

CONSTITUTION

OF THE

NORTH BEACH

BOWLING CLUB (INC)

This is the annexure of 22 pages marked "A" referred to in Form 5 signed by me and dated 22nd May 2016.

Doug Sheppard

Effective from 1st October 2018

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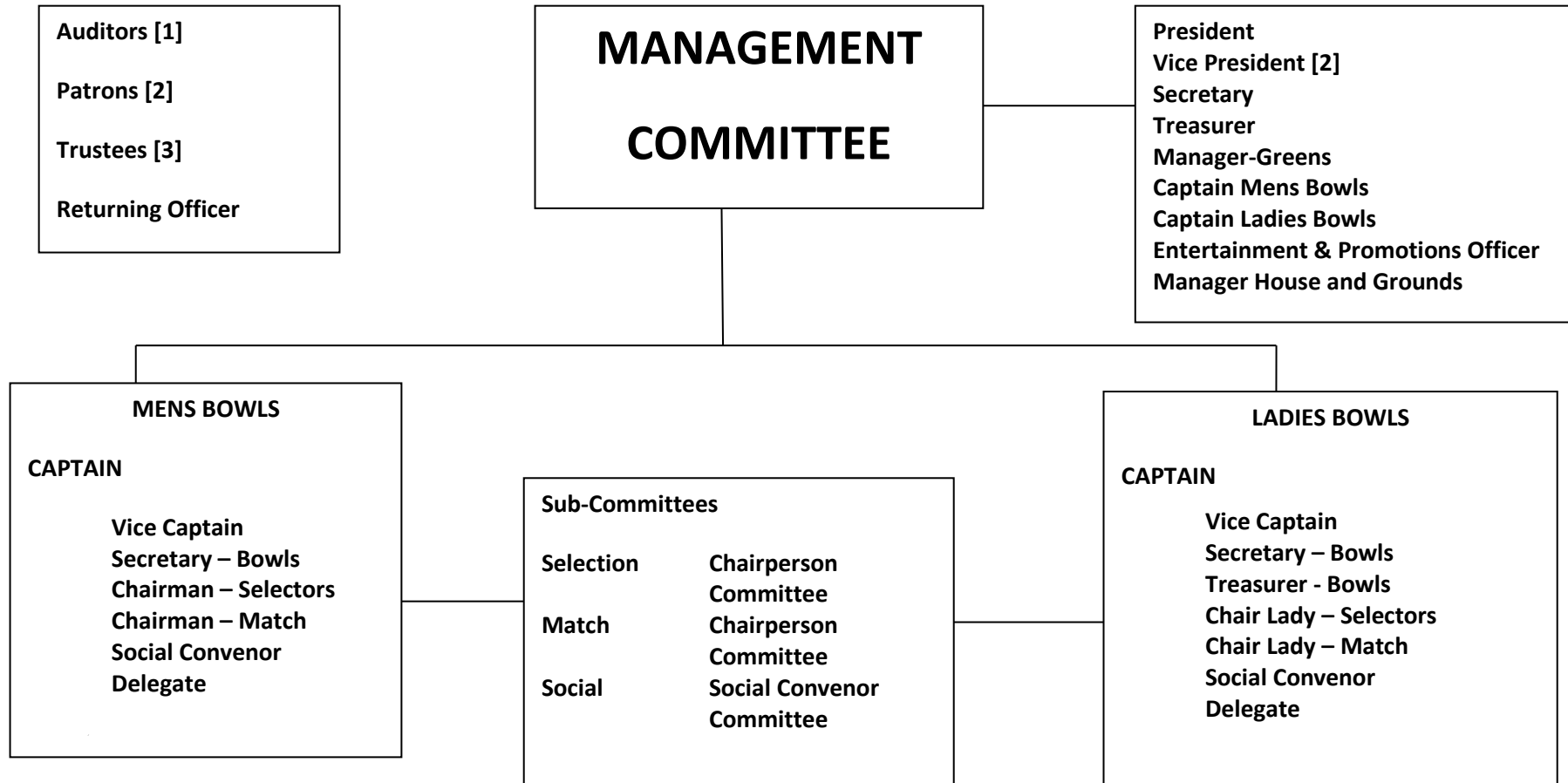
Amendments effected 30th September 2018.

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NORTH BEACH BOWLING CLUB [INC]



1. NAME

The Club shall be called **NORTH BEACH BOWLING CLUB [Inc]**

1.1 Club Colours:

The Club colours shall be Royal Blue and Light Blue on White, provided also that Black, Gold and Orange may be used as necessary in the design of any motif or emblem.

