committees formed to be called the Finance, Member Services, Bowls, House Facilities and Marketing Committees.
- b) All major and subsidiary sub committees shall be formed from volunteers who will be organised by sub-committee managers and their assistants.
- c) Each major sub-committee shall be entitled to two representatives to sit on the Management Committee.
- d) Major sub-committees with only one elected representative on the Management Committee may nominate an assistant to sit on the Management Committee provided that member be accepted by a vote.
- e) Where a sub-committee is represented by two members, both a male and female member should be elected wherever possible.
- f) Sub Committees shall meet as necessary, and shall keep records of the meetings where appropriate.
- g) Until the relocation to new premises is complete, two further sub-committees, to be known as the Green Committee and the Relocation Committee, shall be formed. The respective chairpersons of these two committees will be entitled to sit on the Management Committee unless they already hold another office on the Management Committee. This entitlement will cease not more than six months following the relocation.

### 2) DUTIES OF OFFICERS

#### a) PRESIDENT

The President shall preside over all Committee meetings and have a vote in all divisions but shall not have a casting vote. Where there are equal numbers for and against the motion, the matter will be decided in the negative.

#### b) DEPUTY PRESIDENT

The Deputy President shall act in place of the President in the President's absence and shall represent affiliated groups within the Club. He/she shall supervise the Sub Committees.

#### c) IMMEDIATE PAST PRESIDENT

Provides advise and information to the Committee where appropriate. Does not have a vote in divisions.

d)       TREASURER/FINANCE MANAGER

The Chairperson of the Finance Committee is the Treasurer and is responsible for the financial affairs of the Club. He/she shall ensure that full and accurate accounts of all transactions are kept and that the Committee is kept apprised of the Club's performance and current financial position at monthly meetings. He/she shall make quarterly financial reports available to members and shall present audited accounts and a balance sheet to members at the AGM. The treasurer also prepares forecasts and annual budgets.

e)       LADIES CAPTAIN

The bowls committee for all bowling events and organisation. She shall convene and preside over meetings of her bowls committee and report back to the management Committee.

f)       MENS CAPTAIN

The bowls committee representative is the men's Captain who will be responsible for all bowling events and organisation. He shall convene and preside over meetings of his bowls committee and report back to the Management Committee.

g)       HOUSE FACILITIES MANAGER

The house facilities committee is responsible for the clubhouse and premises and management of the assets of the Club. The Manager convenes and presides over meetings of the house committee and reports back to the Management Committee.

h)       DIRECTOR OF BOWLS

Look after the interests of the respective groups (men & women). They represent the Club at League level and assist the Captains as necessary in the supervision, organisation and running of events.

i)       MARKETING MANAGER

The Marketing Committee looks after the promotion and growth of the Club. The Chairperson convenes and presides over all meetings of the marketing Committee and reports back to the Management Committee.

j)       MEMBER SERVICES

The Member Services manager looks after all the services which are not bowls e.g. Social Functions etc.

3)       PENNANT SELECTORS

- a) Pennant selectors will be elected by a ballot of members.
- b) 5 selectors will be elected to fairly represent all divisions.
- c) Selectors will be elected annually with results announced after the AGM.
- d) Selectors nominations will indicate which divisions they wish to represent 2 selectors will be elected to represent the top two sides. 2 selectors will be elected to represent the lower sides. The fifth selector may represent any division.
- e) Selectors will select their own chairperson at the first meeting. Members nominating for selection should have played pennants at MBRC for a substantial part of the previous season.

#### 4) LIFE MEMBERS

Where life members are proposed, a committee shall be set up to examine the nominees to ensure they meet the requirements under the Constitution. This committee shall be formed by the Manager/Secretary. Three members shall be drawn from the Management Committee and two from the ordinary membership.

#### 5) AUDITOR

Each year, the committee shall appoint an auditor on an annual basis to audit the club accounts. The Auditor shall audit the accounts and have power at any time to call for all books, papers, accounts etc. Relating to the affairs of The Club. The Auditor may be a member of the Club but must not hold office on the Management Committee. If, during the year, a vacancy occurs in the office of Auditor, the committee should appoint a new Auditor as soon as possible.

#### 6) MEMBERS RIGHTS

- a) Provisional members shall not play in Championships or pennants.
- b) Social members may play bowls in a 'trial period', as decided by the committee, whilst undergoing coaching etc.

#### 7) HIRING CHARGES

Hire charges for members will be as decided by the committee from time to time. A refundable bond for use of the kitchen will apply.

#### 8) SPECIAL SUBSCRIPTIONS

New member discounts

- a) New novice bowlers will pay only the social fee + capitation & GST for the first year of membership only.

- b) Junior bowlers (10-17) will pay a reduced social fee + junior capitation & GST as decided by the committee.
- c) New full members joining partway through the year will be discounted as follows:  
  
After 1 January – 30% of base fee + capitation & GST.
- d) Full members fees may be paid in 2 instalments. \$100 by 30 April and the balance by 30 September.

COMPLETE