

SANDY BAY BOWLS CLUB INC

Constitution and Rules Updated June 09

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PART 1: THE CLUB

1. NAME AND COLOURS

- 1.1 The name of the Association shall be “Sandy Bay Bowls Club Inc.”
- 1.2 Sandy Bay Bowls Club Inc. is hereafter referred to as “the Club”.
- 1.3 The colours of the Club shall be maroon, green and white.

2. INTERPRETATIONS

- 2.1 In these Rules, unless the contrary intention appears:-

“**annual general meeting**” means the annual general meeting of members of the Club convened in accordance with Rule 28.

“**financial year**” means the financial year as described in Rule 34.

“**general committee**” means the general committee of the Club as constituted pursuant to Rule 12.

“**general meeting**” means a general meeting of members of the Club convened in accordance with Rules 28 or 29.

“**greens committee**” means the greens committee of the Club as constituted pursuant to Rule 14.

“**match committee**” means the match committee of the Club as constituted pursuant to Rule 14.

“**officers**” or “**officers of the Club**” mean the officers of the Club as described in Rule 12.2.

“**pennant**” means the pennant competitions conducted by the Southern Tasmanian Bowls Association Inc.

“**Rules of Competition and By-laws**” means the Rules of Competition and By-laws made from time to time by the general committee as described in Rule 37.

“**special general meeting**” means a special general meeting of members convened in accordance with Rule 29.

In these rules expressions referring to writing shall, unless the contrary intention appears, be construed as including reference to printing, lithography, photography other modes or representing or reproducing words in a visible form.

Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1931 and the Act as in force on the date on which these rules were adopted by the Club.

If any doubt or dispute should arise as to the interpretation of any of these Rules the interpretation adopted by the general committee, by resolution, shall be binding on the members of the Club.

The singular number includes the plural number and vice versa and the masculine gender may include the feminine gender in any circumstances where it may be appropriate.

3. CLUB'S OFFICE

The office of the Club shall be at No 16 Margaret Street, Sandy Bay, or such place as the general committee shall determine from time to time.

4. OBJECTS

4.1 The basic objects of the Club shall be the conduct, promotion and encouragement of the game of bowls and all matters pertaining thereto including provision of club facilities for members.

4.2 In addition to the basic objects of the Club, the objects and purposes shall be deemed to include:-

- (a) the purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property or the sale thereof that may be deemed necessary or convenient for any of the objects or purposes of the Club.
- (b) the buying, selling and supplying of and dealing in goods of all kinds.
- (c) the construction, maintenance, and alteration of buildings, or works necessary or convenient for any of the objects or purposes of the Club.
- (d) the accepting of any gift, whether subject to a special trust or not, for anyone or more of the objects or purposes of the Club.
- (e) the taking of such steps from time to time as the general committee or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Club whether by way of donations, subscriptions, or otherwise.
- (f) the printing and publishing of such newspapers, periodicals, books, leaflets and other documents as the general committee or the members in general meeting may think desirable for the promotion of the objects and purposes of the Club.
- (g) the borrowing and raising of money in such manner and on such terms as the general committee may think fit or as may approve or directed by resolution passed at a general meeting.

- (h) subject to the provisions of the Trustee Act 1898, the investment of any moneys of the Club not immediately required for any of its objects or purposes in such manner as the general committee may from time to time determine.
- (i) the making of gifts, subscriptions, or donations to any of the funds, authorities, or institutions to which paragraph (a) of subsection (1) of section 78 of the Income Tax Assessment Act 1936-1964 of the Commonwealth relates.
- (j) the establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts, schemes, and conveniences calculated to benefit servants or past servants of the Club and their dependants and the granting of pensions, allowances, superannuation or other benefits to servants of the Club and their dependants and the making of payments towards insurance in relation to any of those purposes.
- (k) the establishment and support, or aiding in the establishment or support of any other associations formed for any of the basic objects of the Club.
- (l) the purchase or acquisition and undertaking of all or any part of the property, assets, liabilities and engagements of any association with which the Club may at any time become amalgamated in accordance with the provisions of the Associations Incorporation Act 1964 as amended from time to time and the Rules of the Club and,
- (m) the doing of all such other lawful things as are incidental or conducive to the attainment of the basic objects of the Club or of any of the objects and purposes specified in the foregoing provisions of this sub-rule.

