



**CONSTITUTION
(Rules and By-Laws)
of
West Toowong Bowls Club Inc.**



25 November 2020

Background information:

The April 2015 electronic version of the then “CONSTITUTION AND RULES OF THE WEST TOOWONG BOWLS CLUB INC” (WTBC) was released as an MS Word document (and a corresponding PDF file), inclusive of an approved amendment to Section 12(e) from the AGM of 27/02/2000 and also amendments 24(a) and 24(b) approved at the Club’s AGM on 22/02/2015. To enhance appearance and ease-of-use, a front cover sheet and a Tabulation of Section Headings, Section Numbers and Page Numbers were included. Opportunity was taken to correct typographical and spelling errors present in an earlier paper copy.

What was subsequently released on 2 April 2016 as Version 2 was approved at the Club’s AGM on 13/03/2016. Changes provided for gender neutrality, while opportunity was taken to correct further typographical and spelling errors, to update some operational procedures such as use of emails and electronic funds transfers, to increase the petty cash upper limit from \$100 to \$200, and to update key names such as Bowls Queensland and Bowls Australia. Updates also applied to the Front Cover and to Tabulations of Section Headings, Section Numbers and Page Numbers.

This *Constitution (Rules and By-Laws) of WTBC of 25 November 2020* totally supersedes and modernises Version 2 of April 2016, in particular to comply with Queensland Government legislation such as the *Associations Incorporation Act 1981 (as amended)* and other government and Bowls Australia and Bowls Queensland policies. It is intended to operate seamlessly with the new, approved constitution of WTB&SC of the same date or as subsequently amended. The Constitution and By-Laws were endorsed by members at a General Meeting on 25 November 2020 and confirmed by the (Qld) Office of Fair Trading, effective as of 12 December 2020.

Electronic Version Control:

Version 1 (April 2015): Cancelled

Version 2 (gender-neutral version) (from April 2016) - superseded

New Approved Constitution (25 November 2020)

Filename: *Constitution (Rules & By-Laws) of WTBC - 25 November 2020 FINAL*

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Part 1: RULES of WTBC Inc.

SECTION A – THE CLUB

1 Definitions

1.1 Club means the West Toowong Bowls Club Inc., or **WTBC**.

1.2 Constitution means the Rules and By-Laws of the Club in force for the time being.

1.3 Management Committee means the members for the time being of the Management Committee of the Club as constituted in accordance with these **Rules and By-Laws** and is the controlling body of the Club subject only to any direction of members at a General Meeting.

1.4 Member means any member of the Club.

1.5 Seal means the common seal of the Club.

1.6 Month means calendar month.

1.7 WB means World Bowls.

1.8 BA means Bowls Australia.

1.9 BQ means Bowls Queensland.

1.10 DBA means District Bowls Association.

1.11 Book or register, in addition to its common meaning, may encompass any filed, electronically produced data, minutes, financial reports or any other form of recording.

1.12 Where “**members present**” is mentioned, it is to be read as “members present or their proxies”.

1.13 Special resolutions are matters such as the Election of Life Members, suspension and/or termination of membership, alterations to this Constitution or removal of a Member of the Management Committee.

1.14 The Financial Year shall be from 1st January to 31st December of the same year.

2 Interpretation

2.1 In these **Rules** the **Act** means the *Associations Incorporation Act 1981* as amended.

2.2 A Quorum for Members Present means:

2.2.1 at a Management Committee meeting, see **Rule 31**; or

2.2.2 at a General Meeting, see **Rule 17**.

2.3 A word or expression that is not defined in these **Rules and By-Laws**, but is defined in the Act, has, if the context permits, the meaning given by the Act.

3 Name

3.1 Name of the incorporated association is **West Toowong Bowls Club Inc** (the **Club** or **WTBC**).

4 Objects

4.1 Objects of the Club are:

4.1.1 to advance and promote the sport of lawn bowls and other compatible sporting and social activities as a not-for-profit entity in Australia;

4.1.2 to provide a high standard of playing facilities and amenities for members and guests in accordance with the Laws of the Sport of Bowls prescribed by BA, and for other compatible sporting activities approved by members and deemed appropriate to provide good fellowship among Club members; and

4.1.3 to be valued by the local community via its activities and fellowship.

5 Powers

5.1 The Club has all the powers of an individual.

5.2 The Club shall uphold its real property and built assets at 17 Bywong Street, Toowong, Queensland.

5.3 The Club shall formulate and implement policies, including those in relation to equal opportunity, equity, drugs in sport, health, safety, junior and senior programs, infectious diseases and such other matters as arise from time to time as issues to be addressed, consistent with those of BA and BQ.

5.4 The Club may enter into any arrangements with any Government or Authority or individual incidental or conducive to the attainment of the objects and the exercise of powers of the Club, so as to obtain from any such Government or Authority or individual any rights, privileges and concessions that the Club may think it desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions within scope of the Club's **Rules and By-Laws**.

5.5 In addition, the Club may, subject to provisions of its **Rules and By-Laws**:

5.5.1 do other things necessary or convenient in carrying out the Club's affairs;

5.5.2 enter into contracts and leases and acquire, hold and dispose of property;

5.5.3 make charges for services and facilities it supplies for Club members and persons frequenting the Club's premises; and

5.5.4 do other things necessary or convenient in carrying out its affairs.

SECTION B – MEMBERSHIP OF THE CLUB

6 Membership

6.1 Membership of the Club consists of Ordinary Members and any of the following classes of members: Life Members, Associate Members, Junior Members, Temporary Members, and Honorary Members.

6.2 The numbers of Ordinary, Associate, and Junior Members are unconstrained but the number of Life Members shall be limited to a maximum of 5% of the total number of Ordinary and Life Members of the Club at the time of such election / appointment.

6.3 Every applicant for any class of membership of the Club must be proposed by one (1) Ordinary or Life Member of the Club and seconded by another such member in the manner provided in **Sub-rule 9.1** hereof.

7 Eligibility for Membership

7.1 To be eligible for membership a person must be:

7.1.1 not less than 18 years of age for membership other than junior membership;

7.1.2 interested in playing the sport of Bowls and/or participating in other activities on offer;

7.1.3 prepared to support and promote the objects and welfare of the Club;

7.1.4 of good character and compatible with other members; and

7.1.5 free of indebtedness to any Bowls Club, DBA, BQ or BA and not under an order or notice of suspension or expulsion from any Bowls Club or DBA or other Sports Club or Sporting Association.

7.2 No person will be admitted as a member of the Club who is a member of any club affiliated with BQ unless such person satisfies the Management Committee by presentation of a clearance on the official form as prescribed by BQ. *This provision excludes Social Members of the West Toowong Bowls and Sporting Club Inc*, as that club shares a leasing arrangement with WTBC.

7.3 An employee of WTBC, whether on salary, wages, contract or memorandum-of-understanding, may be a member of the Club but is ineligible to nominate for or hold any elected office of the Club or to nominate or second any other member for an elected office of the Club.

7.4 When this **Constitution** takes effect, financial members covered by the April 2016 **superseded Constitution** of WTBC will become corresponding financial members with rights and obligations as defined in this **Constitution**.

8 Classification and Privileges of Membership

8.1 Ordinary Members are persons whose applications for membership of the Club have been approved by the Management Committee and who have paid all charges and the yearly membership fee each Annual General Meeting prescribes. Ordinary Members (gender neutral) are entitled (subject to **Sub-rule 7.3**) to all privileges of the Club and to exercise all rights of membership, except when excluded from playing in gender-specific competitions according to conditions laid down for events sanctioned by the Club, District, and BQ. Excluding Life Members and Juniors, other members may upgrade to Ordinary Membership by *pro rata* payment of the gap between the fee already paid and the annual membership fee for an Ordinary Member.

8.2 Life Members are ordinary members who, on the recommendation of the Management Committee (see **By-Law 17.1**), have been elected a Life Member by the Club at a General Meeting in recognition of services rendered to the Club. Such election must be by resolution of a 75% majority of members present and entitled to vote at a General Meeting. A Life Member shall be free to enjoy all Club privileges and exercise all rights but shall be exempt from the payment of annual subscriptions.

8.3 Associate Members: Management Committee may elect any person as an Associate Member of the Club for such period or periods and charge such membership fees as the Management Committee shall determine and *pro-rata* for a period less than a full year. Associate Members shall not be entitled to hold any office of the Club nor to take part in nor vote at meetings nor to nominate Ordinary Members of the Club nor to take part in any Interclub matches and Club championships. Associate Members may participate in social bowls provided space is available.

Special qualifications for election as an Associate Member are:

8.3.1 has been a member of this Club or predecessor/s; or

8.3.2 is, or has previously been a member of another Bowls Club; or

8.3.3 is considering taking up bowls as a sport; or

8.3.4 is being coached in the game of bowls.

8.4 Junior Members.

8.4.1 Persons under the age of 18 years and with a desire to learn and/or play bowls may apply to the Management Committee for Junior Membership of the Club, subject to payment of any charges and the annual membership fee that each Annual General Meeting prescribes.

A Junior Member is:

8.4.1.1 neither entitled to vote nor to nominate members for office nor to nominate other persons to membership of the Club;

8.4.1.2 entitled to play bowls in any State, District, National or Club competition according to the conditions laid down for the playing of the event; and

8.4.1.3 not under any circumstances to be served or consume liquor from or on the Club premises nor engage in any form of gambling on the premises.

8.4.2 On attaining the age of 18 years, a financial junior member will become an Ordinary Member of WTBC, subject to *pro rata* payment of any additional annual membership fee.

8.5 Temporary Members are persons who do not normally reside within our District to whom the Management Committee has offered membership of the Club. Such a person must be a financial member in good standing with a Bowls Club or Bowls Authority affiliated with BA. Such membership will not exceed three (3) months but may be renewed at the discretion of the Management Committee. Temporary Members are entitled to the privileges of membership except that they must neither hold any office in the Club nor nominate members for election to any position in the Club nor take part in nor vote at meetings of the Club. They may not nominate Ordinary Members of the Club nor participate in any game other than a social game of the Club. Temporary Members must pay the membership fee determined by Management Committee.

8.6 Honorary Members are persons the Club may at any General Meeting elect as an Honorary Member who has rendered service, benefit or esteem to the Club. An Honorary Member is entitled to the social privileges of the Club but must not hold any office in the Club nor take part in or vote at any meeting of the Club nor nominate ordinary members of the Club. An Honorary Member is exempt from the payment of members' subscriptions, fees and levies imposed by the Club. Honorary membership must be renewed annually.

