



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



25 November 2020

## **Background information:**

Historically, the WEST TOOWONG BOWLS AND SPORTING CLUB INC" (WTB&SC) and its *Constitution and By Laws* were implemented in the early 1990s, particularly to manage the Clubhouse and allied facilities under a nominal leasing arrangement with WEST TOOWONG BOWLS CLUB INC" (WTBC), the owner of the land and premises.

The electronic version of the April 2008 *Constitution and By Laws* of WTB&SC was released in 2015. No changes to the *WTB&SC Constitution and By-Laws* had occurred since April 2008 and until now.

This *Constitution (Rules and By-Laws) of WTB&SC* of 25 November 2020 totally supersedes and modernise the April 2008 Constitution and By Laws of WTB&SC, 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 approved constitution of WTBC 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 2008):** Current

**New Approved Constitution (25 November 2020)**

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

© WTB&SC Inc.

# Table of CONTENTS

Background information: .....	ii
Electronic Version Control:.....	ii
<b>Part 1: RULES of WTB&amp;SC Inc.</b>	
<b>SECTION A – THE CLUB.....</b>	<b>1</b>
1 Definitions .....	1
2 Interpretation.....	1
3 Name .....	2
4 Objects.....	2
5 Powers.....	2
<b>SECTION B – MEMBERSHIP OF THE CLUB.....</b>	<b>3</b>
6 Membership .....	3
7 Eligibility for Membership .....	3
8 Classes and Privileges of Membership .....	4
9 Admission to Membership .....	4
10 Resignation from Social Membership .....	6
11 Register of Elected Social Members .....	6
12 Prohibition on Use of Information on Register of Social Members .....	7
<b>SECTION C – GOVERNANCE OF THE CLUB .....</b>	<b>7</b>
13 Annual General Meetings.....	7
14 Business of General Meeting.....	7
15 Notices of Motion.....	8
16 Notice of General Meeting .....	8
17 Quorum for and Adjournment of General Meeting .....	8
18 Procedures at a General Meeting .....	8
19 Voting at General Meeting .....	9
20 Special General Meeting .....	9
21 Special Resolutions.....	10
22 Minutes of General Meetings.....	10
<b>SECTION D – MANAGEMENT OF THE CLUB .....</b>	<b>10</b>
23 Management Committee .....	10
24 Election of Management Committee Members Excluding Secretary .....	11
25 Election or Appointment of Secretary.....	11
26 Resignation, Removal or Vacation of Office of Management Committee Member .....	12
27 Management Committee to Fill Vacancies .....	12
28 Functions of Management Committee .....	12
29 Executive Committee .....	13
30 Meetings of Management Committee.....	13
31 Quorum For, and Adjournment Of, Management Committee Meeting.....	14
32 Special Meeting of Management Committee .....	14
33 Documents of the Club.....	15
34 Appointment and Operations of Subcommittees .....	15
35 Acts Unaffected by Defects or Disqualifications .....	15
36 Resolutions of Management Committee Without Meeting .....	15

37	By-Laws.....	15
38	Common Seal.....	15
39	Alterations to this Constitution .....	16
40	Activities to be Lawful .....	16
41	Indemnity of Members.....	16
42	Secretary to Keep Minutes .....	16
43	Finance .....	16
44	General Financial Matters .....	17
45	Club Amalgamation .....	18
46	Distribution of Surplus Assets .....	18
47	Affiliation .....	18
48	Conduct of Members and Visitors.....	18
49	Visitors.....	19
50	Disciplinary Provisions.....	19

**Part 2: BY-LAWS of WTB&SC Inc.**

1	Returning Officer .....	BL-1
2	Election and Ballot Procedures .....	BL-1
3	Duties of Management Committee Members and Others .....	BL-1
4	Attire.....	BL-3
5	Notice Board and Newsletter .....	BL-3
6	Club Logo .....	BL-3
7	Proxy Instrument.....	BL-4
8	Standing Orders for All Meetings .....	BL-5
9	Alteration to and Meaning of By-Laws.....	BL-5
10	Club Funds and Financial Limits .....	BL-5
11	Meetings of the Executive.....	BL-6
12	Subcommittees and their Functions .....	BL-6
13	Duties of Other Specialist Personnel.....	BL-6
14	Membership Matters Generally .....	BL-7
15	Hire or Loan of Club Equipment and Facilities .....	BL-8
16	Notices, Risk, Discrimination and Harassment Management .....	BL-8
17	Protection for Bare-foot Bowlers .....	BL-8
18	Disciplinary Procedures .....	BL-8
19	Other Matters.....	BL-11