PART 2 MEMBERSHIP

5. CATEGORIES OF MEMBERSHIP

- 5.1 The membership of the Club shall comprise the following categories, with such limitations as to the numbers in each of them as the general committee, from time to time, may determine.
- 5.2 The categories of membership referred to in sub-rule 5.1 of this Rule shall be:-
 - (a) **full members**, being either
 - (i) **general members** who are elected as such and complying with the requirements of these Rules including those relating to the payment of subscriptions, or
 - (ii) **life members** who have had life member ship conferred on them, pursuant to Rule 11; or,

- (iii) **full time student members**, being persons, other than junior members, who are in full time education and who are elected as such and who comply with the requirements of these Rules including those relating to the payment of subscriptions.
- (b) **social members**, being either
 - (i) **bowling social members**, or
 - (ii) **non-bowling social members**and who are elected as such, and who comply with the requirements of these Rules, including those relating to the payment of subscriptions.
- (c) **honorary members**, being
 - (i) members of other bowls clubs admitted to honorary membership by the President, Vice President or the Honorary Secretary for a period of not more than one month, subject to such conditions, including the payment of a green fee as the general committee, from time to time, may determine.
 - (ii) persons invited by full members to play on the Club's greens at any time when no member of the Club is thereby prejudiced or inconvenienced subject to such terms, conditions and stipulations as the general committee, from time to time, may determine.
- (d) **special members**, being persons who are elected as such by the general committee and who comply with the requirements of these Rules, including those relating to the payment of subscriptions.
- (d) **junior members**, being persons who have not reached their eighteenth birthday who are elected as such by the general committee and who comply with the requirements of these Rules including those relating to the payment of subscriptions.

6. APPLICATION FOR MEMBERSHIP

6.1 Any person desirous of becoming a member of the Club shall lodge with the Honorary Secretary an application setting forth:

- (a) full name, address and occupation, and, in the case of an applicant for junior membership or full time student membership, the date of birth;
- (b) the class of membership sought, subject to the condition that a person who has not reached their eighteenth birthday shall be entitled to apply for junior membership.
- (c) Where applicable, the name and address of the last bowls club of which the applicant was a member.

- 6.2 Every such application shall be signed by a proposer and a seconder, being full members of the Club, and by the applicant, and shall contain the names and addresses of two referees.
- 6.3 (a) Subject to sub-rule 6.3(b) of this Rule an application shall be determined by the general committee, and its decision shall be final.
- (b) No such determination shall be made until the application has been posted on the notice board for at least fourteen days (14), during which time any full member may lodge a written objection with the Honorary Secretary.
- (c) In exceptional circumstances by the transfer of a recognized member from another club the general committee may give temporary approval for membership prior to the expiration of the fourteen days notification outline in sub-rule 6.3(b).
- 6.4 A person admitted as a member of the Club shall be given notification thereof, forthwith, by the Honorary Secretary and advised of the amounts due in respect of any entrance fee and subscription payable by them before they are entitled to enjoy the rights and privileges of membership. If the said payments are not made within one month of the notification being sent the general committee may cancel the membership.
- 6.5 This Rule does not apply to honorary members.

7. RIGHTS, PRIVILEGES AND CONDITIONS OF MEMBERSHIP

- 7.1 A full member is entitled to take part in all the activities of the Club, subject only to the Rules of Competition and By-laws, and to exercise all other powers, functions and rights conferred on the member by these Rules, and be otherwise subject to these Rules.
- 7.2 Only a full member shall be entitled to vote at a meeting of members, to become an office bearer or to have any voice in the management of the affairs of the Club.
- 7.3 Classes of membership, other than full membership, are subject to the modifications, conditions, restrictions and prohibition, set out in respect of each class, namely-
- (a) A **social member** may take part in the social activities and use the indoor facilities of the club, provided that such use is not to the disadvantage of a full member
- (i) **bowling social members** are permitted to use the bowls green to practice and to participate in social bowls events under the control of the club as approved by the general committee. These events will be set out in the Rules for Competitions and By-laws. They may not practice or participate in any event to the disadvantage of a full member.

- (ii) **non-bowling social members** are not permitted to use the greens except when receiving lessons from a nationally accredited coach with the firm intention of becoming a bowling social member or full member.
- (b) An **honorary member** shall comply at all times with such terms, conditions and stipulations as may have been determined by the general committee under sub-rule 5.2(c) of these Rules.
- (c) A **special member** shall be entitled to play on and use the Club's greens only during such hours and on such days as may be determined, from time to time, by the general committee.
- (d) A **junior member:**
 - (i) shall be entitled to play on the Club's greens when they are available for the use of members;
 - (ii) shall be entitled to enter for all Club events including Club championships and tournaments conducted by the Club;
 - (iii) shall be entitled to be considered for pennant selection.

A member of the Club, other than an honorary member, may invite any person to the Club's premises.