9 Admission to Membership

9.1 Application

9.1.1 An application for membership of the Club, with the exception of honorary and temporary members as provided for in these **Rules**, must be made in writing on a form prescribed by Management Committee and shall bear the name and signature of the proposer and seconder as well as the nominee's signature, full name, address, date of birth, and be accompanied by the prescribed fee.

9.1.2 Such fee is to be refunded if the application is rejected.

9.1.3 The application form will display the amount of the Club's public liability cover.

9.2 Annual Membership Subscription

9.2.1 Annual membership subscriptions for Ordinary Members and Junior Members is/are the amount/s decided by members from time to time at a General Meeting, typically at each Annual General Meeting;

9.2.2 Membership subscriptions for Associate Members and Temporary Members are the amounts decided by Management Committee prior to each Annual General Meeting.

9.2.3 Annual membership subscriptions are payable when and in the way Management Committee decides.

9.3 Proposed Members Register

Particulars of all applications for membership of the Club with the exception of temporary members as provided for in these Rules must, upon receipt of same, be entered in the order of time in which each application is received by the Secretary (or as delegated) in a book (hereinafter referred to as the Proposed Members Register) to be kept by the Secretary. Each entry must record the full name and contact details of the person proposed and the time and date of receipt

by the Secretary of the application. Each application shall be dealt with and determined in the order in which it is so recorded.

9.4 Display of Nominations

The name and suburb of each person proposed as a member must, upon the application for membership being recorded in the proposed Members Register, be notified appropriately, usually at least seven (7) days prior to the date on which Management Committee will consider the application for membership.

9.5 Objections to Application for Membership

9.5.1 Any member or members may object to any application for membership by delivery of a written objection to the Secretary.

9.5.2 All applications for membership shall be dealt with and determined by Management Committee at a duly convened meeting.

9.5.2.1 If a written objection is received from a member or members of the Club, Management Committee must investigate the objection before making a decision in relation to acceptance or rejection of the applicant. For the purpose of enquiring with respect to an applicant, the matter of dealing with and determining the application may be postponed for no longer than three (3) months. Any other such proposals may be dealt with and determined during that period.

9.6 Acceptance of Membership

9.6.1 Management Committee must ensure that as soon as possible after the person applies to become a member of the Club, and before Management Committee considers the person's application, the person is advised whether or not the Club has public liability insurance and, if the Club has public liability insurance, the amount of the insurance.

9.6.2 Management Committee must decide at the meeting whether to accept or reject the application.

9.6.3 If a majority of the members of Management Committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.

9.6.4 The Secretary of the Club must, as soon as practicable after Management Committee decides to accept or reject an application, give the applicant a written notice of the decision.

9.7 Acceptance of Rules by Members

9.7.1 All members, on admission, are deemed to have agreed to be bound by the **Rules and By-Laws** of the Club in force at the time.

9.8 Appeal Against Rejection or Termination of Membership

9.8.1 A person whose application for membership has been rejected, or whose membership has been terminated, may give the Secretary written notice of an intention to appeal against the decision.

9.8.2 A notice of intention to appeal must be given to the Secretary within one (1) month after the person receives written notice of the decision.

9.8.3 If the Secretary receives a notice of intention to appeal, the Secretary must, within one (1) month after receiving the notice, call a General Meeting to decide the appeal.

9.9 General Meeting - to decide appeal

9.9.1 A General Meeting to decide an appeal must be held within three (3) months after the Secretary receives the notice of intention to appeal.

9.9.2 At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.

9.9.3 Also, Management Committee and members of the Committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.

9.9.4 An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.

9.9.5 If a person whose application for membership has been rejected does not appeal against the decision within one (1) month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Secretary must, as soon as practicable, refund the membership fee (or the *pro rata* portion) paid by the person.

10 Resignation from Membership

10.1 A resignation from membership will not be valid unless it has been received and acknowledged in writing by the Club's Secretary. A Member shall not be deemed to have resigned from the Club unless the resignation is in writing and is delivered to the Secretary and is acknowledged as aforesaid. Where the date of resignation is not stipulated by the Member, the resignation becomes effective as from the date of receipt of the resignation by the Secretary.

10.2 No such resignation shall relieve any person from the payment of any subscription or other money due or payable by them at the time of resignation. The resignation of any Member shall involve automatic forfeiture of all rights and privileges in respect to all Club matters.

10.3 Management Committee may terminate a Member's membership if the Member:

10.3.1 is convicted of an indictable offence; or

10.3.2 does not comply with any of the provisions of these **Rules**; or

10.3.3 has membership fees in arrears for at least two (2) months; or

10.3.4 behaves in a way considered to be injurious or prejudicial to the character or interests of the Club.

10.4 Subject to **Rule 48**, before Management Committee terminates a Member's membership, the Committee must give the Member a full and fair opportunity to show why the membership should not be terminated. If, after considering all representations made by the Member, Management Committee decides to terminate the membership, the Secretary of the Committee must give the Member a written notice of the decision.

11 Register of Members

11.1 Management Committee must keep a Register of Members of the Club.

11.2 The Register must include the following particulars for each Member:

11.2.1 the full name of the Member;

11.2.2 the postal or residential address and/or contact details of the Member;

11.2.3 the date of admission as a Member;

11.2.4 the date of death or time of resignation of the Member;

11.2.5 details about the termination or reinstatement of membership; and

11.2.6 any other particulars Management Committee or the members at a General Meeting decide.

11.3 The Register must be open for inspection by members of the Club at all reasonable times.

11.4 A Member must contact the Secretary to arrange an inspection of the Register.

11.5 However, Management Committee may, on the application of a Member of the Club, withhold information about the Member (other than the Member's full name) from the Register available for inspection if Management Committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

12 Prohibition on Use of Information on Register of Members

12.1 A Member of the Club must not:

12.1.1 use information obtained from the Register of Members of the Club to contact, or send material to another member of the Club for the purpose of advertising for political, religious, charitable or commercial purposes; or

12.1.2 disclose information obtained from the Register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Club for the purpose of advertising for political, religious, charitable or commercial purposes.

12.2 Sub-rule 12.1 does not apply if the use or disclosure of the information is approved by the Club and the member.

SECTION C – GOVERNANCE OF THE CLUB

13 Annual General Meetings

13.1 The Annual General Meeting must be held:

13.1.1 at least once each year; and

13.1.2 within three (3) months of the end of the financial year.

13.2 The business of the Annual General Meeting shall include:

13.2.1 Minutes of the previous meeting, presentation, consideration and adoption of the Annual Report of Management Committee including the Financial Report and Balance Sheet accompanied by the Auditor's Report (refer to Section 59 of the Act);

13.2.2 Election of the Management Committee of the Club;

13.2.3 Appointment of a Patron (optional);

13.2.4 Election of Selector/s in accordance with **By-Law 3.10**;

13.2.5 Appointment of an Auditor (refer to Section 59 of the Act);

13.2.6 Consideration of Notices of Motion; and

13.2.7 Transaction of any general business.

14 Business of General Meeting

14.1 The confirmation of minutes of business arising from the previous General Meeting

14.2 Dealing with Notices of Motion

14.3 Committee Reports

14.4 Membership Matters

14.5 General Business

15 Notices of Motion

15.1 Notices of Motion shall be given to the Secretary to be included on the agenda of the Annual General Meeting or any General Meeting at least 14 days prior to the meeting at which they will be discussed.

16 Notice of General Meeting

16.1 The Secretary may call a General Meeting of the Club.

16.2 The Secretary must give at least 14 days written notice of the meeting.

16.3 If the Secretary is unable or unwilling to call the meeting, the President must do so.

16.4 A notice of a General Meeting must state the business to be conducted at the meeting.

17 Quorum for and Adjournment of General Meeting

17.1 The quorum for a General Meeting is at least double the number of members elected or appointed to Management Committee at the close of the Club's last General Meeting plus one (1). Non-voting appointments (see **Sub-rules 23.2.2.2 & 28.3.3**) do not contribute to the quorum.

17.2 No business may be conducted at a General Meeting unless there is a quorum of members when the meeting proceeds to business.

17.3 If there is no quorum within 30 minutes after the time fixed for a General Meeting called on the request of members of Management Committee of the Club, the meeting lapses.

17.4 If there is no quorum within 30 minutes after the time fixed for a General Meeting called other than on the request of members of Management Committee of the Club:

17.4.1 the meeting is to be adjourned for at least seven (7) days; and

17.4.2 Management Committee is to decide the day, time and place of the adjourned meeting.

17.5 The President may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.

17.6 If a meeting is adjourned under **Sub-rule 17.5**, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

17.7 The Secretary is not required to give members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.

17.8 If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

18 Procedures at a General Meeting

18.1 A Member may take part and vote in a General Meeting in person or by using any technology that reasonably allows the Member to hear and take part in discussions as they happen.

18.2 A Member who participates in a meeting as mentioned in **Sub-rule 18.1** is taken to be present at the meeting.

18.3 At each General Meeting:

18.3.1 The Club's President is to preside as Chairperson;

18.3.2 In the absence of the President, the Vice President shall preside or if the President and Vice President are absent within 10 minutes after the time appointed for the holding of the meeting or the Vice President is unwilling to act, Members present shall elect one of their number to be Chairperson of the meeting;

18.3.3 The Chairperson must conduct the meeting in a proper and orderly way.

19 Voting at General Meeting

19.1 At a General Meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present.

19.2 Each Member present and eligible to vote is entitled to one (1) vote only and, if the votes are equal, the Chairperson has a casting vote as well as a primary vote.

19.3 A Member is not entitled to vote at a General Meeting if the Member's annual subscription is in arrears at the date of the meeting.

19.4 The method of voting is to be nominated by the Chairperson.

19.5 However, if at least 20% of the Members present demand a secret ballot, voting must be by secret ballot.

19.6 If a secret ballot is held, the Chairperson must appoint two (2) members to conduct the secret ballot in the way the Chairperson decides.

19.7 The result of a secret ballot as declared by the Chairperson is taken to be a resolution of the meeting at which the ballot was held.

19.8 Proxies may be appointed to vote at a General Meeting on a Member's behalf.

19.8.1 An instrument appointing a proxy must be in writing and be in the form as determined from time to time by Management Committee and set out in **By-Law 9**.

