

**CONSTITUTION
AND BY-LAWS
OF
THE FERNY GROVE BOWLS,
SPORTS AND COMMUNITY
CLUB INC.**



Established 1987

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SPORTS AND COMMUNITY CLUB INC.**

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**CONSTITUTION OF THE FERNY GROVE BOWLS,
SPORTS AND COMMUNITY CLUB INC.**

SECTION A - DEFINITIONS

- (a) "The Club" means the Ferny Grove Bowls, Sports and Community Club Inc.
- (b) "The Constitution" means the Constitution of the Club in force for the time being.
- (c) "The Board of Management" (hereinafter referred to as "the Board") means the Members for the time being of the Board of Management of the Club as constituted in accordance with this Constitution and is the governing body of the Club subject only to any direction of Members at a General Meeting.
- (d) "The Executive" means the Members for the time being of the Executive Committee of the Club consisting of the Chairperson, Deputy Chairperson, Secretary, Treasurer, three (3) Members thereof to constitute a quorum.
- (e) "Member" means any member of the Club.
- (f) "Director" means Member of the Board.
- (g) "C.E.O." means Club Manager appointed by the Board.
- (h) "Chairperson" means Chairperson of the Board.
- (i) "Secretary" means the elected Secretary of the Board.
- (j) "The Seal" means the common seal of the Club.
- (k) Reference to any gender includes the opposite gender unless the context indicates otherwise.
- (l) The "singular" indicates plural (and vice versa) unless the context indicates otherwise.
- (m) "Month" means calendar month.
- (n) "Year" means the financial year as stated in the constitution.
- (o) "WBB" means the World Bowls Board.
- (p) "BA" means Bowls Australia.
- (q) "BQ" means Bowls Queensland.
- (r) "DBA" means the District Bowls Association.
- (s) "NBA" means the National Bowling Association.

SECTION B - THE CLUB

1. NAME

The name of the incorporated club is Ferny Grove Bowls, Sports and Community Club Inc. (hereinafter referred to as "the Club")

2. OBJECTS OF THE CLUB

The objects of the Club are:

- (a) to advance and promote the Game of Bowls;
- (b) to provide the best possible standard of playing facilities for Members in accordance with the Laws of The Game prescribed by Bowls Australia Inc.;
- (c) to provide, develop and promote activities that are from time to time deemed appropriate to provide good fellowship between Members of the Club;
- (d) to promote and enhance the game of bowls in the local community;
- (e) to provide a facility for community use and hire; and
- (f) to provide other sporting activities from time to time.

3. CLUB INCORPORATED

The Club is incorporated under the provisions of the Associations Incorporations Act 1981 (as amended) and hereinafter referred to as "the Act", and will comply with its regulations.

4. POWERS OF THE CLUB

The powers of the Club are:

- (a) to control the funds and other assets and liabilities of the Club;
- (b) to subscribe to become a member of and co-operate with any other association, club or organisation, whether incorporated or not whose objects are altogether or in part similar to those of the Club provided that the Club shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Club under or by virtue of Rule 40 (d);
- (c) in furtherance of the other objects of the Club to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the Members of the Club or persons frequenting the Club's premises;
- (d) to purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the other objects of the Club; provided that in case the Club shall take or hold any property which may be subject to any trusts the Club shall only deal with the same in such manner as is allowed by law having regard to such trusts;

- (e) to enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the Club's other objects and the exercise of the powers of the Club; to obtain from any such Government or Authority any rights, privileges and concessions which the Club may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
- (f) to appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Club;
- (g) to remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the Club, or in or about the Club or promotion of the Club or in the furtherance of its other objects;
- (h) to construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Club's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof;
- (i) to invest and deal with the money of the Club not immediately required in such manner as may from time to time be thought fit;
- (j) to take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;
- (k) to borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated Club's property or assets present or future and to purchase, redeem or pay-off any such securities;
- (l) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
- (m) in furtherance of the other objects of the Club to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Club; In accordance with Rule 31c;
- (n) to take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Club's property of whatsoever kind sold by the Club, or any money due to the Club from purchasers and others;
- (o) to take any gift of property whether subject to any special trust or not, for any one or more of the other objects of the Associations but subject always to the proviso in sub-rule (h);
- (p) to take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Club, in the shape of donations, annual subscriptions or otherwise;