8. TRANSFER OF MEMBERSHIP

- 8.1 A social member or social bowling member may, at any time apply in writing for full membership (in the manner described in Rule 6 and, if elected, shall be given credit for the subscription already paid, having regard to the date of election, in the event that no entrance fee has been, paid, or if any amount of subscription is outstanding, it shall be paid at the time of transfer.
- 8.2 A full member may elect to relinquish his membership in favour of social membership upon giving notice thereof to the Honorary Secretary not later than the thirtieth day of September each year.
- 8.3 Within the period of one month before:-
 - (a) A junior member reaches the age of eighteen years, or
 - (b) a full time student member ceases full time education and over a period of one month after, a junior member or full time student member may apply in writing to become a general member or if a junior member to become a full time student member and, in that event, may be required to pay such entrance fee and additional subscription in respect of the balance of the prescribed yearly membership subscription as the general committee may determine.

9. TERMINATION OF MEMBERSHIP

- 9.1 Any member may resign from the Club in writing lodged with the Honorary Secretary, whereupon membership shall cease and the Public Officer shall remove that member's name from the register of members;
- 9.2 Any member who resigns from the Club shall pay to the Honorary Treasurer all moneys then owing by him to the Club, and until payment thereof, shall not receive the clearance prescribed, from time to time, by the Rules of the Southern Tasmanian Bowls Association Inc.
- 9.3 Any member who fails to pay to the Club any moneys payable under these Rules within the time prescribed, or within such further time as the general committee may allow, shall cease to be a member of the Club.
- 9.4 Subject to this rule, the general committee may expel a member from the Club if, in the opinion of the general committee, the member has been guilty of conduct detrimental to the interests of the Club.
- 9.5 Where the general committee expels a member from the Club, the public officer of the Club shall, without undue delay, cause to be served on the member a notice in writing:
- (a) stating that the general committee has expelled the member;
 - (b) specifying the grounds for the expulsion
 - (c) informing the member that if the member so desires the member may, within fourteen days after the serving of the notice on the member, appeal against the expulsion as provided in this Rule.
- 9.6 The expulsion of a member pursuant to sub-rule 9.4 of these Rules does not take effect;
- (a) until the expiration of fourteen (14) days after the service on the member of a notice under sub-rule 9.5 of this Rule,
 - (b) if the member exercises a right of appeal under this Rule, until the conclusion of the special general meeting convened to hear the appeal
- whichever is the later date.
- 9.7 A member on whom a notice under sub-rule 9.5 of this Rule is served may appeal against the expulsion to a special general meeting by delivering sending by post to the Public Officer of the Club, within fourteen (14) days after the service of that notice a requisition in writing demanding the convening of such a meeting for the purpose of hearing the appeal.

- 9.8 Upon receipt of a requisition under sub-rule 9.5 of this Rule, the Public Officer shall forthwith notify the general committee of its receipt and the general committee shall thereupon cause a special general meeting of members to be held within twenty-one (21) days after the date on which the requisition is received by the Public Officer.
- 9.9 At a special general meeting convened for the purposes of this rule
- (a) no business other than the question of the expulsion shall be transacted
 - (b) the general committee shall place before the meeting details of the grounds of the expulsion and the general committee's reasons for the expulsion.
 - (c) The expelled member shall be given an opportunity to be heard, and
 - (d) The members present shall vote by secret ballot on the question whether the expulsion should be lifted or confirmed.
- 9.10 If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion, the expulsion shall be deemed to have been lifted and the expelled member is entitled to continue membership of the Club.
- 9.11 If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion, the expulsion takes effect, and the expelled member ceases to be a member of the Club.

10. ENTRANCE FEE AND ANNUAL SUBSCRIPTION

- 10.1 Every newly elected member and member changing his category of membership, who had not, as a past member, paid an entrance fee, shall pay such entrance fee as prescribed at the time of their election, for their particular class of membership.
- 10.2 (a) Entrance fees and annual subscriptions as applying to the several classes of Membership in respect of the then current financial year shall be approved by the Majority vote of the members present and entitled to vote at the annual general meeting.
- (b) a life member shall not be required to pay an annual subscription, but shall make an annual payment equivalent to the capitation fee fixed in any year by the Southern Tasmanian Bowls Association Inc. except in the case whether by the non-playing of pennant bowls or by transfer of a life member's registration to another Club such capitation fee is not required to be paid.
- 10.3 Annual subscriptions shall become due and payable each year on the day they are determined for that year, and shall be paid not later than fourteen (14) days prior to the first pennant game in that year, with the exception that the President, on the application of any member may, in special circumstances, extend the time and manner of payment by such member.