1.2 Attire:

Every member representing the Club in Pennant games shall wear the regulation bowling attire in accordance with the Rules of Bowls WA.

2. OBJECTS:

The objects of the Club shall be:-

- [a] To foster the game of lawn bowls and social activities of all kinds within the Club.
- [b] To promote good fellowship amongst Club members;
- [c] To provide bowling greens, maintain grounds, buildings and facilities for use and accommodation of members and their guests.

3. AFFILIATION:

The Club shall be affiliated with The Royal Western Australian Bowling Association [Inc] trading as Bowls WA.

All Members shall recognise and accept the Constitution, Rules and By-Laws of Bowls WA and shall make all decisions consistent therewith.

All games of Lawn Bowls shall be played according to the Constitution, By-Laws and laws of the game recognised by that Association.

4 DEFINITIONS:

In construing this Constitution unless the context or such otherwise indicates or requires:-

[a] “The Club” shall mean the North Beach Bowling Club[Inc]

[b] “The Club Premises” shall mean all the land, buildings and structures of which the Club is a bona fide occupier on the Charles Riley reserve situated at 7 Kitchener Street North Beach WA 6020.

[c] “The Committee’ shall mean the Management Committee of the Club.

[d] ‘The Executive Committee” of the Club shall mean, the President, The Secretary and the Treasurer and includes any deputy or person temporarily filling these positions.

[e] “The Secretary” shall mean The Secretary for the time being of the Club and includes any deputy or person temporarily filling the office of Secretary.

[f] “The Treasurer” shall mean the Treasurer for the time being of the Club and includes any deputy or person temporarily filling the office of Treasurer.

[g] “The Manager Greens’ shall mean the The Manager Greens/Surrounds for the time being of the Club and includes any deputy or person temporarily filling the office of Manager Greens.

[h] “Rules” shall mean this Constitution.

[i] “The Act” shall mean the Liquor Licensing Act 1988 and any amendments thereto or any other legislation that may come into force to replace or supplement the Act:

[j] “Bowls WA” shall mean the Royal Western Australian Bowling Association[Inc] trading as Bowls WA.

[k] “Special Resolution” means a special resolution as defined in the Associations Incorporation Act 1987 as amended.

[l] The Masculine shall include the Feminine where stated in these Rules.

[m] “The Manager House and Grounds” shall mean the Manager House and Grounds [excluding the Greens and surrounds but including all garden and paved areas] for the time being of the Club and includes any deputy or person temporarily filling the office of Manager House and Grounds.

Amendments effected 1st May 2012

5. PROPERTY AND INCOME:

a] The income and property of the Club [however derived] shall be applied solely towards the promotion of the objects of the Club and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to the persons who are at any time and have been members of the Club or any person claiming through any of them.

b] No member shall be entitled to derive any benefit or advantage from the Club which is not shared equally in every other member thereof except as is herein provided.

c] Nothing herein contained shall prevent the payment in good faith of remuneration to any officer or servants of the Club, or to any member thereof or other person in return for services actually rendered or given to the Club, nor prevent the payment of interest on money borrowed from any member of the Club.

d] The funds and property of the Club are vested in the Trustees.

5.1 Dissolution:

The Club may be dissolved or wound up by a Special resolution passed by a 75% majority of members present, eligible and voting at any General and Special Meeting called for such purpose.

5.2 Disposal of Assets:

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

[a] Another association incorporated under the Act having objects similar [wholly or in part] to the objects of the Club or

[b] For charitable purposes which association or purposes as the case requires, shall be determined by resolution of the members.

6. CLUB YEAR

The Club year shall commence on 1st May of each year and end on the 30th day of April next following.

7. CLUB MANAGEMENT:

The Management of the Club shall be vested in the Management Committee. Men's and Ladies Bowls Committees shall be elected annually or appointed as necessary for the management of Men's and Ladies Bowls and other Sub Committees shall be elected annually or appointed as necessary under the terms of these Rules or as may be required from time to time.

7.1 Management Committee:

The Management Committee shall comprise the following Officers:-

President

Vice-President [2] Amendment AGM 29/5/2011

Secretary

Treasurer

Manager-Greens

Captain Men's Bowls

Captain Ladies Bowls

Entertainment and Promotions officer

Manager – House and Grounds [Amendments effected 1st May 2012]

No member shall hold more than one position on the Management Committee.