20 Special General Meeting

20.1 The Secretary must call a Special General Meeting by giving each Member of the Club notice of the meeting within 14 days after:

20.1.1 being directed to call the meeting by Management Committee; or

20.1.2 being given a written request signed by:

20.1.2.1 at least two (2) members of Management Committee when the request is signed; or

20.1.2.2 at least the number of Ordinary Members of the Club equal to double the number of members of the Club on Management Committee when the request is signed plus one (1; as per **Sub-rule 17.1**); or

20.1.2.3 being given a written notice of an intention to appeal against the decision of Management Committee:

20.1.2.3.1 to terminate a person's membership; or

20.1.2.3.2 to reject an application for membership.

20.2 A request mentioned in **Sub-rule 20.1.2** must state:

20.2.1 why the Special General Meeting is being called; and

20.2.2 the business to be conducted at the meeting.

20.3 A Special General Meeting must be held within three (3) months after the Secretary:

20.3.1 is directed to call the meeting by Management Committee; or

20.3.2 is given the written request mentioned in **Sub-rule 20.1.2.2**; or

20.3.3 is given the written notice of an intention to appeal mentioned in **Sub-rule 20.1.2.3**.

20.4 If the Secretary is unable or unwilling to call the special meeting, the President must call the meeting.

21 Special Resolutions

21.1 Special resolutions are matters such as the Election of Life Members, rejection / suspension / termination of membership, alterations to this Constitution or removal of a Member of Management Committee. Such resolutions should be decided by an affirmative vote of at least 75% of the members present at the meeting and entitled to vote.

22 Minutes of General Meetings

22.1 The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each General Meeting are entered in a minute book (or equivalent).

22.2 To ensure the accuracy of the minutes:

22.2.1 the minutes of each General Meeting must be signed by the President of the meeting, or the Chairperson of the next General Meeting, verifying their accuracy; and

22.2.2 the minutes of each Annual General Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next meeting of the Club that is a General Meeting or Annual General Meeting, verifying their accuracy.

22.3 If asked by a Member of the Club, the Secretary must, within 28 days after the request is made:

22.3.1 make the minute book (or equivalent) for a particular General Meeting available for inspection by the Member at a mutually agreed time and place; and

22.3.2 give the Member a copy of the minutes of the meeting.

22.4 The Club may require the member to pay the reasonable costs of providing copies of the minutes.

SECTION D – MANAGEMENT OF THE CLUB

23 Management Committee

23.1 Management Committee is responsible for the affairs, property and funds of the Club in accord with these **Rules and By-Laws**.

23.2 Membership of Management Committee

23.2.1 Management Committee shall consist of the following: President, Vice President, Secretary, Treasurer, Games Director, Greens Director, and two (2) Ordinary Members, all of whom, possibly apart from the Secretary, shall be Members of the Club.

23.2.2 All offices shall be honorary and elective, apart from:

23.2.2.1 the Secretary who may be elected or appointed; and

23.2.2.2 the special honorary positions appointed by Management Committee as detailed in **Sub-rule 28.3.3**.

23.2.3 Subject to Section 61A of the Associations Incorporation Act 1981, every financial Ordinary and Life Member of the Club shall be eligible to hold any office.

24 Election of Management Committee Members Excluding Secretary

24.1 Apart from the Secretary, each voting member of Management Committee shall be elected at the Annual General Meeting of the Club. They shall hold office until the conclusion of the election held at the next ensuing Annual General Meeting of the Club but shall be eligible for re-election.

24.2 Any two (2) members of the Club may nominate another member (the candidate) to serve as a member of Management Committee.

24.3 Nominations for Management Committee positions prior to the Annual General Meeting must be:

24.3.1 in writing; and

24.3.2 signed by the candidate and the member/s who prosecuted the nomination; and

24.3.3 given to the Secretary at least 14 days before the Annual General Meeting.

24.4 A contested election for any position shall be resolved by ballot.

24.5 Each member of the Club present and eligible to vote at the Annual General Meeting may vote for one (1) candidate for each vacant position on Management Committee.

24.6 If, at the start of the meeting, there are not enough candidates, nominations may be taken from the floor of the meeting.

24.7 A person may be a candidate only if the Ordinary or Life Member, who is not an employee (**Sub-rule 7.3**):

24.7.1 is not under the age of 18 years;

24.7.2 is not ineligible to be elected as a member under Section 61A of the Act

24.7.3 is financial; and

24.7.4 is not under suspension or expulsion.

24.8 A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted on the Notice Board or listed in the Newsletter of the Club at least seven (7) days preceding the Annual General Meeting.

24.9 If required by Management Committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

24.10 Management Committee must ensure that, before a candidate is elected or appointed to Management Committee, the candidate be advised of the Club's public liability cover.

25 Election or Appointment of Secretary

25.1 The Secretary must be an individual residing in Queensland, or in another State but not more than 65km from the Queensland border, who is:

25.1.1 a Member of the Club elected as Secretary at an Annual General Meeting as outlined in **Rule 24**; or

25.1.2 any of the following persons appointed by Management Committee as Secretary:

25.1.2.1 a Member of the Club's Management Committee;

25.1.2.2 another Member of the Club;

25.1.2.3 another person.

25.2 If a vacancy happens in the office of Secretary, members of Management Committee must ensure a Secretary is appointed or elected for the Club within one (1) month after the vacancy happens.

25.3 If Management Committee appoints a person mentioned in **Sub-rule 25.1.2.2** as Secretary, other than to fill a casual vacancy on Management Committee, the person does not become a member of Management Committee.

25.4 However, if Management Committee appoints a person mentioned in **Sub-rule 25.1.2.2** as Secretary to fill a casual vacancy on Management Committee, the person becomes a member of Management Committee.

25.5 If Management Committee appoints a person mentioned in **Sub-rule 25.1.2.3** (another person) as Secretary, the person does not become a member of Management Committee.

26 Resignation, Removal or Vacation of Office of Management Committee Member

26.1 A member of Management Committee may resign from the Committee by giving written notice of resignation to the Secretary, or if necessary, the President.

26.2 The resignation takes effect at:

26.2.1 the time the notice is received by the Secretary (or the President); or

26.2.2 if a later time is stated in the notice, the later time.

26.3 A member of Management Committee may be removed from office at a General Meeting of the Club if a 2/3rd majority of the members present and eligible to vote at the meeting vote in favour of removing the member.

26.4 Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show why the said member should not be removed from office.

26.5 A member has no right of appeal against the member's removal from office under this **Rule**.

26.6 A member immediately vacates the office of member of Management Committee in the circumstances mentioned in Section 64(2) of the Act.

27 Management Committee to Fill Vacancies

27.1 If a casual vacancy happens on Management Committee, the continuing members of the committee may appoint another member of the Club to fill the vacancy until the next Annual General Meeting, noting special conditions applicable to the Secretary under **Rule 25**.

27.2 The continuing members of Management Committee may act despite a casual vacancy (or casual vacancies) on the committee.

27.3 However, if the committee membership is less than the number fixed under **Sub-rule 31.1** as a quorum of Management Committee, the continuing members may act only to:

27.3.1 increase the number of Management Committee members to the number required for a quorum; or

27.3.2 call a General Meeting of the Club to resolve the matter.

28 Functions of Management Committee

28.1 Subject to these **Rules** or a resolution of the members of the Club carried at a General Meeting, Management Committee has general control and management of the administration of the affairs, property and funds of the Club.

28.2 Management Committee has authority to interpret the meaning of these **Rules** and any matter relating to the Club on which the **Rules** are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

[Note: The Act prevails if the Club's Rules are inconsistent with the Act—see Section 1B of the Act.]

28.3 Management Committee may exercise the powers of the Club to:

28.3.1 invest in such manner as the Members of the Club may from time to time determine;

28.3.2 control its membership, finances, meetings, program, use of the green, and business operations within the Clubhouse, the latter in harmony with any Club that leases the Clubhouse;

28.3.3 appoint, subject to needs, a (non-voting) DBA Delegate who, along with the (non-voting) Selector / Chief Selector), may attend Management Committee Meetings in an observer capacity;

28.3.4 appoint assistants to Members of Management Committee, such assistants not being able to exercise any power unless they have otherwise been elected or appointed to Management Committee in some capacity;

28.3.5 appoint individuals, committees and/or sub-committees for special purpose tasks;

28.3.6 transact and authorise expenditure, provided that Management Committee is not empowered to authorise any single item of expenditure in excess of the amount prescribed in **By-Law 13**, without prior approval of a General Meeting of the Club. Such amounts, excluding petty cash, may only be varied by resolution at a Special General Meeting called for that purpose or at Annual General Meetings;

28.3.7 call General Meetings of Members;

28.3.8 arrange meetings of Management Committee;

28.3.9 charge fees;

28.3.10 make, vary and revoke **By-Laws** from time to time but not inconsistent with these **Rules**. Until varied or revoked, the **By-Laws** attached to this Constitution will be the **By-Laws** of the Club;

28.3.11 do anything required or permitted under these **Rules, By-Laws** or any law; and

28.3.12 otherwise act in the interest of Members.

29 Executive Committee

29.1 The Executive Committee of the Club shall consist of the President, Vice President, Secretary, and Treasurer. Three (3) of the four (4) Members will constitute a quorum.

29.2 The Executive Committee shall transact any urgent business of the Club that may arise between Management Committee meetings and submit a report of any such business transacted by it to the next meeting of Management Committee, provided always that between meetings of Management Committee, the Executive Committee shall not incur expenditure in excess of the amount prescribed in **By-Law 13**, nor deal with the property of the Club. All business transacted by the Executive Committee shall be ratified and approved by Management Committee at the next Management Committee meeting.

29.3 The Executive Committee will respond urgently when there is any suggestion that a serious breach of Club **Rules** may have occurred.

30 Meetings of Management Committee

30.1 Management Committee must meet at least once every two (2) months to exercise its functions.

30.2 Management Committee must decide how a meeting is to be called.

30.3 Notice of a meeting is to be given in the way decided by Management Committee.

30.4 Management Committee may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.

30.5 A committee member who participates in the meeting as mentioned in **Sub-rule 30.4** is taken to be present at the meeting.

30.6 A question arising at a committee meeting is to be decided by a majority vote of members of the committee present and, if the votes are equal, the question is decided in the negative.

30.7 A member of Management Committee must not vote on a question about a contract or proposed contract with the Club if the member has an interest in the contract or proposed contract and, if the member does vote, the member's vote must not be counted.