# Part 1: RULES of WTB&SC Inc.

## SECTION A – THE CLUB

### 1 Definitions

**1.1 Club** means the West Toowong Bowls & Sporting Club Inc., or **WTB&SC**, noting WTB&SC operates and maintains the Clubhouse, and surrounds at 17 Bywong Street, Toowong, under a nominal leasing agreement with West Toowong Bowls Club Inc (**WTBC**).

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

**1.3 Management Committee** means members for the time being of 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 eligible 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 Club.

**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 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 1<sup>st</sup> January to 31<sup>st</sup> December of the same year.

**1.15 Elected Social Member** is a person who applies and is approved by Management Committee of WTB&SC as a Social Member and is financial but excludes as-of-right Social Members who are financial Associate Members, Temporary Members and/or Honorary Members of WTBC.

### 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 and Sporting Club Inc.** (the **Club** or **WTB&SC**).

### 4 Objects

4.1 **Objects of WTB&SC** are:

4.1.1 to help WTBC 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 bar-room facilities and amenities for members and guests (includes members and guests of WTBC) in accord with local government, Queensland and national laws and regulations; and

4.1.3 to provide good fellowship among members of both commonly-located Clubs and be valued by the local community for its activities and fellowship.

### 5 Powers

5.1 The Club has all the powers of an individual.

5.2 Through a nominal leasing arrangement WTB&SC may have with WTBC, the Club shall assist WTBC in upholding and caring for the real property and built assets at 17 Bywong Street, Toowong, and in addition will remit all profits of WTB&SC back to WTBC in such amounts as Management Committee may determine.

5.3 The Club shall formulate and implement policies, including those in relation to equal opportunity, equity, drugs in sport, health, safety, infectious diseases and such other matters as arise as issues to be addressed, consistent with those of government, 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 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**.

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

5.4.1 enter into contracts and acquire, hold and dispose of property;

5.4.2 make charges for services and facilities it supplies, both liquid and solid, for the members of the Club or persons frequenting the premises; and

5.5.3 do other things necessary or convenient in carrying out the Club's affairs, including:

5.5.3.1 appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary for purposes of the Club;

5.5.3.2 remunerate any person, contractor or corporation for services provided or rendered, or to be rendered;

5.5.3.3 construct, improve, maintain, develop, work, manage, carry out, alter or control any buildings, grounds, works or conveniences that may seem calculated directly or indirectly to advance the Club's interests and those of WTBC;

5.5.3.4 borrow or raise money and/or invest and deal with the money of the Club not immediately required in such manner as may from time to time be thought fit;

5.5.3.5 acceptance of any donation or property, whether subject to any special trust or not, for any of the objects of the Club but subject to the Club's **Rules and By-Laws**;

**5.5.3.6** receiving annual subscriptions and/or other sources of revenue;

**5.5.3.7** printing/publishing newsletters, books, leaflets and the development and maintenance of a Club Web-site, for information and marketing;

**5.5.3.8** operating a licenced bar, gaming machines, a commercial kitchen and bar-b-que facilities for the enjoyment and entertainment of members and guests, including those of WTBC;

**5.5.3.9** making donations for patriotic, charitable or community purposes;

**5.5.3.10** transacting any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Australian Government is committed; and

**5.5.3.11** to do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club.

## **SECTION B – MEMBERSHIP OF THE CLUB**

### **6 Membership**

**6.1** Membership of the Club shall comprise Ordinary Members and Social Members, each of whom shall be bound by these **Rules and By-Laws** or as duly amended from time to time.

**6.2** Membership of WTB&SC may be limited, either generally, or as to a particular class, or classes, as Management Committee may, from time to time, determine.