All the above positions of the Management Committee shall be elected annually by all financial Ordinary and Life members of the Club other than:-

[a] The Captain Men's Bowls who shall be elected annually by all financial male Ordinary and Life members of the Club and

[b] The Captain Ladies Bowls who shall be elected annually by all financial female Ordinary and Life Members of the Club.

7.2 Powers of the Management Committee:

In pursuance of the objects of the Club the Management Committee shall have the following powers:-

[a] Frame By-Laws consistent with the Rules. Such By-Laws shall be binding on members until repealed or amended by the Management Committee. Such By-Laws may define areas of misconduct to be dealt with under these Rules. The Management Committee shall have full power to appoint members under the terms of these Rules.

[b] Fill any vacancy occurring in the membership of the Management Committee during the year or to co-opt additional members to assist as may be required from time to time: Any such additional members will not have voting rights.

[c] Employ and discharge staff and to pay any gratuity for faithful and diligent service as it may deem fit.

[d] Strike Annual Subscriptions, Match fees and any such fees for the use of the Greens as may be deemed fit.

[e] Appoint a member in the place of any committee member who:-

- i] Is unable through ill-health to continue the term of office;
- ii] Under the Rules is not eligible for office; or
- iii] Resigns from office – except in the case of the President who shall be replaced by a Vice President:

[f] To purchase, take on lease, or in exchange hire, or otherwise acquire or deal with for such consideration as may be thought fit, any property, or assets, real or personal, or any rights or privileges which may be considered of benefit to the Club.

[g] To borrow or arrange finance by way of loan, overdraft, or by the issue of debentures for the purpose of carrying on the business of the Club and its activities.

Any decision by the Management Committee which would require capital expenditure of \$50,000 or more must be submitted to the members of the Club for approval, at either the Annual General Meeting or a special General Meeting called for that purpose, before the proposed decision can be carried out.

Amendment effected 2nd June 2013.

[h] To invest the monies of the Club not immediately required for any of its objects upon such securities and in such manner as may from time to time be determined.

[i] The Club finances shall be used to further the objectives of the Club and no part of any profits shall be divisible amongst the members.

[j] To apply for, obtain and renew from time to time a Club licence under the Act or its amendments.

[k] To promote, organise and conduct entertainment and other functions, inclusive of raffles and/or lotteries where legally permitted so to do, for the raising of funds, for the purpose of furthering the aims and objects of the Club.

[l] To do all such other acts, matters and things as are incidental or conducive to the attainment of all or any of the objects outlined in 2.

Provided that no member of the Management Committee shall undertake to arrange, on their own responsibility anything to which it is necessary to couple the name of the Club, or affix their name to any printed form or document on behalf of the Club at any time without the concurrence of the management Committee.

7.3 Management Committee Meetings

The Management Committee shall meet at such place and on such dates as may be determined, provided that at least one [1] meeting shall be held each month. The Secretary shall call meetings of the Management Committee when instructed to do so by the President or by any five [5] members of the Management Committee.

At least three [3] days notice of the Management Committee Meetings shall be posted or delivered to each Committee Member.

At all Management Committee meetings five [5] shall constitute a quorum. If there be no quorum present within fifteen [15] minutes of the appointed time for the meeting it shall stand adjourned for one [1] week. If at such adjourned meeting no quorum be present, those present shall form a quorum.

The President shall preside at all meetings and, in the President's absence, a Vice President shall preside. If neither of these is present, the meeting shall elect a chairperson.

Any member of the Management Committee who is absent from three [3] meetings, without leave of absence or reason satisfactory to the Committee, shall forfeit their seat on the Management Committee.

7.4 Resignation of the Management Committee:

In the event of the resignation of the Management Committee, or Members not enabling a quorum to be formed, the management of the affairs of the Club shall be vested in the President, Secretary and Treasurer who shall be competent to exercise all powers vested in the Management Committee until the holding of a Special General Meeting of the Members of the Club convened for the purpose of electing their successor.

7.5 Executive Committee:

The Executive Committee shall comprise:-
President, Secretary and Treasurer

7.6 Powers of the Executive Committee:

Where time does not permit the calling of a Management Committee Meeting and urgent decisions regarding specific and extra-ordinary matters are required, the Executive Committee has the power to make any such decisions and act concerning all matters affecting the management and control of the Club, in accordance with the Provisions of RULE 7.2.

All such decision made and actions taken must be reported to the next meeting of the Management Committee.

8. MEMBERSHIP CATEGORIES & QUALIFICATION OF MEMBERSHIP

Members of the Club will be elected or appointed as appropriate to the following categories of Membership.