- 10.4 A member elected after the first day of December in any year shall pay the annual subscription or a proportion of the annual subscription determined for that year as the general committee may determine in each particular case.

11. LIFE MEMBERSHIP

Life membership of the Club may be conferred on a person in recognition of outstanding services to the Club. It can be conferred on the recommendation of the general committee to the annual general meeting and by a resolution of not less than three-quarters of the members present and entitled to vote at such meeting.

PART 3 COMMITTEES

12. GENERAL COMMITTEE

- 12.1 The management of the property and affairs of the Club shall be vested in a general committee, comprising:
- (a) the officers specified in sub-rule 12.2 of this Rule, and
 - (b) seven members, all of whom shall be full members of the Club elected for a period of twelve (12) months. If at any time the Committee, including the officers does not comprise two female/male members an additional woman/man should be appointed by the general committee
- 12.2 The officers of the Club shall comprise:-
- (a) a President
 - (b) a Male Vice-President
 - (c) a Female Vice-President
 - (d) an Honorary Secretary
 - (e) an Honorary Treasurer
- 12.3 The general committee shall be elected annually at the time and in the manner prescribed by Rule 27 but a member shall not hold office as President continuously for more than two consecutive years.
- 12.4 (a) A casual vacancy in the membership of the general committee may be filled by the appointment by the general committee of a member of the Club qualified for appointment.
- (b) Where by reason of illness, absence or any other cause a member of the general committee is unable to carry out his duties and responsibilities, the general committee may appoint a full member of the Club to take the place of that

member until such time as that member is able to resume active membership of the general committee.

- 12.5 In the event of a casual vacancy in any office mentioned on sub-rule 12.2 of this Rule, the general committee may appoint a member of the Club to the vacant office, and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of his appointment and, in the event that the member so appointed was a member of the general committee, that member's office on the general committee becomes vacant and the vacancy shall be filled pursuant to sub-rule 12.4 of this Rule.
- 12.6 The general committee may appoint a legal adviser and such other professional advisers, consultants and such officers as it may think fit.
- 12.7 At its first meeting after the annual general meeting or as soon as possible thereafter, the general committee shall appoint one male and one female to be the Club's delegates to the Southern Tasmanian Bowls Association Inc.

13. MEETINGS

- 13.1 (a) The general committee shall meet at least once in every month during the bowling season and as required at other times on such a day and at such a time as it may determine.
- (b) If, in any month the day or time fixed for a meeting should prove to be unsuitable, the general committee, or, in a case of emergency, the President may change the day or time of the meeting, or cancel it.
- (c) The Honorary Secretary shall give the earliest possible notice, by any means at his disposal of any such change or cancellation, to all members of the general committee.
- 13.2 (a) The Honorary Secretary shall call a special meeting of the general committee if so requested by the President or by any four members thereof.
- (b) The Honorary Secretary shall set out in the notice calling any such meeting the nature of the business to be conducted thereat and any such notice shall be given, if practicable, at least 48 hours before the time fixed for the meeting, unless the President is of the opinion that because of the urgency of the situation, the matter should be dealt with more expeditiously.
- 13.3 Six members of the general committee shall constitute a quorum thereof.
- 13.4 The general committee may exercise its powers and functions notwithstanding any vacancies in its membership so long as a quorum remains.
- 13.5 The President, the Vice-Presidents, the Honorary Secretary and the Honorary Treasurer all of whom together constitute an executive committee, may issue

instructions to the Public Officer and the servants of the Club in matters of urgency connected with the management of the affairs of the Club during the intervals between meetings of the general committee, and where such instructions are issued shall report thereon to the next meeting of the general committee.

14. SUB-COMMITTEES

14.1 The standing sub-committees of the Club shall comprise

- (a) the greens committee;
- (b) a men's and women's match committee.

All of which shall be appointed by the general committee as soon as practicable after the annual general meeting.

- (c) a men's pennant selection committee and a women's pennant selection committee elected in accordance with Rule 27.

14.2 The general committee may, as it sees fit, appoint such other sub-committees for such purposes and with such powers, functions and duties as it may determine.

- 14.3 (a) The size of each sub-committee, with the exception of the pennant selection committees, shall be determined by the general committee and subject to sub-rule 14.3(b) of this Rule and appointments thereto, drawn either from the body of the general committee or from full members of the Club, should be made as soon as practicable after the annual general meeting;
- (b) the Green keeper, who will be appointed by the general committee, will be directly responsible to the President, or his nominee, and shall be a member of the greens committee.

14.4 A vacancy in the membership of a sub-committee shall, except where otherwise provided in these Rules, be filled by a nominee of the general committee.