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

### **7 Eligibility for Membership**

**7.1** To qualify for Ordinary Membership, a person must be:

**7.1.1** a financial Ordinary Member or Life Member of WTBC;

**7.1.2** not less than 18 years of age;

**7.1.3** prepared to support and promote the welfare of WTB&SC and the game of bowls; and

**7.1.4** of good character and compatible with other members.

**7.2** To qualify for Social Membership, a person, inclusive of financial Associate Members, Temporary Members and/or Honorary Members of WTBC, must be:

**7.2.1** not less than 18 years of age;

**7.2.2** of good character and compatible with other members;

**7.2.3** prepared to support and promote the welfare of WTB&SC;

**7.2.4** 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 or Social Club/s; and

**7.2.5** interested in supporting the game of bowls and/or other compatible sporting activities.

**7.3** An employee of WTB&SC, if not already a financial Ordinary or Life Member of WTBC, whether on salary, wages, contract or similar, may be a Social 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** Financial members of WTBC covered by **Sub-rule 7.1 and 7.3** become Ordinary Members of WTB&SC as-of-right, while financial Associate Members, Temporary Members and Honorary Members covered by **Sub-rule 7.2** automatically become Social Members of WTB&SC.

**7.5** When this **Constitution** takes effect, financial members covered by the April 2008 **superseded Constitution** of WTB&SC will become corresponding financial members with rights and obligations as defined in this **Constitution**.

## **8 Classes and Privileges of Membership**

### **8.1 Ordinary Members**

**8.1.1** Financial Ordinary Members or Life Members of WTBC are entitled to all privileges offered by WTB&SC but financial Associate Members, Temporary Members and Honorary Members of WTBC don't qualify for as-of-right Ordinary Membership.

### **8.2 Social Members**

**8.1.1** Financial Associate Members, Temporary Members and Honorary Members of WTBC automatically qualify as-of-right as Social Members of WTB&SC. In addition, Management Committee may admit any person as an elected Social Member of WTB&SC for such periods or period and charge such membership fees as Management Committee shall determine.

**8.2.1** Social Members shall not be entitled to hold any office within WTB&SC nor take part in nor vote at meetings nor to nominate Ordinary Members of WTBC / WTB&SC.

## **9 Admission to Membership**

### **9.1 Application**

**9.1.1** An application for elected Social Membership of WTB&SC 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 and Advice**

**9.2.1** Annual membership subscriptions for elected Social Membership of WTB&SC is the amount decided by Management Committee usually around the same time as the Annual General Meeting.

**9.2.2** Annual membership subscriptions for other than as-of-right Social Membership are payable when and in the way Management Committee of WTB&SC decides.

**9.2.3** For accountability purposes, the Club Manager of WTB&SC shall periodically request an up-to-date list of names and contact details of financial, life and other members of WTBC.

### **9.3 Proposed Members Register**

Particulars of all applications for elected Social Membership of WTB&SC 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 an elected Social 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 elected Social Membership.

**9.5.2.2** 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 an elected Social 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 cover.

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

**9.6.3** If a majority of Management Committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as an elected Social Member.

**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 written notice of the decision.

#### **9.7 Members to Retain Qualifications**

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

**9.7.2** No person shall remain a member of WTB&SC unless they continue to be financial with WTB&SC (elected Social Membership) or with WTBC (Ordinary Members and as-of-right Social Members) and compliant with the Club's **Rules and By-Laws**.

#### **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 with a Special Resolution (**Rule 21**) 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 explain why:

**9.9.3.1** the application should be rejected; or

**9.9.3.2** the membership should be terminated.

**9.9.4** An appeal must be decided by an affirmative vote of at least 75% of the members present and eligible to vote at the meeting (**Rule 21**).

**9.9.5** If a person whose application for Social 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 Social Membership**

**10.1** A resignation from elected Social Membership will not be valid unless received and acknowledged in writing by the Club's Secretary.

**10.1.1** A Member shall not be deemed to have resigned from the Club unless the written resignation to the Secretary is acknowledged as aforesaid.