Member

Patron/s

Life Member

Social Member

Junior Member

Honorary Member

Temporary Member

Corporate Member

Amendment effected 21st Sep 2014.

Special Circumstances Member

[a] **Member**

Persons of or above the age of eighteen [18] years shall be entitled to exercise the full privileges of the Club

Amendment effected 22nd May 2016.

[b] **Patron/s**

The Club may at the Annual General Meeting appoint a Patron or Patrons and that person, or persons, on expressing a willingness to so act shall hold office until the next Annual General Meeting.

[c] **Life Member**

Persons recommended by the Management Committee to a General Meeting of the Club and elected at such meeting to be a Life Member for long and conspicuous service to the Club, and shall enjoy all privileges of an Ordinary member. They shall not be obliged to pay a subscription, capitation or levy to the Club. Life Members shall not exceed twelve [12] active members at one time and not more than two shall be elected in any one year.

[e] **Social Member**

Persons over the age of eighteen [18] years may be admitted as a Social Non Bowling Member but shall have no voice in the management of the Club and shall not be eligible to vote or hold office. The member shall have no access to the greens.

Amendment effected 2nd June 2013.

[f] **Junior Member**

Persons under the age of eighteen [18] years.

Subject to the provisions of the Act they are entitled to full Club privileges but shall not be eligible to vote or hold office.

A person shall cease to be a Junior Member at the end of the club year in which he attained the age of eighteen [18] years.

[g] **Honorary Member**

Honorary Membership may be granted without fees to the Club Patrons, the Mayor and Mayoress of the City of Stirling, or persons deputising for them.

[h] **Corporate Member**

- i) The Management Committee may offer Corporate Memberships to corporations, companies and proprietors of small businesses that have provided sponsorship or significant benefit to the Club.

- ii) The Club must nominate the individuals within the Corporation Company or Business who will be considered for Corporate Membership, generally at the uppermost level of management.
- iii) The maximum number of persons admitted to this class of membership is not to exceed 5% of the total Club membership.
- iv) All applications/nominations for Corporate Membership shall be posted on the Club notice board for a period of not less than seven days, provided also that an interval of not less than 2 weeks elapses between nomination and election.

[i] **Temporary Member**

A person who is on any day visiting the club (the “host club”) as a member or an official of another club:

- i] That is to engage in a pre-arranged event with the host club conducted for the purposes of one of the host clubs principal objects; or
- ii] That is to hold a pre-arranged function at the host club involving the use of the host club’s sporting facilities.

may be taken to be a person who is accorded temporary membership on that day in accordance with the constitution.

[j] **Restricted Member**

Persons of or above the age of eighteen (18) years may be admitted as a Restricted Member but shall have no voice in the management of the Club and shall not be eligible to vote or hold office. The member shall have access to the greens but not be eligible to play in any Club Championship event or play Pennants except in the case of emergency to avoid a forfeit.

[k] **Special Circumstances Member**

Member, Social Member and Junior Member who, through absence, illness, financial difficulties, unemployment, physical disability or other distressful circumstances is unable to pay their full subscription. The Management Committee may relieve them of part of their liability but not so as to make their total liability less than one third of the applicable subscription.

9. MEMBERSHIP FEES

All fees and subscriptions shall be determined at the March Meeting of the Management Committee.

All Subscriptions shall be payable annually by 1st May provided that no Member shall be deemed un-financial until the 30th day of June in each year.

9.1 Subscriptions

New members elected after the first day of November shall pay a pro-rata subscription of each remaining month of the Club year from the day of election plus applicable levies, within one month of election.

9.2 Capitation and Association Levies

Capitation and levies as determined by Bowls WA shall be additional to fees and subscriptions determined by the Management Committee.

9.3 Un-financial Members

Unless a satisfactory explanation is received by the Management Committee that Committee may by resolution debar from all Club privileges and remove from the Register of Members the name of any member who fails to pay –

[a] the annual subscription or a first moiety of the annual subscription plus capitation fee before the 30th day of June or the second moiety before the 31st day of October.

[b] any additional subscription, levies or fees imposed by the Club or Bowls WA within one month of the due date of payment.

[c] A member who is considered by the Management Committee to be going through a genuine hardship may be eligible for consideration for their membership category to be converted to Special Circumstance membership as per Clause 8(k).

10 CLUB LEVIES

Members shall pay such levies as may be imposed from time to time by the Club. A General Meeting shall have power to make a levy on the member for any special project or need and such levy shall not exceed one third of the Ordinary Membership subscription of any year.