30.8 The Club's President is to preside as Chairperson at Management Committee meetings.

30.9 In the absence of the President, the Vice President shall preside or if the President and Vice President are absent within ten (10) minutes after the time appointed for the holding of the meeting or is/are unwilling to act, Members present shall elect one of their number to be Chairperson of the meeting.

30.10 Any member of Management Committee who, without good reason, fails to attend three (3) consecutive meetings shall be deemed to have vacated the Committee.

31 Quorum For, and Adjournment Of, Management Committee Meeting

31.1 Half of Management Committee plus one (1) as outlined in **Sub-rule 23.2.1** shall constitute a quorum for a Management Committee Meeting.

31.2 If there is no quorum within 30 minutes after the time fixed for a Management Committee Meeting called on the request of members of the Committee, the meeting lapses.

31.3 If there is no quorum within 30 minutes after the time fixed for a Management Committee Meeting called other than on the request of the members of the Committee:

31.3.1 the meeting is to be adjourned for at least one (1) day; and

31.3.2 the members of Management Committee who are present are to decide the day, time and place of the adjourned meeting.

31.4 If, at an adjourned meeting mentioned in **Sub-rule 31.3**, there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

32 Special Meeting of Management Committee

32.1 If the Secretary receives a written request signed by at least three (3) Members of Management Committee, the Secretary must call a special meeting of the Committee by giving each Member of the Committee notice of the meeting within 14 days after the Secretary receives the request.

32.2 If the Secretary is unable or unwilling to call the special meeting, the President must call the meeting.

32.3 A request for a special meeting must state:

32.3.1 why the special meeting is called; and

32.3.2 the business to be conducted at the meeting.

32.4 A notice of a special meeting must state:

32.4.1 the day, time and place of the meeting; and

32.4.2 the business to be conducted at the meeting.

32.5 A special meeting of Management Committee must be held within 14 days after notice of the meeting is given to the Members of Management Committee.

33 Documents of the Club

33.1 Management Committee shall provide for the safe custody of books, documents, digital files, instrument of title and securities of the Club.

34 Appointment and Operations of Subcommittees

34.1 Management Committee may appoint a Subcommittee consisting of members of the Club considered appropriate to help with the conduct of the Club's operations.

34.2 A member of the Subcommittee who is not a member of Management Committee is not entitled to vote at a Management Committee meeting.

34.3 A Subcommittee may elect a Chairperson of its meetings.

34.4 If a Chairperson is not elected, or if the Chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose one of their numbers to be Chairperson of the meeting.

34.5 A Subcommittee may meet and adjourn as it considers appropriate.

34.6 A question arising at a Subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

34.7 The President may attend and participate in meetings of all Subcommittees in an *ex officio* capacity.

35 Acts Unaffected by Defects or Disqualifications

35.1 An act performed by Management Committee, a Subcommittee or a person acting as a member of Management Committee is taken to have been validly performed.

35.2 *Sub-rule 35.1* applies even if the act was performed when:

35.2.1 there was a defect in the appointment of a Member of Management Committee, Subcommittee or person acting as a Member of Management Committee; or

35.2.2 a Management Committee Member, Subcommittee Member or person acting as a Member of Management Committee was disqualified from being a member.

36 Resolutions of Management Committee Without Meeting

36.1 A written resolution signed by each Member of Management Committee is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.

36.2 A resolution mentioned in **Sub-rule 36.1** may consist of several documents in like form, each signed by one or more members of Management Committee.

37 By-Laws

37.1 Management Committee may make, amend or repeal **By-Laws**, not inconsistent with these **Rules**, for the management of the Club.

37.2 A **By-Law** may be amended, deleted or added by a vote of members at a General Meeting of the Club.

38 Common Seal

38.1 Management Committee must ensure the Club has a common seal.

38.2 The common seal must be:

38.2.1 kept securely by Management Committee; and

38.2.2 used only under the authority of Management Committee.

38.3 Each instrument to which the seal is attached must be signed by a Member of Management Committee and countersigned by:

38.3.1 the Secretary; or

38.3.2 another Member of Management Committee; or

38.3.3 someone authorised by Management Committee.

39 Alterations to this Constitution

39.1 Subject to the provisions of the *Associations Incorporation Act 1981* (as amended), these **Rules** may be amended, rescinded or added to by a Special Resolution carried at any General Meeting. However, an amendment, repeal or addition is valid only if registered by the Chief Executive of the Office of Fair Trading, Qld Dept. of Justice and Attorney General (or as amended).

39.2 The Club shall provide advice to BQ within thirty (30) days of any changes or amendments to the Constitution and also to the Chief Executive responsible for oversight of the *Associations Incorporation Act 1981* (as amended).

40 Activities to be Lawful

40.1 The Club must comply with lawful requirements of the Commonwealth, State and Local Governments, statutory authorities and sporting organisations with power over Club activities.

41 Indemnity of Members

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

41.2 The benefit of each indemnity given in **Sub-rule 41.1** continues, even after its terms or the terms of this clause are modified or deleted, in respect of a liability arising out of acts or omissions occurring prior to the modification or deletion.

42 Secretary to Keep Minutes

42.1 The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and General Meeting to be entered in a book (or equivalent) to be open for inspection at all reasonable times by any financial member who previously applies, in writing, to the Secretary for that inspection.

42.2 For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting shall be signed by the Chairperson of that meeting, or the Chairperson of the next succeeding Management Committee meeting verifying their accuracy. Similarly, the Chairperson of that meeting, or the Chairperson of the next succeeding General Meeting or Annual General Meeting shall sign the minutes in accord with **Sub-rule 22.2**.

43 Finance

43.1 The **Financial Year** of the Club shall end on 31 December each year.

43.2 Annual Subscriptions

43.2.1 A Joining Fee and Annual Subscription shall be payable by all Ordinary and Junior Members, as provided for in this Constitution.

43.2.2 Fees and subscriptions for classes of membership described in **Sub-rule 43.2.1** shall be determined at a General Meeting of the Club and such fees shall continue in force until altered at a subsequent Annual General Meeting or a General Meeting called for that purpose. When so determined, the Annual Subscription shall be deemed to be due and payable on the first day of the commencement of new financial year and shall apply for that financial year.

43.2.3 Joining Fees (if any) and Annual Subscription for Associate Members and Temporary Members will be set from time-to-time by the Club's Management Committee.

43.2.4 All Joining fees and Annual subscriptions shall be payable to the Club in advance.

43.2.5 In addition to the Joining fee (if any), any person taking up membership subsequent to the commencement of the financial year shall pay their subscription *pro-rata* from the date of acceptance as a Member to the end of the Club's financial year, plus affiliation and capitation fees where applicable.

43.2.6 If Members fail to pay their Annual Subscriptions by the due date [with two (2) months' grace], they shall be deemed to be unfinancial.

43.3 Green Fees and Championship Nomination Fees - Bowls

43.3.1 Management Committee shall have power to set green fees and nomination fees to be charged for Club Championships.

43.4 Special Levies

43.4.1 The Club may at any time strike a Special Levy on all Members at an Annual or Special General Meeting of the Club, of which prior notice of at least 14 days has been given by Management Committee.

43.4.2 The levy shall only be payable to the Club if passed by not less than a 75% majority of the Members present and entitled to vote at that meeting.

43.4.3 Each Member shall be advised by letter (includes email) delivered to the Member or posted to his address of any levy struck as aforesaid. If a Member fails to pay the levy within one (1) month of the day following the posting of the letter (or email) of advice, they shall be deemed unfinancial.

43.5 Unfinancial Members

43.5.1 Any member who becomes unfinancial shall forthwith be deprived of all privileges of membership of the Club, including:

43.5.1.1 the right to hold office;

43.5.1.2 the right to speak or vote at any meetings of Management Committee or at any General Meeting of the Club;

43.5.1.3 the right to nominate any person for office or be nominated for office in the Club; and

43.5.1.4 the right to enter for and play in Club bowls matches or social play.

43.5.2 All privileges shall be restored to a previously unfinancial Member upon the payment of all subscriptions and monies due to the Club.

44 General Financial Matters

44.1 A financial report, including monthly bank balances, shall be presented to each periodic Management Committee meeting.

44.2 Soon after the end of each financial year, the Treasurer shall cause to be prepared for presentation to the Club, and for incorporation into the accounts of the Club, a balance sheet and statement containing the estimated value of club assets plus particulars of the income and expenditure for the financial year just ended. All such statements shall be examined by the Auditor, who shall present a report upon such audit to the Secretary prior to the holding of the Annual General Meeting next following the financial year in respect of which the audit was made.

44.3 By-Laws that form part of this Constitution cover approved expenditure limits (**By-Law 13**) and approved joining and membership fees that may vary from time-to-time.

45 Club Amalgamation

45.1 Should the membership of WTBC consider it timely and appropriate to amalgamate with another incorporated Association with which it shares common interests, the Club must oblige all provisions of the *Associations Incorporation Act 1981*, Part 9 (as amended) in so doing.

45.2 With the agreement of eligible voting members and subject to any creditor requirements and provisions of the *Associations Incorporation Act 1981*, Part 9 (as amended), all debts, liabilities, and any assets whatsoever shall be absorbed into any new incorporated Association.

46 Distribution of Surplus Assets

46.1 If the Club be wound up in accordance with the provisions of the *Associations Incorporation Act 1981* (as amended), and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid or distributed among the Members of the Club but shall be assigned as the first option to a replacement Club or entity or, if inappropriate, given or transferred to some other institution(s) having objects similar to the objects of the Club, being Bowls Clubs then affiliated with BQ, or a successor body, and which shall prohibit the distribution of its income and property among its members to an extent at least as great as is imposed on the Club under or by virtue of the Act, such institution(s) to be determined by the members of the Club, provided the institution(s) to which the property of the Club is transferred is an institution approved by the Commissioner of Taxation as an institution referred to in Section 50/45 (c) of the *Income Tax Assessment Act 1997* (as amended).