**10.1.2** Where the date of resignation is not stipulated by the elected 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 from WTB&SC and/or WTBC shall involve automatic forfeiture of all rights and privileges in respect to all Club matters.

**10.3** Management Committee may terminate an elected Social 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 and By-Laws**; or

**10.3.3** has membership fees in arrears for at least three (3) 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 provisions of **Rules 9 and 50** and before Management Committee terminates an elected Social Member's membership, the Committee must give the elected Social Member a full and fair opportunity to show why the membership should not be terminated.

**10.4.1** If, after considering all representations made by the Social Member, Management Committee decides to terminate the membership, the Secretary of the Committee must give the Social Member written notice of the decision.

## **11 Register of Elected Social Members**

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

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

**11.2.1** full name of the elected Social Member;

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

**11.2.3** the date of admission as a Social Member;

**11.2.4** the date of death or time of resignation of the Social 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 elected Club members at all reasonable times.

**11.4** An elected Social Member must contact the Secretary to arrange a Register inspection.

**11.5** However, Management Committee may, on the application of an elected Social 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 Social Members**

**12.1** An elected Social 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 Management Committee of the Club;

**13.2.3** Appointment of Auditor, or Auditors (refer to Section 59 of the Act);

**13.2.4** Consideration of Notices of Motion; and

**13.2.5** Transaction of any general business.

## **14 Business of General Meeting**

**14.1** Confirmation of minutes of business arising from the previous General Meeting

**14.2** Dealing with Notices of Motion

**14.3** Committee Reports (if applicable)

**14.4** Membership Matters (if applicable)

**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 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 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 over 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 financial Ordinary 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 financial Ordinary 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, financial Ordinary 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 eligible 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 an eligible 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 7**.

## **20 Special General Meeting**

**20.1** The Secretary must call a Special General Meeting by giving 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 financial Ordinary Members of the Club equal to double the number of members of the Club on Management Committee plus one (1), when the request is signed; 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**; 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 rejection / suspension / termination of membership, alterations to this Constitution or removal of a Member of Management Committee. Such resolutions must be decided by an affirmative vote of at least 75% of eligible 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 comprise the President, Vice President, Secretary, Treasurer, Providore and two Committee Members.

**23.2.2** All positions on Management Committee shall be honorary and elective, apart from:

**23.2.2.1** the Secretary who may be elected or appointed; and

**23.2.2.2** any special honorary supporting 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 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 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) eligible 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 and/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 2/3<sup>rd</sup> 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 eligible 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 financial Ordinary 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 By-Laws** and any matter relating to the Club on which the **Rules and By-Laws** 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, and business operations across the property, the latter in harmony with any Club that jointly uses the Clubhouse and surrounds;

**28.3.3** 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;

**28.3.4** appoint committees / sub-committees for special purpose tasks;

**28.3.5** 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 10**, 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;

**28.3.6** call General Meetings of Ordinary Members;

**28.3.7** arrange meetings of Management Committee;

**28.3.8** charge fees;

**28.3.9** 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 relevant law; and

**28.3.12** otherwise act in the interest of all 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 constitutes a quorum.

**29.2** 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 10**, nor deal with 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** Executive Committee will respond urgently when there is any suggestion that a serious breach of the Club's **Constitution** 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 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 Subcommittees consisting of members of the Club considered appropriate to help with the conduct of the Club's operations.

**34.2** A member of a 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, another Committee or 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, 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 from time to time by a Special Resolution carried at any General Meeting. However, an amendment, repeal or addition is valid only if it is registered by the Chief Executive.

**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 permitted to vote 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** An Annual Subscription shall be payable by all elected Social Members, as provided for in this Constitution.

**43.2.2** Fees and subscriptions for elected Social Members shall be decided by Management Committee, usually around the same time as the Annual General Meeting. When so determined, the Annual Subscription shall be deemed due and payable on the first day of commencement of the new financial year and shall apply for that financial year.

**43.2.3** If Members fail to pay their Annual Subscriptions by the due date [with three (3) months' grace], they shall be deemed to be unfinancial.