11 APPLICATIONS FOR MEMBERSHIP

Applications for all categories of Membership shall be proposed and seconded by Ordinary or Life Members of the Club. All such applications shall be in writing in a form prescribed by the Management Committee, Applications shall be posted on the Club Notice Board by the Secretary for a period of not less than seven [7] days before election, provided also that an interval of not less than two weeks shall elapse between nomination and election. The Management Committee shall have the right to refuse any application for membership at its discretion without prejudice or right of the applicant to require an explanation. Two negative votes shall exclude the applicant from admission.

12 RESIGNATION OF MEMBERSHIP

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

13 GUESTS

[a] Members may introduce guests to the Club at any time, provided that the guests shall not exceed five in number at any one time.

[b] A guest shall not be supplied with liquor in the Club premises except on the invitation and in the company of a member.

[c] A guest shall be supplied with liquor to be consumed only on the Club premises.

[d] The member introducing a guest shall be responsible for the proper conduct of the guest[s] whilst on Club premises.

[e] A member may, with the approval of the Secretary supply liquor to guests at a function held by or on behalf of that member at the Club premises.

[f] Any person who has been refused membership of the Club or who shall be under suspension or expulsion from the Club or any affiliated Bowling Club shall not be admitted as a guest of any member of the Club, except that a person refused membership of the Club, but who is a member of another Club competing in a competition at the North Beach Bowling, shall be accorded the same privileges as the visiting competitors.

14 ELECTION OF OFFICERS OF THE CLUB:

[a] All Officers of the Club required by these Rules to be elected shall be elected by members at the Annual General Meeting held in each year, from eligible financial Ordinary members and Life Members who shall have been nominated in accordance with the Rules and By-Laws of the Club.

[b] All nominations for Office shall be in writing signed by the proposer and the seconder and by the nominee to verify his acceptance of the nomination and shall be delivered to the Secretary not less than Twenty one [21] days before the day upon which the Annual General Meeting is to be held. The Secretary shall display particulars of all nominations on the Club Notice Board as they are received.

[c] Should there be, in respect of any Office, more nominations than the number of persons required to be elected to that Office, the Secretary shall cause to be made available at the Club premises, not less than Fourteen [14] days prior to the Annual General Meeting, a ballot paper on which shall be placed the names of each candidate and the Office for which each one has been nominated.

The completed "Ballot Paper" should be placed in an envelope, sealed, marked "Ballot" and placed in the Ballot box provided in the Clubrooms for such purpose at least 48 hours prior to the commencement of the Annual General Meeting.

The Secretary shall keep a register of the ballot papers issued.

[d] All Officers shall be elected annually but, should it be necessary to fill a vacancy during that period, the vacancy shall be filled by the Management Committee, The newly elected Officers shall take Office at the close of the Annual General Meeting at which they were elected.

[e] A person filling a casual vacancy in any Office shall continue in Office for the balance of the term of the person whose position he filled.

[f] Postal Ballot: A member who will be absent from the Club during the period of the election may apply in writing to the Secretary for a “ballot Paper”, the completed “Ballot” to be received at the office no less than 48 hours prior to the date of the Annual General Meeting.

15 RETURNING OFFICER:

[a] The Returning Officer shall be appointed by the Management Committee.

[b] The Returning Officer or his nominated deputy as the case may be, shall during the course of the election, cause a Ballot Box” to be placed in the main hall of the Club. The “Ballot Box” shall be marked as such and sealed and locked, The key to the “Ballot Box” shall be held by the Returning Officer or his deputy and the “Ballot Box’ shall not be opened until such time as the count of votes takes place.

[c] On the “ballot” paper each member shall vote in accordance with the instructions printed thereon.

The “Ballot” paper shall be marked by placing an ‘x’ opposite to the name or names appearing on the “Ballot” to the number required for any position, Officer or Committee to be elected under the Rules of the Club.

[d] The Returning Officer or his deputy shall at the close of the poll, remove the “Ballot Box’ for the purpose of counting the votes contained therein and shall report the result of the ballot to the Chairman at the Annual General Meeting or Special General Meeting.

[e] The Management Committee shall appoint at least two [2] Ordinary members to act as scrutineers and they shall sign the written report of the Returning Officer or his deputy, as the case may be, showing the result of the “Ballot”.