47 Affiliation

47.1 The Club must:

47.1.1 affiliate with BQ and accept and abide by the Rules and By-Laws of BQ in so far as they apply to the sport of Bowls and applicable to members who participate in Club and/or interclub bowls competitions;

47.1.2 be a member of a DBA and accept and abide by the Rules and By-Laws of the DBA in so far as they apply to the sport of Bowls;

47.1.3 submit BA and BQ affiliation fees and levies direct to BQ. The expectation is that BQ will notify the DBA of the payment;

47.1.4 renew its membership with the DBA each year in accordance with the Rules of the DBA and pay annual membership fees to the DBA;

47.1.5 appoint a delegate or delegates to the DBA (**Sub-rule 28.3.3**);

47.1.6 provide to BQ and to the DBA the returns that are required by those bodies;

47.1.7 provide advice to BQ and to the DBA within 30 days of any event that would affect the status of the Club's affiliation with BQ, the legal status of the Club and/or any changes or amendments to the Club's constitution; and

47.1.8 not make, amend or repeal a **Rule** or **By-Law** in relation to the playing of the sport of Bowls that conflicts with the Rules and By-Laws of BA, BQ or the DBA.

47.1.9 affiliate (if required) with the Controlling Body/ies (or equivalent) of other sporting organisations for sports (other than bowls) played at the Club.

48 Conduct of Members and Visitors

48.1 Members and visitors shall, at all times, maintain a proper discipline and decorum and shall not conduct illegal gambling, bet on games, speak obscene or abusive language or indulge in unseemly conduct. Any alleged infringement of this Rule when reported in writing to Management Committee shall be investigated by Management Committee, which shall have power to demand and direct apologies, and, if necessary, if the offending person be a Member, to deal with that person under the provisions of **Rule 49** or if that person be a Member of another Club to report that person's conduct to such Club, to the DBA, and to BQ. If the person is a visitor who is not a Member of a Bowls Club, the Senior Officer present at the time shall have authority to have that person removed from the Club premises.

48.2 After any infringement of this provision, any complaints or protests lodged by a Member or Members of the Club in respect of any Member or Members of the Club shall be in writing to the Secretary. The matter shall be dealt with in the first place by the Executive, then by Management Committee who may, if deemed necessary, call a Special General Meeting. The Member or Members in respect of whom such complaints or protests have been lodged shall be entitled to attend Management Committee meeting personally to state their case(s).

48.3 Members shall have the privilege of introducing a visiting friend or friends to the Club. However:

48.3.1 No visitor shall be supplied with refreshments unless on the invitation and in the company of a member or members who shall be responsible for ensuring the visitors name and address are entered in the Visitors Book.

48.3.2 All visitors, who are members of any association or club affiliated with Clubs Queensland and who are not under notice or order of suspension or expulsion shall have reciprocal rights with WTBC and shall be deemed to be visiting members of the Club whilst on the premises. Such visitors may be accorded the privileges of the Club but shall not take part in any meetings of the Club nor vote thereat.

48.3.3 WTBC reserves the right to refuse and or terminate admission to the Club's premises of any visitor without assigning any reason for such refusal, and to regulate the attendance of visitors for any such periods it deems advisable. The Club's rights and powers, under this rule may be exercised by the Senior Officer or manager present at the time.

48.3.4 If a visitor refuses a requirement to comply with current government health directives and/or to leave the premises if directed by the Senior Officer or manager, they immediately become a trespasser, and may be dealt with according to law.

49 Disciplinary Provisions - Bowls

49.1 Any member of the Club who fails to observe any **Rules** or **By-Laws** of the Club or who is deemed guilty of an act, practice or conduct calculated to bring discredit on the game of bowls or to the Club, DBA or BQ or its members, or who on any club, DBA or BQ premises engages in illegal

gambling or betting or uses obscene or abusive language renders themselves liable to expulsion or suspension.

49.2 The “Bowls Queensland Member Protection Policy” applies when dealing with issues that arise in the following areas: Child Protection, Anti-discrimination and Harassment, Sexual Relationships and Transgender matters. This policy can be viewed on the BQ website and on application to the Secretary.

49.3 Any member of the Club who is suspended or expelled shall be ineligible to:

49.3.1 play bowls in any club, district, state or national event; or

49.3.2 play bowls at any affiliated club during the period of suspension [up to six(6) months] or expulsion [may apply for readmission after a period of at least one (1) year];

49.3.3 hold office or act as a delegate at club, district, state or national level; or

49.3.4 enjoy the privileges of the Clubhouse and the green.

49.4 In the case of a Junior Member being called before Management Committee on a charge or complaint, such Member shall be entitled to be accompanied by a parent or guardian.

49.5 Pending determination of any appeal, the appellant must be allowed all membership privileges.

50 Player Commitments - Bowls

50.1 When a Member of the Club has been called to fulfil a BA, BQ or DBA commitment in a match or on official business, then the member should not be disadvantaged by the Club. The member must communicate to all parties and the Club must endeavour to accommodate the member.

50.2 The Controlling Body may define circumstances which it will not accept as a valid reason for a player’s unavailability. However, a substitute is not to be permitted if an intended player enters another competition scheduled to be played at the same time. Reference should be made to **By-Law 10.7** and to BA policies on the subject.



Part 2: BY-LAWS of WTBC Inc.

25 November 2020

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1 Returning Officer

1.1 At least 14 days before any General Meeting, Annual General Meeting or Special General Meeting, Management Committee must appoint a Returning Officer whose duties are to control the issuing of ballot papers and subsequent collection and counting of same at that meeting.

1.2 The Returning Officer must liaise with the Secretary regarding the preparation of ballot boxes and must also ensure only those entitled to vote are issued with the necessary ballot papers and that the ballot boxes are correctly located for the lodgement of same.

1.3 The Returning Officer will enlist the assistance of such number of scrutineers as required to conduct the ballot. The Returning Officer or any scrutineer must not be a candidate in such ballot.

1.4 The Returning Officer must advise the Chairperson of the meeting of the result of the scrutineers' count and the Chairperson must announce the result to the meeting.

1.5 The ballot material must not be destroyed without the authority of a motion passed at the meeting and it must be the duty of the Returning Officer to carry out such instruction/s.

2 Election and Ballot Procedures

2.1 Nominations for members of Management Committee must be in accordance with the **Rules and By-Laws**.

2.2 Voting (if required) may be by secret ballot. If voting, every Ordinary financial and Life Member present must be supplied with ballot papers.

2.3 The method of voting must be to delete the name(s) of the candidate(s) not required by the voter.

2.3.1 If more than two (2) candidates nominate for the same two (2) positions, the ballot for the higher position is to be conducted first. The ballot for the lower position is then conducted after deletion of the successful candidate in the higher position.

2.4 The results of each ballot shall be determined on the first-past-the-post principle. If there should be an equal number of votes for two or more candidates for the last remaining position in a ballot, a further ballot must be conducted between the candidates who tied.

2.5 If insufficient nominations are received for the positions of elected Management Committee members, the candidates so nominated shall be declared elected and the meeting shall proceed to fill any remaining vacancies and, if necessary, conduct a ballot with nominations from the floor of the meeting. Any Member not present must have indicated a willingness to accept nomination from the floor for any unfilled position.

2.6 Ballot papers may be issued to those entitled to vote not more than 30 minutes prior to the meeting being opened. The Returning Officer must not collect the votes until the Chairperson of the meeting announces the closing of the ballots. All votes will be deemed to have been made after the opening of the meeting and before the closure of the ballot/s. Before closing the ballot, the Chairperson of the meeting must introduce to the meeting any candidate for election who is not well known to the members if such candidate be present at the meeting.

2.7 In the case of a ballot being necessary to resolve a matter other than election, members must indicate their choice on ballot papers in a manner specified by the Chairperson of the meeting.

3 Duties of Management Committee Members, Selectors, and Other Members

3.1 The President must be responsible, subject to the direction of Management Committee and General Meetings of members, for:

- 3.1.1 the overall administration of the Club;
- 3.1.2 presiding at meetings and functions of the Club;
- 3.1.3 attending to the carrying out of decisions of the Club and Management Committee;
- 3.1.4 generally seeing that members are properly accommodated;
- 3.1.5 ensuring all Club **Rules and By-Laws** are fully adhered to by all members;
- 3.1.6 being the point of reference for urgent decisions; and
- 3.1.7 attending when required as an *ex-officio* member of all subcommittees.

3.2 The Vice President must assist the President as required and shall:

- 3.2.1 ensure all duties allotted by Management Committee are properly carried out;
- 3.2.2 carry out the duties normally performed by the President, in the absence of the President;
- 3.2.3 oversee the maintenance of the Club premises and surrounds;
- 3.2.4 chair the **Social Subcommittee** if such Subcommittee exists;
- 3.2.5 organise fundraising by way of raffles, sponsorship, socials, etc; and
- 3.2.6 report (verbal and/or written) on activities monthly to Management Committee.

3.3 The Immediate Past President may attend Management Committee meetings and provide advice and guidance to Management Committee members and take part in any debates but shall not be entitled to vote at such meetings nor form part of the quorum.

3.4 The Secretary's functions, while not limited by any other function the Secretary has under many provisions of the *Associations Incorporation Act 1981* (as amended), shall include:

- 3.4.1 calling meetings of the Club, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the President of the Club;
- 3.4.2 keeping minutes of each meeting;
- 3.4.3 keeping copies of all correspondence and other documents relating to the Club;
- 3.4.4 maintaining the Club's register of members;
- 3.4.5 controlling keys to Club premises;
- 3.4.6 preparing the Annual Report; and
- 3.4.7 completing all necessary returns.
- 3.4.8 Should the Secretary be absent or ill, or neglect or refuse to do anything required by these **By-Laws**, Management Committee must invite and appoint any other financial member of the Club to act in that capacity.
- 3.4.9 An Assistant Secretary may assist the Secretary to ensure all duties allotted to the Secretary by Management Committee and as a consequence of Incorporation are properly carried out.

3.5 The Treasurer must:

- 3.5.1 keep a record of receipts and expenditures;
- 3.5.2 keep correct accounts and books showing the financial affairs of the Club and the particulars usually shown in the books of account of a like nature;
- 3.5.3 report the financial position of the Club at each meeting of Management Committee;
- 3.5.4 present to Management Committee around November each year a "projected annual budget" for the next financial year of the Club, this to be additional to development (with periodic updates) of a "Five Year Financial Plan" for the Club;

3.5.5 present accounts for payment at each meeting of Management Committee for ratification or confirmation;

3.5.6 advise Management Committee from time-to-time of any unfinancial members;

3.5.7 submit to the Annual General Meeting a statement of accounts for the preceding year, said accounts to be audited in accordance with the **Rules and By-Laws**.

3.5.8 Should the Treasurer be absent or ill, or neglect or refuse to do anything required by these **Rules and By-Laws**, Management Committee must invite and appoint any other financial member of the Club to act in that capacity.