- 14.5 (a) Each pennant selection committee shall comprise, initially, a chairman and one member from each of the divisions which competed in the previous season to be elected separately in accordance with the requirements of Rule 27. Nominations, other than the chairman, will only be accepted for members who have participated in a minimum of six games in the previous season for the division for which they nominate. Only one nomination per member as divisional selector will be accepted. The chairman of selectors is not eligible to be elected as a divisional selector. Any vacancy arising will be filled by election at the Annual General Meeting by a member eligible to nominate for the division in which there is a vacancy, or failing that, the chairman shall exercise his right to fill the vacancy as provided in Rule 14.5(d).

- (b) Upon the pennant selection committee having selected the initial pennant sides, the members thereof, with the exception of the Chairman, retire and shall be replaced after the first rostered pennant game by selectors comprising one elected from each side by the members thereof at such times and places and in such a manner as the general committee, or in the case of urgency, the President shall determine.
- (c) If a selector appointed by a particular side is not selected as a player in that side for three consecutive matches, unless his non-selection was due to illness or unavoidable absence the selector shall be replaced by an eligible player elected in the manner set out in sub-rule 14.5(b) of this Rule.
- (d) If, at any time, a selector is unable to be present at a meeting of a pennant selection committee, the Chairman of that committee may co-opt a player from the side concerned to act as a substitute for that member.

14.6 Every sub-committee, other than the pennant selection sub-committees, shall elect its own chairman.

14.7 If the chairman should be absent from a sub-committee meeting, the members present shall elect one of their members to preside as chairman.

14.8 The majority of members of any sub-committee established or appointed under this Rule, or appointed by any general meeting of members of the Club, shall constitute a quorum thereof.

14.9 A sub-committee may validly exercise its powers and functions notwithstanding any vacancies in its membership so long as a quorum remains in office.

15. FUNCTIONS AND RESPONSIBILITIES OF STANDING SUB-COMMITTEES

15.1 Subject to any direction it may receive from the general committee, the greens committee:

- (a) shall have the care, control and management of the greens, grounds and associated equipment of the Club
- (b) shall decide and direct whether or not the greens may be played upon and may delegate these powers to the Green keeper, or the President, or his nominee, as the occasion may require.

15.2 The pennant selection committees shall select all teams to represent the Club in matches against teams representing other clubs or associations.

15.3 The match committee shall arrange and manage all Club games and competitions other than pennant games.

16. CONDUCT OF MEETINGS

- 16.1 The President or, in his absence, a Vice President shall preside at all general meetings of members and at all meetings of the general committee.
- 16.2 If the President and Vice-Presidents are absent from a general meeting or a committee meeting, the members present shall elect one of their members to preside as chairman.
- 16.3 A question arising at a general meeting of the Club shall be determined by a show of hands and unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the chairman that a resolution has, on a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Club is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
- 16.4 (a) Upon any question arising at a general meeting of the Club, a member has one vote only
- (b) Subject to sub-rules 16.6 and 27.7(c) of these Rules all votes shall be given personally.
- (c) The chairman at any annual general , special general, general committee or sub-committee meeting of the Club shall have a deliberative vote only, and if on any question the voting is equal the question shall pass in the negative.
- 16.5 If at a meeting of the Club a poll on any question is demanded it shall be taken at that meeting in such a manner as the chairman may direct, and the result of the poll shall be deemed to be the resolution of the meeting on that question.
- 16.6 If, upon a written application made by a member and received by the committee at least 72 hours prior to the appointed hour of the general meeting to which it relates, the member satisfies the Executive Committee that the member will be reason of hospitalization or absence from the State be unable to attend the meeting, the vote of the member will be accepted as if the member were present and had cast a vote in accordance with sub-rule 16.3. Any decision by the Executive regarding the acceptance of such a vote will be final.

17. MEMBERS INTERESTS

- 17.1 A member of any committee who is interested in any contract or arrangement made or proposed to be made with the Club shall disclose the interest at the first meeting of the committee at which the contract or arrangement is first taken into consideration, if the member's interest then exists, or, in any other case, at the first meeting of the committee after the acquisition of the interest.

- 17.2 If a member of any committee becomes interested in a contract or arrangement after it is made or entered into the interest shall be disclosed at the first meeting of the committee after the member becomes so interested.
- 17.3 No member of any committee shall vote as a member of that committee in respect of any contract or arrangement in which the member is interested and if the member does so vote the member's vote shall not be counted.