### **43.3 Special Levies**

**43.3.1** 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.

**43.3.2** 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.

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

### **43.4 Unfinancial Members**

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

**43.4.1.1** the right to hold office;

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

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

**43.4.2** All privileges shall be restored to a previously unfinancial Member upon the payment of all 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 current 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 10**) and the power to set approved joining and membership fees that may vary from time-to-time.

## 45 Club Amalgamation

**45.1** Should the membership of WTB&SC 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 without Club Amalgamation and 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 may:

**47.1.1** affiliate with Clubs Queensland;

**47.1.2** affiliate with the Controlling Body/ies (or equivalent) of sporting organisations other than Bowls played at the Club.

## 48 Conduct of Members and Visitors

**48.1** Members shall, at all times, maintain a proper discipline and decorum, and shall not conduct illegal gambling, betting on games, speak obscene or abusive language or indulge in unseemly conduct.

**48.2** Any alleged infringement of this clause by an elected Social Member, on report in writing to the Secretary, shall be investigated in the first place by the Executive, then by Management Committee.

**48.2.1** The Member or Members in respect of whom such complaint has been lodged shall be entitled to attend a Management Committee meeting to state their case(s).

**48.2.2** Subsequently, Management Committee, shall have power to demand and direct apologies, and, if necessary, call a Special General Meeting to resolve the matter.

**48.3** If the alleged infringement is by any Member of WTBC, the report shall be in writing to the Management Committee of WTBC with a request the matter be investigated under terms of the **Rules and By-Laws** of that Club.

**48.4** All members must comply with current government health directives.

**48.5** If the person be a Visitor, the Club Manager or delegate or the Senior Officer present at the time shall have authority to have that person removed from the Clubhouse/ Surrounds.

## 49 Visitors

**49.1** In addition to bare-foot bowlers, members may introduce a visiting friend or friends to the Club. However:

**49.1.1** No visitor shall be supplied with refreshments unless a bare-foot bowler or on the invitation and in the company of a member or members who shall be responsible for ensuring the visitor/s name and contact details are entered in the Visitors Book.

**49.1.2** 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 WTB&SC 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.

**49.1.3** WTB&SC 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 Club Manager (or delegate) present at the time.

**49.1.4** If a bare-foot bowler or visitor refuses a requirement to comply with current government health directives and/or refuses 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.

## 50 Disciplinary Provisions

**50.1** 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 Club or engages in illegal gambling or betting or uses obscene or abusive language renders themselves liable to expulsion or suspension.

**50.2** The "Bowls Queensland Member Protection Policy" is applicable 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.

**50.3** Any member of the Club who is suspended or expelled shall be ineligible to enjoy the privileges of the Clubhouse and surrounds but:

**50.3.1** shall not be suspended from the privileges of membership under this rule for a longer period than six (6) months; or

**50.3.2** shall not be eligible to apply for readmission to WTB&SB for a period of at least one (1) year after the date of expulsion.

This page is deliberately blank





## **Part 2: BY-LAWS of WTB&SC Inc.**

25 November 2020

This page is deliberately blank

## **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) must be by secret ballot. If voting, every financial Ordinary 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 and Others**

**3.1 The President** is 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 elected Social 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 **Rules and 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 Social 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** and relevant provisions of Division 2 of the *Associations Incorporation Act 1981* (as amended).

**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 Providore** under the delegated authority of Management Committee, will:

**3.6.1** serve as a key point-of-contact between Management Committee and the employed Club Manager (or equivalent) and Bar-room Staff to ensure safe, efficient and lawful operation of the clubhouse and surrounds;

**3.6.2** ensure the Club operates in compliance with conditions and/or regulations imposed under Liquor, Gaming and food Licenses, whilst adhering to opening and closing times;

**3.6.3** make sure an accurate record of sales is maintained; and

**3.6.4** organise/conduct occasional stock takes of consumable items and portable equipment.

**3.7 Committee Members**, other than the office holders as set out in **Sub-rule 23.2.1**, shall:

**3.7.1** assist all office holders in any way possible and serve on any subcommittee as directed or appointed.

**3.7.2** Should any Committee Member 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.

## **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 Clubhouse and surrounds.

**4.2** The Attire of Bar-staff will be as prescribed by Management Committee in conjunction with the Club Manager.

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

## **5 Notice Board and Newsletter**

**5.1** A notice board, upon which WTB&SC notices shall be posted, must be placed in a conspicuous position in the Clubhouse.