3.5.9 An Assistant Treasurer may assist the Treasurer to ensure all duties allotted to the Treasurer by Management Committee are properly carried out.

3.6 The Games Director (for Bowls) shall, subject to any decisions of Management Committee:

3.6.1 be responsible for drawing up a Games Program of Club Championships for the coming year and the conduct of all such Club Championships and any DBA events and inter-club visits at home and away;

3.6.2 abide by the **Rules** of procedures (e.g., Conditions of Play) set out for Club Championships and, at the completion of such championships, record the results in a Register and/or Newsletter for the information of members and community;

3.6.3 arrange for an umpire for games under Club control and arrange for the appointment of markers for all singles games including DBA games;

3.6.4 finalise the allocation of rinks for play, in conjunction with the Greens Director;

3.6.5 organise for the collection of green fees applicable to all games being played, and the transfer of all money to the Treasurer or representative in a timely manner;

3.6.6 ensure “cards” are prepared before play and “completed cards” collected at end of play; and

3.6.7 keep records of bowls’ games played and arrange for publication of results (newspaper and/or newsletter).

3.6.8 In conjunction with the Selector/s, recommend to Management Committee the number of Pennant Sides to be nominated for DBA Pennants for the coming season.

3.6.9 Report (verbally and/or written) on Games Director activities to each monthly Management Committee meeting.

3.6.10 Should the Games Director be absent or ill, or neglect or refuse to do anything required by these **By-Laws**, Management Committee or delegate must invite and appoint any other financial member of the Club to act in that capacity.

3.7 The Greens Director, under the delegated authority of Management Committee, will:

3.7.1 liaise with the Greenkeeper (or Greens Contractor) to achieve and maintain a good playing surface and surrounds, typically supported with a current Memorandum-of-Understanding;

3.7.2 supervise the work of the Greenkeeper / Greens Contractor;

3.7.3 ensure the Greenkeeper / Greens Contractor is aware of forthcoming games, usually around one (1) week in advance;

3.7.4 report (verbally and/or written) on activities pertaining to condition and use of the green to each Management Committee meeting.

3.7.5 Should the Greens Director be absent or ill, or neglect or refuse to do anything required by these **By-Laws**, Management Committee must invite and appoint any other financial member of the Club to act in that capacity.

3.8 The DBA Delegate, who may attend all monthly Management Committee meetings in a non-voting capacity shall, subject to any decisions of Management Committee:

3.8.1 attend relevant meetings of the DBA;

3.8.2 convey the views of the Club to the District and report back to the Club all decisions relevant to Club operations;

3.8.3 act on personal volition on matters raised at District meetings for which there had been no specific direction from the Club, subject to properly informing Management Committee at the first available opportunity; and

3.8.4 report (verbally and/or written) on relevant activities to each Management Committee meeting following a DBA meeting.

3.8.5 Should the DBA Delegate be absent or ill, or neglect or refuse to do anything required by these **By-Laws**, Management Committee must invite and appoint any other financial member of the Club to act in that capacity.

3.9 Committee Members, other than the office holders as set out earlier, shall:

3.9.1 assist all office holders in any way possible and serve on any committee / subcommittee as directed or appointed.

3.9.2 Should any committee member be absent or ill, or neglect or refuse to do anything required by these **By-Laws**, Management Committee must invite and appoint any other financial member of the Club to act in that capacity.

3.10 Selector/s - Bowls

3.10.1 Election of Selector/s

3.10.1.1 The sole Selector or Selection Committee shall consist of not more than three members of the Club, each of whom shall be nominated for the position in writing by two financial members of the Club. The signature of each nominee showing consent to such nomination must appear on each nomination form.

3.10.1.2 Nominations for the position(s) as Selector / Selection Committee shall be subject to the same conditions as nominations for election as members of Management Committee (**Rule 24**), and conducted in conjunction with the Annual General Meeting of the Club.

3.10.1.3 The Selector or members of the Selection Committee shall be elected for the following calendar year and shall remain in office until their successor/s shall have been appointed.

3.10.1.4 The sole Selector will automatically be permitted to attend monthly Management Committee meetings (without voting rights), while the Selection Committee, if appointed, shall elect a senior selector (if not already elected) who will be eligible to attend monthly Management Committee without voting rights.

3.10.1.5 In the event that the selector/s do not or are unable to appoint a senior selector, Management Committee shall make the appointment of the selector to attend monthly Management Committee meetings, also without voting rights.

3.10.1.6 In the event of any vacancy (Selector / Selection Committee), Management Committee may appoint a suitable member or members to fill the vacancy / ies.

3.10.2 Duties of Selector/s

3.10.2.1 Subject to any decisions of Management Committee, the duties of Selector/s, in addition to **By-Law 3.6.8**, include:

3.10.2.1.1 selecting individuals, teams and sides for representative games;

3.10.2.1.2 selecting teams for Pennant matches, inter-club games and special Club-selected games;

3.10.2.1.3 reporting on selector activities (verbal and/or written) to relevant Management Committee meetings and annually.

3.10.3 Should the or any Selector be absent or ill, or neglect or refuse to do anything required by these **By-Laws**, Management Committee may invite and appoint any other financial member/s of the Club to act in that capacity.

4 Attire

4.1 Management Committee must determine dress standards as the minimum requirement in relation to members and visitors within the confines of the Club's premises.

4.2 The Club must apply any requirements of BQ for the attire of bowlers' players.

4.3 The wearing of the approved Club uniform or white/creams by any bowler is optional at all times, except in those games where the mode of dress is stipulated.

4.4 These dress rules are not applicable to any member or other person entering the Club as a worker at the Club and/or surrounds.

4.5 The Attire of Bar-staff and Social Members of *West Toowong Bowls and Sporting Club Inc* will be as prescribed by that Club.

4.6 Respectful mufti apparel in addition to flat-soled shoes or bare feet shall be the minimum acceptable standard of dress for bare-foot bowlers and other visitors.

5 Notice Board and Newsletter

5.1 A notice board, upon which Club notices shall be posted, must be placed in a conspicuous position in the Club's premises.

5.2 No notice shall be placed upon any notice board unless it is such as would be permitted by Management Committee. Only notices directly related to bowls and other activities of the Club shall be displayed on the main notice board.

5.3 The Club Newsletter can be used as an alternative to "posts" on the Club Notice Board.

6 Club Colours - Bowls

6.1 The Club colours are white tee-shirt (with Club and BA logos) in conjunction with maroon long trousers or shorts or like-coloured clothing.

7 Club Flag

7.1 The flag will be in the Club colours and be of a style approved by Management Committee.

7.2 The Club will typically fly the flag on bowlers' playing days.

8 Club Logo

8.1 The logo will be as displayed on the front cover of this Constitution.

8.2 Management Committee will determine the use of the logo on badges, documents and membership cards.

9 Proxy Instrument

9.1 An instrument appointing a proxy must be in writing and be on a copy of the form shown immediately below, or on a similar form.

PROXY FORM

West Toowong Bowls Club Inc.



I, _____ of _____
(Name) (Address)

being a member of the Club, appoint _____
(Name)

of _____ as my **proxy** to vote for me on my
(Address)

behalf at the (Annual) General Meeting of the Club, to be held on

_____ (20 __) and at any adjournment of the meeting.
(day) (month) (year)

Special Resolutions

List Special Resolutions [*strike out whichever is unwanted*]

- 1.
- 2.
- 3.
- 4.
- 5.

Signature _____

Signed this _____ of _____ (20 __)
(day) (month) (year)

9.2 The instrument appointing a **proxy** must:

9.2.1 if the appointer is an individual, be signed by the appointer or the appointer's attorney properly authorised in writing; or

9.2.2 if the appointer is a corporation:

9.2.2.1 be under seal; or

9.2.2.2 be signed by a properly authorised officer or attorney.

9.3 A proxy may be a member of the Club or another person.

9.4 The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.

9.5 Each instrument appointing a proxy must be given to the Secretary before the start of the meeting or an adjourned meeting at which the person named in the instrument proposes to vote.

9.6 Unless otherwise instructed by the appointer, the proxy may vote as the proxy considers appropriate.

10 Club Competition Rules - Bowls

10.1 Rules of Play

10.1.1 All games shall be played according to the *Laws of the Sport of Bowls – Crystal Mark 3rd Edition Version 3.1 April 2019 – or as amended, (including Domestic Regulations for Australia, Updated April 2019 – or as formally revised)* and (as necessary) upon any *General and Specific Conditions of Play for the Club's Bowls Championships* as updated from time-to-time by the DBA and typically by the Club.

10.2 Calling of Entries

10.2.1 Entries for competitions shall be invited by notice on the Games Notice Board and/or Newsletter for not less than two (2) weeks prior to the commencing date of competition/s.

10.3 Dates of Play

10.3.1 The notice calling for competition entries shall be prepared by the Games Director and when possible, shall indicate the proposed commencement dates.

10.3.2 No competitions shall be called for play during the month of January. However, nothing in this **By-Law** shall prevent players playing by arrangement during this period.

10.4 Notice of Play

10.4.1 Notice of play of one (1) clear week shall be given to entrants by placing the date(s) of play on the Notice Board / Newsletter. Also, the proposed date upon which the winners of such games shall be again required to play shall also be notified in advance.

10.4.2 Where a game cannot be completed on the day scheduled, the players shall, as far as is practicable, be given at least one week's notice of the new playing date either personally or by notice.

10.4.3 Notification to the Skip of any team shall constitute notice to all team members.

10.4.4 Any notice of a competition game must clearly state the starting time of each match concerned. Unless all members of a team are (or a player in singles is) ready to play at the end of a waiting period of 30 minutes then the team, or player, shall forfeit the match to the opposing team or player.

10.4.5 No player or team shall be called upon to play two games on a particular day unless the opponent(s) has/have also been called to play two games. A player or team who had a bye in that round and had access to the same green and at the same time for a roll-up shall be deemed to have played that day even if the opportunity was not utilised.

10.5 Competitors must be financial

10.5.1 All members nominating for a competition conducted by the WTBC must be financial not only at the closing date for entries for the competition but remain so until completion of the competition.

10.5.2 If a player is or becomes unfinancial then that former member becomes ineligible to take any further part in any competition until the player again becomes financial. No substitute or replacement shall be allowed for an unfinancial member.

10.6 Greens not available/playable

10.6.1 Should play not be possible due to the non-availability of greens on any nominated day then, subject to the discretion of the Greens Director and the Games Director, the games called for that day shall be deferred until the next day available for such competition. Subsequent games affected by such deferment shall likewise be deferred.