[f] In the event of the number of candidates duly nominated being less than the number of vacancies to be filled, the Chairman at the Annual General Meeting shall declare the candidates already nominated elected and may then call for verbal nominations of candidates for election to fill the remaining vacancies. Alternatively the Chairman may choose to wait until the newly elected Management Committee can elect and appoint an eligible Member to fill any remaining vacancy or vacancies.

16 DUTIES OF OFFICERS:

President - The President shall:-

*Preside at all General and Management Committee Meetings of the Club and see that the business is conducted in a proper manner.

*Exercise a casting vote in addition to his vote, as an Ordinary member of the Club if at any time the votes be equal.

*Be responsible for the overall management of the Club.

*Be an ex-officio member of all Committees and Sub-Committees for the purpose of offering advice and direction on policy and procedure.

*On written request of at least twenty [20] Ordinary members, call a Special General Meeting to discuss the business contained in the requisition.

Vice President [2] The Vice Presidents shall:- [Amendment AGM 29/5/2011]

- Assist the President and in the absence or incapacity of the President one Vice President will act on behalf of the President.
- Attend all Management Committee Meetings and be entitled to exercise a vote of an Ordinary Member.
- In the absence of the President from a Management Meeting or General Meeting one of the Vice Presidents shall occupy the Chair, conduct the business of the Meeting and exercise a casting vote if necessary.
- Having executive responsibility for development projects as determined by the Management Committee.
- Perform such other duties as the President and/or Management Committee may assign.

Secretary – The Secretary shall:- [Amendments effected 1st May 2012]

- Attend all Management Committee Meetings, take Minutes of same, receive all correspondence and answer such questions as may be asked in accordance with the Constitution.
- Retain all correspondence and keep a copy of all outwards correspondence.
- Make available to Members a copy of Rules and By-Laws of the Club and Minutes of Meetings.
- In accordance with the Act maintain a Register at the Club premises setting forth the names, Postal and residential address of –
 - [i] Members detailing the nature of their membership and whether financial or un-financial.
 - [ii] Officers who hold the Offices of the Club provided for in these Rules:
 - [iii] Persons appointed as Trustees.
 - [iv] Keep an up to date register of the members in respect of each class of membership. This register must be continually available for inspection at the Club premises.

*Receive, provide receipts and record members subscriptions and other monies and pay the same to the Treasurer for banking.

* Receive all invoices for payment by the Club and prior to passing to the Treasurer for payment obtain authorisation [initials] from the appropriate person that the invoice is authentic and that the conditions of the invoice have been satisfied.

* Be an ex-officio member of all Committees and Sub Committees.

* Perform such additional duties that may be determined from time to time by the Management Committee.

Should an Assistant Secretary be appointed, that person shall co-operate in all respects with the Secretary and the duties shall be as the Secretary from time to time instructs, provided always that such instructions shall only be a delegation of the duties of the Secretary

The Assistant Secretary shall not have the power to vote on any resolution at a Management Committee Meeting unless deputising for the Secretary.

Treasurer - The Treasurer shall:-

- Receive all monies belonging to the Club and pay into such Bank Account as shall be approved by the Management Committee in the name of the Club.
- Receive all invoices for payment by the Club from the Secretary and after ensuring authorisation of such invoice/s effect payment.
- At Management Committee Meeting present an up to date Statement of Income and Expenditure indicating the Club's true financial position.
- Balance of books prior to the annual audit or when required by the Management Committee and prepare and present an Income and Expenditure Statement and Balance Sheet at the Annual General Meeting.

Should an Assistant Treasurer be appointed that person shall co-operate in all respects with the Treasurer and the duties shall be as the Treasurer from time to time instructs, provided always that such instructions shall only be a delegation of the duties of the Treasurer.

The Assistant Treasurer shall not have the power to vote on any resolution at a Management Committee Meeting unless deputising for the Treasurer.

Manager Greens

The Manager Greens shall :-

- Liaise with the Greenkeeper to ensure that the Greens are prepared and maintained to the standard required.
- Be responsible to ensure that the Club's equipment/machinery is kept in good working order and is being maintained as required by the Greenkeeper.
- Having full control over the Greens and Surrounds with the power to close any portion at any time and shall refuse any bowler the use of the Bowling Greens unless they are correctly attired, in terms of the Clubs Constitution and/or By-Laws.
- Co-opt Members to assist with maintenance of Greens and Surrounds as required from time to time.

When not already provided for in the Men's or Ladies Bowling Programme all and any requests and arrangements for additional use of Greens will be directed to the Greens Manager for endorsement.