PART 4

DUTIES OF EXECUTIVE OFFICERS

18. DUTIES OF HONORARY SECRETARY

The Honorary Secretary shall:

- 18.1 ensure that full and accurate records of all general meetings and general committee meetings are properly kept and recorded in the Minute Book;
- 18.2 keep an up-to-date register which shall contain the names and addresses of all members of the Club, their class of membership and the date to which their membership is paid.
- 18.3 Submit to the general committee at a meeting held prior to the annual general meeting a draft of the annual report to be presented at the annual general meeting.
- 18.4 Maintain effective liaison with the general committee and all sub-committees;
- 18.5 Be the Public Officer of the Club unless otherwise determined by the general committee

19. DUTIES of HONORARY TREASURER

The Honorary Treasurer shall:

- 19.1 receive and issue official receipts for all moneys payable to the Club and lodge such moneys to the credit of an account or, accounts in the name of the Club as the general committee may direct;
- 19.2 keep such accounts and books as the general committee may direct;
- 19.3 pay all accounts owed by the Club and submit all accounts to the general committee for approval;
- 19.4 submit to each ordinary meeting of the general committee a statement of accounts and financial information in the form and manner directed by the general committee for the calendar month immediately preceding the meeting; and

- 19.5 present to the meeting of the general committee held prior to the annual general meeting a duly audited statement of income and expenditure for the period ended the thirty-first day of March in that year and a balance sheet as at that date for presentation to the annual general meeting.

PART 5

ACCOUNTS AND AUDIT

20. THE AUDITOR

- 20.1 At each annual meeting of the Club, the members present shall appoint an auditor of the Club being a person who is a registered Company Auditor.
- 20.2 A person so appointed shall hold office until the annual general meeting next after that which the person is appointed, and is eligible for re-appointment.
- 20.3 If the appointment is not made at an annual general meeting the general committee shall appoint an auditor of the Club for the current financial year of the Club.
- 20.4 The auditor may only be removed from by special resolution at a special general meeting.
- 20.5 If a casual vacancy occurs in the office of auditor during the course of a financial year of the Club, the general committee may appoint a person as an auditor and the person so appointed shall hold office until the next succeeding annual general meeting.

21. AUDIT OF ACCOUNTS

- 21.1 The auditor shall:
- (a) Once at least in each financial year of the Club examine the accounts of the Club;
 - (b) Certify as to the correctness of the accounts of the Club and shall report thereon to the members present at the annual general meeting.
- 21.2 In the auditor's report and in certifying to the accounts the auditor shall state:
- (a) whether he has obtained the information required by him
 - (b) whether, in his opinion, the accounts are properly drawn up so to exhibit a true and correct view of the financial position of the Club according to the information at his disposal and the explanations given to him and as shown by the books of the Club, and

- (c) whether the rules relating to the administration of the funds of the Club have been observed.

21.3 The Public Officer of the Club shall cause to be delivered to the auditor a list of all the accounts, books and records of the Club.

21.4 The auditor

- (a) has the right of access to the accounts, books, records, vouchers, and documents of the Club;
- (b) may require from the servants of the Club such information and explanations as may be necessary for the performance of his duties as auditor;
- (c) may employ persons to assist him in investigating the accounts of the Club; and
- (d) may in relation to the accounts of the Club examine any member of the committee or any servant of the Club.

22. ACCOUNTS

22.1 True accounts shall be kept

- (a) of all sums of money received and expended by the Club and the matter in respect of which receipt or expenditure takes place;

of the property, credits, and liabilities of the Club, and subject to any reasonable restrictions as to time and manner of inspecting them that may be imposed by the Club for the time being, those accounts shall be open to the inspection of the members of the Club.

22.2 The Honorary Treasurer of the Club shall faithfully keep all general records, accounting books, and records of receipts and expenditure connected with the operations and business of the Club in such form and manner as the general committee may direct.

22.3 The accounts, books and records referred to in sub-rules 22.1 and 22.2 of this Rule shall be kept at the Club's office or at such other place as the general committee may direct.

23. BANKING AND FINANCE

The Treasurer

23.1 shall cause all monies due to the Club to be collected and received and all payments authorized by the Club to be made.

- 23.2 shall cause correct accounts and books to be kept showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club. These books shall give a true and fair view of the state of the Club's financial affairs and explain its transactions.
- 23.3 shall cause all monies received by or for the Club to be recorded in the books of account and paid into a bank account standing in the name of the Club at a bank determined by the Club.
- 23.4 all cheques, drafts, bills of exchange, promissory notes, electronic transactions, and other negotiable instruments, and all receipts for money paid to the Club, shall be signed, drawn, accepted, endorsed or otherwise executed, as the case may be, in such manner as the Club from time to time by resolution determine.
- 23.5 for the purpose of payment of small accounts, a petty cash advance may be kept but shall not exceed such amount as may be determined, from time to time, by the general committee.