10.6.2 Games commenced but not completed, due to inclement weather or for any other reason, shall be finalised at a date and time allotted by the Games Director but such games shall, as far as possible, conform to **By-Law 10.6.1** hereof.

10.7 Deferment

10.7.1 Deferment of a competition game shall be granted for participation in Club-selected representative fixtures.

10.7.2 Where a player has been called for play in a competition controlled by a higher controlling body then:

10.7.2.1 in the case of Singles, a deferment shall be granted.

10.7.2.2 in all other cases the player shall be required to substitute in the Club competition.

10.7.3 When a player or team requests deferment of a game and the opponent(s) are in agreement and such deferred game can be scheduled for play, such that there is no effect upon any subsequent game, then the Games Director may permit such deferment. In the event that no result is obtained in such deferred game for any reason whatsoever then the player or team that requested the deferment shall forfeit.

10.7.4 Except as provided in these **By-Laws**, players shall play, substitute or forfeit.

10.8 Practice, Roll-up, Trial Ends

10.8.1 Practice, Roll Ups and/or Trial Ends are allowed in accordance with the Laws of the Sport of Bowls or Domestic Regulations or as outlined in Conditions of Play.

10.9 Disputes

10.9.1 All disputes should be speedily resolved by the Controlling Body.

10.9.2 The Controlling Body shall be empowered to call any member or expert to give information or advice to them.

10.9.3 The Controlling Body may, when the dispute involves the interpretation of the Laws of the Sport of Bowls, seek the opinion of a qualified umpire whose interpretation shall be binding.

10.9.4 Any decision of the Controlling Body shall be final and binding upon all members on that occasion.

10.10 Matters not covered by the Rules

10.10.1 Management Committee has the power to make additional terms (not inconsistent with these **Rules and By-Laws**) governing play in Club competitions.

10.11 Trophies

10.11.1 Club Championship Winners will typically include display on the Games Honour Board and a badge.

10.12 Nomination Fee

10.12.1 Each player shall be responsible for the payment of a nomination fee (if levied) prior to the commencement of the first round of each competition played. Failure to pay such fee shall render the player/team liable for disqualification.

10.12.2 The nomination fee (inclusive of GST if applicable) shall be determined by Management Committee, from time to time, and remain in force until further determined.

10.12.3 Nomination fees for each competition shall be displayed on nomination sheets.

10.13 Other Matters

10.13.1 Other than in an emergency, no player shall use mobile telephones or other electronic communication devices within two (2) metres of the Bill Crick Green, except in respect of radios or phones used with headphones or ear-plugs, provided nothing within this **By-Law** shall prevent use of any communications' device for emergency and urgent purposes.

10.13.2 nothing within **By-Law 10.13.1** shall prevent a player from appealing to the umpire if a nuisance persists.

10.13.3 Mobile telephones may be used in the Clubhouse, provided every effort is made to ensure there is no sustained annoyance to other patrons.

11 Standing Orders for All Meetings

11.1 Customary procedures for General and Committee Meetings shall apply, while propositions and amendments shall be submitted in writing when requested by the Chairperson.

11.2 A member shall be entitled to speak only once to each question but, with the permission of the Chairperson, may correct a misstatement. Every amendment moved shall be treated as a new question. The mover of any original motion shall have the right of reply.

11.3 No motion of dissent from the Chairperson's ruling or decision shall be permitted, unless made before any other business or speech has intervened and no debate shall be allowed. The matter shall be determined by simple majority and the decision shall be final.

11.4 It shall not be permissible for the mover to withdraw any motion that has been put to the meeting except with the consent of the seconder.

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

11.6 If the Chairperson desires to discuss a motion or amendment, the Chairperson shall do so before reply by the mover.

11.7 Discussion shall not be permitted upon any motion for adjournment.

11.8 The proceedings of any committee appointed by Management Committee shall be guided by these Standing Orders, so far as they are applicable.

11.9 No second amendment shall be in order until the first amendment has been disposed of.

12 Alteration to and Meaning of By-Laws

12.1 Adoption of alterations and/or additions to these **By-Laws** will be made by Management Committee under **Sub-rule 37.1** of the Constitution or by members at a General Meeting under **Sub-rule 37.2** of the Constitution. It is incumbent on Management Committee to inform members of all proposed changes.

12.2 In the event of any doubt arising as to the meaning of any **By-Law** of the Club, Management Committee shall have the power to interpret such **By-Laws** as it sees fit, subject to the right of any member or members to appeal such decision by recourse to a Special General Meeting of the Club called for that purpose.

13 Club Funds and Financial Limits

13.1 Unless otherwise determined by Management Committee, funds of the Club shall be kept in the name of the Club at any reputable and constituted Australian bank.

13.2 Except for routine operations (e.g., utility and green-care expenses) and necessary maintenance, which can be approved by the *WTB&SC's Club Manager*, the following expenditure limits and conditions shall apply:

13.2.1 *General Meeting*: purchases over \$20,000 covering own funds;

13.2.2 *Management Committee*: purchases up to \$20,000 covering own funds;

13.2.3 *Executive Committee*: purchases up to \$5,000 covering own funds;

13.2.4 *Treasurer*: purchases up to \$1,000 covering own funds;

13.2.5 *WTB&SC's Club Manager*: a \$500 purchase/payment limit; and

13.2.6 *Petty cash upper limit* of \$250, an amount that can be adjusted from time-to-time by Management Committee, at its discretion.

13.3 Details of all non-recurring expenditure/s shall be reported to Management Committee for ratification as soon as possible.

13.4 Management Committee, in its discretion, may reimburse out of pocket expenses incurred by members of Management Committee in such manner as it sees fit. All such amounts reimbursed shall be reported separately in the accounts under Executive Expenses.

13.5 For expenditure of grants from Governments, Local Government and the like, the person or persons nominated by Management Committee can authorise expenditure within the approved grant budget. "Grant" expenditure outside the approved budget must be authorised by Management Committee.

14 Meetings of the Executive

14.1 Each Executive Committee member shall exercise one vote on any question. Where two positions are combined, only one vote shall be exercised. In the case of an equality of votes, the President may exercise a second deliberative/casting vote.

14.2 The Executive Committee shall meet at such times as the President or the person so acting deems necessary.

15 Subcommittees and their Functions

15.1 The President shall be an *ex officio* Member of all subcommittees.

15.2 The Chairperson of each subcommittee shall present a report on its activities to each relevant periodic meeting of Management Committee while the Subcommittee remains active.

15.3 All subcommittees shall meet regularly to deal with matters within the scope of the subcommittee's designated functions.

15.4 The Chairperson of each subcommittee shall advise the President of the date and time of any proposed meeting.

15.5 The President shall be advised of any decisions or suggestions reached by the subcommittee.

15.6 All decisions or suggestions shall be submitted to Management Committee as recommendations for approval, unless Management Committee has delegated authority and granted prior permission to act on its behalf.

15.7 All subcommittees shall have authority to co-opt any person deemed necessary, additional to its specified number, in order to carry out its functions.

15.8 This **By-Law** is to be read in conjunction with **Rule 34** of this Constitution.

16 Duties of Other Specialist Personnel

16.1 Promotions Officer

16.1.1 The Promotions Officer, if appointed by Management Committee, shall be responsible for:

16.1.1.1 promoting lawn bowls in all its facets, cultivating harmonious relations with the community at large, obtaining sponsors for Club competitions, liaising with Club Management on hospitality arrangements for planned activities, and carrying out such other duties as might be referred by the Executive Committee or Management Committee, including other sporting and social activities;

16.1.1.2 running Open Days and other events to promote the game of bowls and compatible sports within the community and to encourage use of Club facilities throughout the West Toowong / Toowong community; and

16.1.1.3 ensuring all matters of interest are reported and publicised to best advantage.

16.2.1 The Promotions Officer shall also:

16.2.1.1 operate cooperatively with the Promotions Officer of WTB&SC (if appointed or may be the same person);

16.2.1.2 co-opt the assistance of others and report (verbal and/or written) on relevant matters to meetings of Management Committee, when appropriate.

16.3.1 Should an appointed Promotions Officer be absent or ill, or neglect or refuse to do anything required by these **By-Laws**, Management Committee may invite and appoint any other financial member of the Club to act in that capacity.

17 Membership Matters Generally

17.1 Life Membership criteria and procedures

17.1.1 A nomination for consideration for Life Membership should be put forward in writing, at a regular meeting of Management Committee at least three (3) months prior to the Annual General Meeting.

17.1.2 Nomination/s shall be evaluated by Management Committee or referred to a Life Members' Sub-committee, comprising the President, Secretary, and any two Life Members.

17.1.3 If referred to the Life Members' Sub-committee, that Sub-committee will provide a resume for consideration by Management Committee after due consideration and investigation, taking into account the required criteria as set out below for the bestowing of such honour. A person so nominated shall have been:

17.1.3.1 An Ordinary Member of WTBC for at least 10 years and must be of exemplary character and be held in high regard by members.

17.1.3.2 An Office Bearer of the Club for multiple terms with a record of outstanding service at Club, District, State and/or National level.

17.1.4 The Life Members' Sub-committee in its submission can make a recommendation for or against but must give reasons for such recommendation.

17.1.5 Management Committee will then consider the proposal as submitted by the Life Members' Sub-committee and, should a vote be required, it will be by secret ballot.

17.1.6 If the vote is in the affirmative, by a simple majority, then the nominated person should be approached by the President and/or Secretary to obtain consent for the nomination to go forward to the next Annual General Meeting as a motion on notice.

17.1.7 Should consent not be given, then the proposal shall lapse.

17.1.8 If consent is forthcoming, then Management Committee recommendation for bestowing the Life Membership will be put and voted upon by the Members present at the Annual General meeting, as a special resolution in whatever manner that meeting so decides.

17.2 On-site Parking

17.2.1 Only Members, known visitors, persons working for the Club and/or needing to deliver goods etc., or a person authorised to do so by Management Committee or the Club Manager and staff employed by WTB&SC shall be permitted to park on Club grounds.

17.2.2 Anyone without permission or not a member of WTB&SC or WTBC or involved in the delivery of goods and services to either Club, or present as a Bare-foot Bowler or present as a Visitor with either club may be charged a Parking Fee determined from time-to-time by Management Committee.