Captain Men's Bowls

The Captain Men's Bowls shall:-

- In terms of the Club's Constitution and By-Laws be responsible to form by election a Committee from all Men Ordinary & Life Members of the Club to administer the Men's Bowling function.
- Liaise with the Captain of Ladies Bowls to arrange Mixed Bowls events.

Captain Ladies Bowls

The Captain Ladies Bowls shall:-

- In terms of the Club's Constitution and By-Laws be responsible to form by election a Committee from all Ladies Ordinary & Life Members of the Club to administer the Ladies Bowling function.
- Liaise with the Captain of Men's Bowls to arrange Mixed Bowls events.

Entertainment and Promotions Officer:

The Entertainment and Promotions Officer shall:-

- Arrange and conduct social functions within the Club, including the hiring of entertainers.
- Arrange and promote within the Club premises, raffles, lotteries and any like form of fund raising activity for furthering the aims of the Club.
- Arrange and organise community/corporate bowls.
- Perform sundry duties that the management Committee may determine.
- Co-opt Members as required to assist.

Manager – House and Grounds

Amendments effected 1st May 2012

The Manager House and Grounds shall:-

- With the necessary qualifications be appointed Bar Manager or if desired may in lieu make recommendation to the Management Committee for the appointment of a qualified person.
- As necessary and as required shall recommend to the Management Committee the appointment of qualified persons as Approved Managers.
- As necessary and as required co-opt members to form a Bar Committee in order to assist bar staff.
- Ensure the Club premises are maintained in terms of the Club's license.
- As necessary consider the interests of the Club in making arrangements for usage of Club facilities by members and their guests.
- Be responsible for approving and making the necessary arrangements for use of the Club facilities by members and outside parties for all social occasions.
- Be responsible to ensure the grounds [other than the greens and surrounds but including all garden and paved areas] are maintained to the standard determined by the Management Committee.
- Co-opt members to assist with the maintenance of the grounds as required from time to time.
- Perform such additional duties that may be determined from time to time by the Management Committee.

17. **MEETING & NOTICE OF MEETINGS:**

[a] Annual General Meeting:

The Annual General Meeting of the Club shall be held on such a day and time and place as the Management Committee may determine provided always that the Annual General Meeting shall be held within two months [2] of the close of the Club year or within such additional time as the Management Committee may deem necessary.

The business of the Annual General Meeting shall be:

[i] The reading and confirmation of the Minutes of any preceding General Meeting [providing that the reading of Minutes may be dispensed with if a copy of the Minutes has been sent to Members or if copies have been circulated at the Meeting and those present agree that the reading be dispensed with]

[ii] To receive the Treasurer's Report including Financial Statements.

[iii] To receive the President's Report.

[iv] Appointment of Patron/s and Auditors.

[v] Election of Officers.

[vi] The transaction of any other business that may be properly raised.

[b] Notice of Annual General Meeting: Notice shall be posted in a prominent position on the Club Notice board at least 49 days prior to the date of the meeting.

[c] Special General Meeting:

The Management Committee may at any time call a Special General Meeting with a copy of the requisition stating in detail the purpose of the meeting posted in a prominent position in the Club premises for at least 14 days before the meeting. Only business of which notice has been given shall be dealt with.

A Special General Meeting may also be called on a requisition signed by not less than 10% of Members and Life Members of the Club stating in detail the purpose of the meeting. A copy of the requisition shall be posted in a prominent position in the Club premises for at least 14 days before the meeting. Only business of which notice has been given shall be dealt with.

[d] Voting at General Meetings shall be by show of hands but any three [3] members who are entitled to vote may require that voting for any motion be determined by division or by ballot.

18. **NOTICES OF MOTION:**

[a] All Notice of Motion for consideration at a General Meeting shall be handed to the Secretary and posted on the Notice Board in the Club premises for at least fourteen [14] days prior to the Meeting.

[b] Any Motion passed in pursuance of such Notice by the General Meeting with such minor amendments as are made by the General Meeting shall be binding on the Club, subject to the provisions of Clauses 5.1 and 26.2

- [c] A motion for which notice for consideration was required but was not given in the manner provided in Clause [a] above shall not be binding on the Club, but shall be treated as only a recommendation to the Management Committee and/or as an expression of opinion by the Members present.

19 QUORUM AND VOTING:

At the Annual General Meeting and any Special General Meeting ten percent [10%] of the Members eligible to vote shall form a quorum.