**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 the activities of WTB&SC shall be displayed on the main notice board.

**5.3** A Club Newsletter can be used as an alternative to “posts” on the WTB&SC Notice Board.

## **6 Club Logo**

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

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

## 7 Proxy Instrument

7.1 An instrument appointing a proxy must be in writing and be on a copy of the form shown on this page, or on a similar form.

### PROXY FORM

#### West Toowong Bowls and Sporting 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)

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

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

7.2.2 if the appointer is a corporation:

7.2.2.1 be under seal; or

7.2.2.2 be signed by a properly authorised officer or attorney.

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

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

7.5 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.

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

## 8 Standing Orders for All Meetings

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

8.2 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.

8.3 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.

8.4 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.

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

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

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

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

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

## 9 Alteration to and Meaning of By-Laws

9.1 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.

9.2 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.

## 10 Club Funds and Financial Limits

10.1 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.

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

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

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

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

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

**10.2.5 Providore or Club Manager:** a \$500 purchase/payment limit; and

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

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

**10.4** 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.

**10.5** 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.

## **11 Meetings of the Executive**

**11.1** 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.

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

## **12 Subcommittees and their Functions**

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

**12.2** 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.

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

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

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

**12.6** 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.

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

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

## **13 Duties of Other Specialist Personnel**

### **13.1 Promotions Officer**

**13.1.1** Promotions Officer, if appointed by Management Committee, shall be responsible for:



**13.1.1.1** promoting WTB&SC 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;

**13.1.1.2** 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 / Indooroopilly community; and

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

**13.1.2** The Promotions Officer shall:

**13.1.2.1** operate cooperatively with the Promotions Officer of WTBC (or may be the same person);

**13.1.2.2** co-opt the assistance of others; and

**13.1.2.3** present a report (verbal and/or written) on relevant matters to meetings of Management Committee, when appropriate.

**13.1.3** 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.

## **13.2 Club Manager**

**13.2.1** The Club Manager (typically a Club Employee or Contractor), shall work closely with the President, Providore, Treasurer and Promotions Officer (if appointed) and, with the instruction and guidance of Management Committee, shall have operational responsible for:

**13.2.1.1** maintenance and operation of the clubhouse and carrying out such other duties as may be referred by the President, Providore and Treasurer and/or Executive Committee or Management Committee, including oversight and compliance with Liquor and Gaming Regulations, the kitchen and allied facilities;

**13.2.1.2** providing a monthly report to each Management Committee meeting detailing contemporary and planned activities and other relevant issues;

**13.2.1.3** keeping an asset register for clubhouse equipment and providing the Executive Committee and Management Committee with necessary details of expected maintenance and replacements; and

**13.2.1.4** producing a clubhouse development plan for the next five years, formulated as a "Five Year Financial Plan". Such a plan should forecast possible changes necessary for the clubhouse, immediate surrounds and other clubhouse facilities.

**13.2.2** Should the Club Manager be absent or ill, or neglect or refuse to do anything required by these **By-Laws**, Management Committee or the Providore must invite and/or appoint and/or employ a competent replacement.

## **14 Membership Matters Generally**

### **14.1 Membership Cards**

**14.1.1** All financial, elected Social Members of WTB&SC will be issued with an annual Club membership card indicating the Name, Membership Number and Category of Membership.

**14.1.2** All financial members of WTBC will be issued with an annual Club membership card indicating Name and Membership Number. As technology permits, the Class of Membership will also be recorded.

**14.1.3** With the exception of Junior Members of WTBC, Management and Staff of WTB&SC will accept all current-year membership cards of WTB&SC and WTBC as proof-of-membership for purposes of full access to the Clubhouse and use of its facilities.

#### **14.2 On-site Parking**

**14.2.1** 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 employed by WTB&SC shall be permitted to park on Club grounds.