17.3 Membership Cards

17.3.1 All financial members of WTBC will be issued with an annual Club membership card indicating Name and Membership Number as proof-of-membership for purposes of access to the Clubhouse and use of its facilities as permitted by law. As technology permits, the Class of Membership will also be recorded.

18 Hire or Loan of Club Equipment and Facilities

18.1 Items of Club equipment shall not be available for hire or use by Members without the express approval of Management Committee or Greens Director, the latter only for green-care equipment and the like.

18.2 Unless otherwise determined by Management Committee, a Member hiring the facilities of the Club shall be entitled to a discount of up to 25% off the applicable rate.

19 Notices, Risk, Discrimination and Harassment Management

19.1 Management Committee shall, where required by law or otherwise deemed appropriate, provide such signs, notices and directions necessary for the safe operation of the Club and general amenity of Members and the public.

19.2 Members and visitors to the Club shall abide by such signs, notices and directions or be subject to relevant disciplinary procedures under **Rules 48 and 49**.

19.3 The Club shall develop and update as necessary an appropriate *Risk Management Plan* as a component of its duty-of-care responsibilities and in order to comply with Queensland's *Workplace Health and Safety Act 1995* (as amended).

19.4 The Club shall develop, endorse and abide by a *Workplace Discrimination and Harassment Policy* intended to prevent discrimination, bullying and sexual harassment, which are unlawful under several Acts of the Australian Government (as amended): e.g., *Racial Discrimination Act 1975*; *Sex Discrimination Act 1984*; *Australian Human Rights Commission Act 1986*; *Disability Discrimination Act 1992*; *Age Discrimination Act 2004*.

20 General Play - Bowls

20.1 Saturday Play - Bowls

20.1.1 Except for special events (as directed by the Match Sub-committee), Life Members, Ordinary Members and Junior Members shall be given priority for games of bowls on Saturdays. And subject to space being available, the Club may permit:

20.1.1.1 games of social bowls by further types of Club members and visitors; and

20.1.1.2 bare-foot bowls on otherwise vacant rinks by visiting groups.

20.1.2 Green fees for all Saturday players (see also **By-Law 20.4**) shall be due and payable to the Games Director or as delegated, while fees for bare-foot bowls will be paid at the bar.

20.1.3 Prizes (if offered) for Saturday Club play shall be determined by the Match Subcommittee or as delegated.

20.2 Week-day and Sunday Play - Bowls

20.2.1 Except for special events (as directed by Management Committee - or as delegated) all week-day and Sunday play will be “open” games, with priority given to Life Members, Ordinary Members and Junior Members. And subject to space being available, the Club may permit social play by other Club members and visitors as well as bare-foot bowls on otherwise vacant rinks by visiting groups for whatever purpose.

20.2.2 Green fees shall be paid as described in **By-Law 20.1.2** and **20.4**.

20.2.3 Prizes (if offered) for week-day and Sunday Club play shall be determined by Management Committee (or as delegated).

20.3 Playing Times - Bowls

20.3.1 The Management Committee (or as delegated) shall set play times, which may vary with the day, event and/or with seasonal conditions.

20.3.2 Guidance on playing times shall be given on any notice calling the event.

20.3.3 None of the foregoing shall preclude the ringing of the bell stopping play at any time should the Presiding Officer deem it necessary.

20.4 Playing Fees - Bowls

20.4.1 Unless otherwise determined by Management Committee, greens fees shall be as set out on the schedule “Green Fees” displayed on the Club Notice Board / Newsletter.

20.4.2 Juniors shall pay half the applicable rate.

20.4.3 All green fees as determined shall be inclusive of GST.

20.5 Pre-registering for Bowls Play

20.5.1 To assist the Games Director, Club members and others who desire to play “social” bowls on Saturdays and on other days are requested to pre-register by end of the prior day or as advised.

20.5.2 There is no requirement to register in advance for Club competition games and Pennants, as participants will be independently advised by the Games Director or Selector/s.

20.6 Non-playing Days (Bowls)

20.6.1 These shall, unless otherwise determined by Management Committee and/or the Games Director, be Good Friday, Christmas Day and New Year’s Day. Bowls may be scheduled on other Public Holidays.

20.7 Personnel Protection Policies - Bowls

20.7.1 On sunny days, use of sun-shades is recommended for the comfort of members. Sun screen, available in the Clubhouse, should be applied for added outside-weather protection.

20.7.2 The Club insists upon personal distancing and hygiene arrangements, such as corona virus health directives and other health advice as decreed by government authorities.

21 Disciplinary Procedures

21.1 Establishment of Disciplinary Panel

21.1.1 The Executive Committee may operate as a Disciplinary Panel as required to deal with all disciplinary actions against a Member arising out of conduct that occurs at an event run by the Club or at another venue where the member is representing the Club.

21.1.2 It is imperative any discipline problem is addressed speedily.

21.2 Composition of Disciplinary Panel

21.2.1 Three (3) Members of the Disciplinary Panel will normally hear a matter but two (2) Members of the Disciplinary Panel will constitute a quorum.

21.2.2 A person who has been directly involved in or affected by the matter in dispute or where a conflict of interest would otherwise arise shall not be eligible to be a Member of the Disciplinary Panel.

21.2.3 If a member or members of the Executive Committee is/are disqualified from the Disciplinary Panel by **By-Law 21.2.2**, an appropriate number of members of Management Committee may be appointed to the Panel to constitute the quorum defined in **By-Law 21.2.1**.

21.3 Notice of Alleged Breach

21.3.1 Where the Executive Committee is advised or considers that a member has allegedly:

21.3.1.1 intentionally breached, failed, refused or neglected to comply with a provision of the Constitution, By-Laws or any resolution or determination of Management Committee or any other duly authorised committee, which is not of a trivial nature;

21.3.1.2 breached any Code of Conduct;

21.3.1.3 acted in a manner prejudicial to the objects and interests of the Club; and/or

21.3.1.4 brought the Club or the game of Bowls into disrepute.

21.3.2 The Executive Committee shall determine to:

21.3.2.1 dismiss the matter; or

21.3.2.2 refer the matter to the Disciplinary Panel pursuant to **By-Law 21.4**.

21.4 Disciplinary Panel Processes

21.4.1 The Secretary of the Club shall, as soon as practicable following the appointment of a Disciplinary Panel, serve on the Member a notice in writing:

21.4.1.1 setting out the specific details of alleged breach by the Member;

21.4.1.2 setting out the facts and grounds on which the alleged breach is based;

21.4.1.3 stating that the Member may address the Disciplinary Panel at a hearing to be held not earlier than seven (7) days after service of the notice;

21.4.1.4 stating the date, place and time of that hearing;

21.4.1.5 informing the Member they may do one or more of the following:

21.4.1.5.1 attend the hearing;

21.4.1.5.2 give the Disciplinary Panel, before the date of that hearing, a written statement regarding the alleged breach.

21.4.1.6 informing the Member that in the event of non-attendance at the scheduled hearing and/or absence of a written statement prior to the hearing, the hearing will proceed and the matter will be determined in absentia.

21.4.2 Despite **21.4.1.6** of this **By-Law**, the hearing may be held at any other time that the Chairperson of the Disciplinary Panel and the Member agree.

21.4.3 At a hearing of the Disciplinary Panel, the Disciplinary Panel shall:

21.4.3.1 give the Member every opportunity to be heard;

21.4.3.2 give other aggrieved parties and any witnesses the right to be heard, present evidence or submit a written statement;

21.4.3.3 give due consideration to any written statement submitted by the Member; and

21.4.3.4 by resolution determine whether the alleged breach occurred.

21.4.4 The Club and the Member shall not be entitled to any representation (legal or otherwise) at the hearing. However, should mitigating circumstances arise, Management Committee may allow another member to speak on the Member's behalf and/or assist the Member's reply in any way.

21.4.5 The Disciplinary Panel shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances and shall determine what evidence shall be admissible at the hearing, provided that it does so in accordance with the principles of natural justice.

21.4.6 The Disciplinary Panel will make its decision immediately following the conclusion of the hearing if possible. Otherwise it shall inform the Member and the Secretary of its decision within seven (7) days of the hearing.

21.4.7 If the Disciplinary Panel considers that the alleged breach did not occur, the matter shall be dismissed.

21.4.8 If the Disciplinary Panel considers that the alleged breach occurred, it may impose any one or more of the penalties set out in **By-Law 21.5**.

21.4.9 The Disciplinary Panel shall not be required to but may provide reasons for its decision. The Panel should endeavour to provide reasons.

21.4.10 Each party shall be responsible for his own costs associated with the Disciplinary Panel hearing. The Disciplinary Panel has no power to award costs to a party.

21.5 Penalties

21.5.1 If the Disciplinary Panel rules the alleged breach occurred, the Disciplinary Panel may impose any one or more of the following penalties:

22.5.1.1 impose a warning;

21.5.1.2 direct the Member to make a verbal or written apology;

21.5.1.3 where there has been damage to property, direct that the Member pay restitution to the relevant person or organisation that controls or has possession of the damaged property;

21.5.1.4 withdrawal of any awards, placings, records or achievements bestowed upon the Member in any tournaments, activities or events held or sanctioned by BQ that appertain to the breach;

22.5.1.5 direct that any rights, privileges and benefits provided to the Member by the Club be suspended for a specified period;

21.5.1.6 reprimand the Member;

21.5.1.7 suspend the Member from membership of the Club for up to six (6) months;

21.5.1.8 expel the Member from membership of the Club (see **Rule 49.3**);

21.5.1.9 impose a suspended penalty; or

21.5.1.10 any other such penalty that the Disciplinary Panel considers appropriate.

21.6 Appeals

21.6.1 There shall be a right of appeal from the decision of the Disciplinary Panel to an Appeals Tribunal and all decisions of the Appeals Tribunal shall be final and not subject to further appeal.

21.6.2 Management Committee shall appoint an Appeals Tribunal of three (3) persons to hear the appeal. The Chairperson of the Appeal Tribunal and all other persons shall have appropriate experience to deal with such matters. Appropriate experience is deemed to be

long standing membership of the Club and extensive past experience on Management Committee.

21.6.3 No member of the Disciplinary Panel may serve on the Appeals Tribunal.

21.6.4 An appellant must seek leave to appeal against the decision of the Disciplinary Panel by applying to Management Committee with reasons for the appeal within fourteen (14) days of the decision of the Disciplinary Panel. Management Committee shall make a decision on whether it grants leave-to-appeal at the next Management Committee Meeting after the application for leave-to-appeal is made.

END