PART 6.

PROPERTY, SECURITIES AND DOCUMENTS

24. THE PROPERTY OF THE CLUB

- 24.1 The real property of the Club shall not be sold, disposed of or encumbered except in accordance with a resolution passed by a three-quarters majority of the members present and entitled to vote at an annual or special meeting called for one or other of those purposes.
- 24.2 If upon the winding up or dissolution of the Club there remains after satisfaction of all of its debts and liabilities any property whatsoever the same shall not be paid or distributed among the members of the Club but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Club and whose constitution or rules shall prohibit the distribution of its or their income and property amongst its or their members to an extent at least as is imposed on the Club under or by virtue of Rules 24 and 32, such institution or institutions to be determined by the members of the Club at or before the time of the winding up or dissolution and in default thereof as determined the members of the general committee at or before the time of the winding or dissolution and in default by application made by the general committee to the Supreme Court of Tasmania for determination.

25. THE SEAL OF THE CLUB

- 25.1 The Seal of the Club shall be in the form of a rubber stamp, inscribed with the name of the Club encircling the word "Seal",

25.2 The seal of the Club shall not be affixed to any instrument except by authority of the general committee and the affixing thereof shall be attested by the signatures either of two members of the general committee and of the Public Officer of the Club, or such other persons as the general committee may appoint for that purpose; and the attestation that the seal was affixed by authority of the committee shall be sufficient for all purposes

25.3 The seal shall remain in the custody of the Public Officer.

26. DOCUMENTS AND SECURITIES OF THE CLUB

The Public Officer shall have custody of all documents and securities of the Club which shall be kept at the office of the Club or at such other place or places as the general committee may from time to time direct.

PART 7.

MEETINGS AND ELECTIONS

27. ELECTIONS

27.1 The election of the Patron, and the general committee, and the initial members of the pennant selection committees, shall be held in conjunction with the annual general meeting.

27.2 At least sixty (60) days before the date fixed for the annual general meeting in any year the Honorary Secretary shall place or cause to be placed on the Club's notice board a notice of the date of the annual general meeting and a notification to the effect that an election for the offices and places specified in sub-rule 27.1 of this Rule will be held in conjunction with that meeting, and inviting nominations therefore.

27.3 (a) A candidate shall be nominated in writing by at least two full members of the Club, and the nomination, with the acceptance of the nominee endorsed thereon, shall be lodged at the office of the Club not later than twenty-eight (28) days before the date fixed for the annual general meeting

(b) A nomination lodged after the time specified in sub-rule 27.3(a) of this Rule shall be void.

27.4 Details of each nomination lodged shall be posted on the notice board of Club by the Honorary Secretary forthwith after it is received by him.

27.5 (a) Where, in the case of any office or place, there are no more nominees than necessary to fill the vacancies, the nominees shall be declared to have been elected at the annual general meeting.

(b) where an election is necessary it shall be carried out by secret ballot;

- (c) any office or place not filled in accordance with the foregoing provisions of this Rule, shall, if possible, be filled at the annual general meeting, by ballot if necessary, and in default, by the general committee.
- 27.6
- (a) The general committee, or, in a case of emergency, the President shall appoint two full members, not being nominees or proposers or seconders of nominees, as scrutineers to conduct an election;
 - (b) the scrutineers shall ensure that, as far as possible, each full member receives a ballot paper for each class of election, at least fourteen (14) days before the date fixed for the annual general meeting;
 - (c) votes shall be lodged with the Honorary Secretary either personally or by post, at least fifty (50) hours before the advertised commencing time of the annual general meeting, and any votes lodged later shall be discarded;
 - (d) the results of any election held in conjunction with an annual general meeting shall be declare by the scrutineers at that meeting
 - (e) the authorization of ballot papers and the procedure with the holding an election shall be in accordance with the directions of the general committee.

28. ANNUAL GENERAL MEETING

28.1 The annual general meeting shall be held on such day and at such hour as the general committee shall direct, but not later than three (3) months after the end of the Club's financial year.

28.2 The annual general meeting shall be preceded by at least fourteen days written notice to every full member setting forth the time, date and place thereof and enclosing a copy of the annual report and financial statements to be presented at the meeting.

28.3 The business at the annual general meeting shall be to -

- (a) receive the annual report and financial statements
- (b) elect life members, if any
- (c) confer awards granted by the general committee
- (d) fix entrance fees and annual subscriptions
- (e) fix fees for any organizations wishing to use Club facilities on an annual basis
- (f) declare the election of a patron
- (g) declare the election of officers of the Club, general committee and pennant selection committees

- (h) elect an auditor for the current year and to determine his remuneration, if any
- (i) approve any honorarium recommended by the general committee
- (j) fix a date for the opening of the next bowls season.