20 MISCONDUCT, SUSPENSIONS AND EXPULSIONS:

[a] The Management Committee shall have the power to warn, reprimand, suspend or expel any member who:

- i] Fails to observe any requirement of the Constitution or any By-Law or of any order or direction by the Management Committee; or
- ii] Has conducted himself, either in or outside club premises, in any way which brings discredit to the Club or its members or impairs the enjoyment of the Club by members.

[b] The Management Committee, where it considers that a member has offended in a manner described in [a] shall summons him to appear before it and after taking such evidence as it thinks proper and having allowed the member to be heard, the Management Committee may decide to :

- i] Take no further action:
- ii] Warn or reprimand the member or suspend his membership for a period of not more than twelve months: or
- iii] Expel the member with or without first giving him the option of resigning and if he is expelled his membership shall cease forthwith.

[c] If a member refuses to comply with a summons issued to him under [b] the Management Committee may proceed in his absence.

[d] Where the President considers that a member has offended in a manner described in Clause [a] the President may suspend some or all of the privileges of the member and make a report to the Management Committee and the suspension shall remain in force pending a decision by the Management Committee.

21 FUNDS & BANKING:

[a] All cheques or withdrawals forms drawn on the bank accounts of the Club shall be signed by the Club Secretary, Treasurer and President or any two of them or in the absence or incapacity by Members appointed by the Management Committee to act in their stead.

[b] It shall not be lawful for any Meeting or Members to vote a sum of money for any purpose other than those prescribed in this Constitution.

[c] The Club's bankers shall only open, close or vary signatories to bank accounts in the Club's name under the written authority of the Club Secretary and Club President.

22 INDEMNITY:

Every Officer of the Club shall be indemnified out of the funds of the Club against all costs and charges, damages or expenses incurred by them by reason of any contract or covenant entered into or by any act done or default made by them in the execution of their duty as such officers, save and except such as may have been occasioned by their own wilful act, negligence or default.

23 TRUSTEES:

Three [3] Trustees shall be elected by the General Meeting or Special General Meeting of member of the Club at which these Rules are adopted and shall retain office until death, resignation or removal from office by a three-quarter majority of members present and voting at any General Meeting called for the purpose and for which fourteen [14] days notice of such meeting has been given to the member and Trustees.

The Committee shall have the power to fill any vacancy occurring at any time.

24 COMMON SEAL:

[a] The Committee shall have a power to provide a Common Seal for the purpose of the Club and from time to time destroy the same and substitute a new seal in lieu thereof.

[b] The Common Seal shall be kept in the custody of the Secretary.

[c] The Common Seal shall be used only by the Authority of a resolution of the Management Committee and shall be affixed to all necessary deeds and instruments, agreements, contracts and documents in the present of a majority of the Trustees and the Secretary.

A true and correct record shall be kept of all such instruments, deeds, contracts and documents to which the Seal is affixed, in a Common Seal register maintained by the Secretary.

25 AUDITORS:

Auditor[s] shall be appointed at the Annual General Meeting,

They shall examine the books, accounts, receipts vouchers, current bar stock etc., for the year following their election.

They shall certify as to the correctness or otherwise of such statement of Income and Expenditure and Balance Sheet and if necessary furnish the Secretary with a report as to the state of the funds etc.,

The Auditors finding any deficiencies in money or effects shall state the particulars in their report.

26 CONSTITUTION:

26.1 Interpretation: If a question arises as to the interpretation of the Rules of the Club or any other matter not specifically provided for in the Rules the same shall be determined by the President or Chairman subject to the right of appeal to the Management Committee or General Meeting.

26.2 Amendments: As soon as is practicable after the making of any proposal for a change to the Constitution or Rules of the Club, the Secretary shall provide to the Director of Liquor Licensing, certified particulars of the change proposed. No effect will be given to the change without the prior approval of the Director. Alterations or amendments to the Club's Constitution shall be made by Special Resolution which is passed by a 75% majority of members present and entitled to vote at the Annual General Meeting or General Meeting called for the purpose. Within one month after the passing of any alteration or amendment to the Club's Constitution, the Secretary shall send or deliver to the Commissioner for Consumer Protection, a Certified copy of the alteration or amendment for approval.

27 CERTIFICATION:

This is to certify that the preceding document entitled "North Beach Bowling Club [Inc] Constitution" is a true and correct copy of the Club's Constitution as approved at the Special General Meeting held on 21st day of September 2014. and supersedes any previous Constitution of the North Beach Bowling Club [Inc].

Signed

L Mitten
President

Signed

J McLaughlin
Secretary