**14.2.2** 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 in a sporting capacity or for social reasons with either club may be charged a Parking Fee determined from time-to-time by Management Committee.

### **15 Hire or Loan of Club Equipment and Facilities**

**15.1** Items of Club equipment shall not be available for hire or loan by Members without the express approval of Management Committee or the Club Manager.

**15.2** 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.

### **16 Notices, Risk, Discrimination and Harassment Management**

**16.1** 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.

**16.2** Members and visitors to the Club shall abide by such signs, notices and directions or be subject to relevant disciplinary procedures under **Rules 48, 49 and 50 and By-Law 18**.

**16.3** 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).

**16.4** 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*.

### **17 Protection for Bare-foot Bowlers**

**17.1** On sunny days, use of sun-shades is recommended for the safety of Bare-foot Bowlers. Sun screen, available in the Clubhouse, should be applied for added outside-weather protection.

**17.2** Glass bottles and other glass drinking containers must not be carried or deposited on the Bill Crick Bowling Green.

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

### **18 Disciplinary Procedures**

#### **18.1 Establishment of Disciplinary Panel**

**18.1.1** The Executive Committee may operate as a Disciplinary Panel as required to deal with all disciplinary actions against any elected Social 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.

**18.1.2** It is imperative any discipline problem is addressed speedily and in the case of an Ordinary or Life Member or for an as-of-right Social Member, referred to WTBC for action.

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

**18.1.4** 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.

**18.1.5** If a member or members of the Executive Committee is/are disqualified from the Disciplinary Panel via **By-Law 18.1.4**, an appropriate number of members of Management Committee may be appointed to the Panel to constitute the quorum defined in **By-Law 18.1.3**.

## **18.2 Notice of Alleged Breach**

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

**18.2.1.1** 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;

**18.2.1.2** breached any Code of Conduct;

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

**18.2.1.4** brought the Club into disrepute.

**18.2.2** The Executive Committee shall determine to:

**18.2.2.1** dismiss the matter; or

**18.2.2.2** refer the matter to the Disciplinary Panel pursuant to **By-Law 18.3**.

## **18.3 Disciplinary Panel Processes**

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

**18.3.1.1** setting out the specific details of alleged breach by the Member;

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

**18.3.1.3** 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;

**18.3.1.4** stating the date, place and time of that hearing;

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

**18.3.1.5.1** attend the hearing;

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

**18.3.1.6** 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.

**18.3.2** Despite **18.3.1.6** of this **By-Law**, the hearing may be held at any time the Chairperson of the Disciplinary Panel and the Member agree.

**18.3.3** At a hearing of the Disciplinary Panel, the Disciplinary Panel shall:

**18.3.3.1** give the Member every opportunity to be heard;

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

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

**18.3.3.4** by resolution determine whether the alleged breach occurred.

**18.3.4** 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.

**18.3.5** 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.

**18.3.6** 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.

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

**18.3.8** If the Disciplinary Panel considers that the alleged breach occurred, it may impose any one or more of the penalties set out in **Clause 18.4** of this **By-Law**.

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

**18.3.10** 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.

#### **18.4 Penalties**

**18.4.1** If the Disciplinary Panel rules the alleged breach occurred, the Disciplinary Panel may impose any one or more of the following penalties, guided also by **Rule 50.3**:

**18.4.1.1** impose a warning;

**18.4.1.2** direct the elected Social Member to make a verbal or written apology;

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

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

**18.4.1.5** reprimand the elected Social Member;

**18.4.1.6** suspend the elected Social Member from membership of the Club for a specified period;

**18.4.1.7** expel the elected Social Member from membership of the Club;

**18.5.1.9** impose a suspended penalty; or

**18.5.1.10** any other such penalty that the Disciplinary Panel considers appropriate.

#### **18.6 Appeals**

**18.6.1** 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.

**18.6.2** 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.

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

**18.6.4** 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.

## **19 Other Matters**

### **19.1 Use of Mobile Phones and Similar**

**19.1.1** Other than in an emergency, no player shall use mobile telephones and 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 law shall prevent use of any communications' device for emergency and urgent purposes.

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

END