28.4 An elected President shall assume office at the conclusion of the annual general meeting

28.5 At the annual general meeting, any full member shall be entitled to raise any matter relating to the affairs of the Club and if any such matter should require a notice of motion, shall give to the Honorary Secretary at least twenty-one (21) days' notice, in writing of the precise nature of the subject and terms of such motion.

29. SPECIAL GENERAL MEETING

29.1 The Honorary Secretary shall call a special general meeting of full members of the Club

- (a) on the request of the President or of a Vice-President; or
- (b) on a written request individually signed by;
 - (i) four members of the general committee, or by
 - (ii) fourteen full members of the Club

and such meeting shall be called within twenty-one (21) days and held within sixty (60) days after receiving any such request.

29.2 When a special general meeting has been duly requested at least seven (7) days notice in writing of the meeting setting forth the time, date and place shall be given to all members entitled to be present, and such notice shall clearly state the business for which the meeting has been called, and no other business shall be dealt with at that meeting.

30. BUSINESS AND QUORUM AT GENERAL MEETINGS

30.1 All Business that is transacted at special general meetings and all business that is transacted at the annual general meeting, with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting shall be deemed to be special business, and shall require for resolution a three-quarters majority vote of the members present and entitled to vote.

30.2 No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.

30.3 At an annual or special general meeting, twenty-five (25) members entitled to attend and to vote at the meeting shall constitute a quorum.

31. ADJOURNMENT

If within one hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the Chairman at the time of the adjournment or by written notice to members before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

PART 8

MISCELLANEOUS

32. REMUNERATION OF MEMBERS, OFFICERS AND SERVANTS

- (a) The income and property of the Club howsoever and whensoever derived shall be applied solely towards the promotion of the objects and purposes of the Club as set forth in this Constitution and no portion thereof shall be paid or transferred directly or indirectly by dividend or bonus or otherwise to any member of the Club.
- (b) Subject to sub-rule 32(c) of this Rule the Club shall not
 - (i) appoint a person who is a member of the general committee to any office in the gift of the Club to the holder of which there is payable any remuneration by way of salary, fees or allowances: or
 - (ii) pay to any such person any remuneration or other benefit in money or moneys worth (other than the repayment of out of-pocket expenses).
- (c) Nothing in the foregoing provisions of this *rule* prevents the payment in good faith to a servant, or member of the Club or member of the general committee of:
 - (i) remuneration in return for services actually rendered to the Club by the servant or member or for goods supplied to the Club by the servant or member in the ordinary course of business;
 - (ii) interest at a rate not exceeding the rate charged from time to time by the Club's bank on first mortgage advances of up to One hundred thousand dollars (\$100,000.00) or

- (iii) a reasonable and proper sum by way of rent for premises let to the Club by the servant or member.

33. HONORARIA

Subject to Rule 32 the annual general meeting may approve of a recommendation of the general committee that an honorarium be paid to any particular member of the Club for services rendered.

34. FINANCIAL YEAR

The financial year of the Club shall commence on the first day of April and end on the thirty-first day of March next.

35. VACATION OF OFFICE

For the purpose of these Rules, the office of a member of the general committee shall become vacant if that member:

35.1 dies

35.2 becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his creditors, or makes any assignment of his estate for their benefits;

35.3 becomes of unsound mind

35.4 resigns his office in writing under his hand addressed to the committee

35.5 ceases to be resident in the State

35.6 fails, without leave granted by the committee to attend three consecutive meetings of the committee

35.7 ceases to be a member of the Club

35.8 fails to pay all arrears of subscription due by him within fourteen (14) days after he has received a notice in writing signed by the Public Officer stating that he has ceased to be a financial member of the Club.

36. ALTERATION AND REPEAL OF RULES

No Rule shall be repealed, altered or suspended, nor shall any new Rule be adopted nor shall objects or purposes of the Club be altered, except

- 36.1 with the concurrence of not less three-quarters of the members present and entitled to vote at a duly convened general meeting;
- 36.2 after twenty-one (21) days notice, in writing has been given to the Honorary Secretary of such proposed repeal, alteration, suspension or new rule; and
- 36.3 at least seven (7) days notice, has been given to all full members and every such notice shall state clearly and precisely what is proposed to be done

37. RULES OF COMPETITION AND BY-LAWS

The general committee, may, from time to time, make, vary, amend or rescind Rules of Competition and By-laws for the Club if it should deem such action necessary for the proper conduct and efficient management of the affairs of the Club.