- (q) to print and publish any newspapers, periodicals, books or leaflets that the Club may think desirable for the promotion of its objects;
- (r) in furtherance of the other objects of the Club to amalgamate with any one or more incorporated clubs having objects altogether or in part similar to those of the Club and which shall prohibit the distribution of its or their income and property among it or their members to an extent at least as great as that imposed upon the Association under or by virtue of Rule 40(d);
- (s) in furtherance of the other objects of the Club to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Club is authorised to amalgamate;
- (t) in furtherance of the other objects of the Club to transfer all or any part of the property, assets, liabilities and engagements of the Club to any one or more of the incorporated associations with which the Club is authorised to amalgamate;
- (u) to make donations for patriotic, charitable or community purposes; and
- (v) to do all such other things as are incidental or conducive to the attainment of the other objects and the exercise of the powers of the Club.

5. ALL ACTIVITIES TO BE LAWFUL

The Club shall comply with all lawful requirements of the Local, State and Commonwealth Governments, and Authorities having any jurisdiction over any activity of the Club.

6. AFFILIATION

The Club shall:

- (a) Affiliate with BQ and accept and abide by the Rules, By-Laws and Policies of BQ in so far as they apply to the Game of Bowls;
- (b) be a member of DBA and accept and abide by the Rules and By-Laws of the DBA in so far as they apply to the Game of Bowls;
- (c) renew its affiliation with BQ each year in accordance with the Constitution of BQ and forward the annual affiliation fee through the DBA;
- (d) renew its membership with the DBA each year in accordance with the Rules of the DBA and pay annual membership fees to the DBA;
- (e) elect a delegate/s to the DBA in accordance with the Rules and By-Laws of the DBA;
- (f) provide to BQ and the DBA the returns that are required by those bodies;
- (g) provide advice to BQ and to the DBA within thirty (30) days of any event which would affect the status of the Club's affiliation with BQ, the legal status of the Club and/or any changes or amendments to the Club's Constitution;
- (h) not make, amend or repeal a Rule or By-Law in relation to the playing of the Game of Bowls that conflicts with the Rules and By-Laws of BA, BQ or the DBA.

SECTION C - MEMBERSHIP OF THE CLUB

7. MEMBERSHIP

- (a) Membership of the Club shall comprise Ordinary Full Members, Life Members, Junior Members, Social Members, Honorary Members, and Full Non-Affiliated Members each of whom shall be bound by this Constitution and By-Laws as duly amended from time to time.
- (b) The membership of the Club may be limited, either generally, or as to a particular class, or classes, as the Board may, from time to time, determine.
- (c) Every applicant for any class of membership of the Club shall be proposed by one Ordinary Full or Life Member of the Club and seconded by another such Member. The Application for membership shall be made in writing, signed by the applicant and the proposer and seconder, and shall be in such form as the Board from time to time prescribes.

8. QUALIFICATIONS FOR MEMBERSHIP

- (a) To qualify for membership of any class other than a Junior Member, a person must be:
 - i. not less than eighteen (18) years of age;
 - ii. prepared to support and promote the welfare of the Club and the Game of Bowls;
 - iii. of good character and compatible with other members;
 - iv. free of any indebtedness to any Bowls Club, and any District Bowls Association or any State Bowls Authority and not under an order or notice of suspension or expulsion from any Bowls Club or Bowls Association.
- (b) No person shall be admitted as, or remain a Member of the Club who is a Member of any club affiliated with BQ unless such person satisfies the Board by presentation of a clearance on the official form, as prescribed by BQ.
- (c) Any employee of the Club, whether on salary, wages or contract may be a Member of the Club, but shall not be eligible 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.

9. CLASSIFICATION AND PRIVILEGES OF MEMBERS

- (a) Ordinary Members

An Ordinary Member is a Member whose application for membership of the Club has been approved by the Board, and has paid all the prescribed fees. Also called Full Members they are entitled to all the privileges of the Club and to exercise all the rights of membership.

(b) Life Members

An Ordinary Member, on the recommendation of the Board, may be elected by the Club at the Annual General Meeting to Life Membership of the Club in recognition of services rendered to the Club.

Such election shall be by resolution of a three-quarters majority of Members present and entitled to vote at the Annual General Meeting, by secret ballot. Life Members shall be free to enjoy all club privileges and exercise all rights, and shall be exempt from the payment of annual subscriptions, levies and affiliation fees.

Life Membership Criteria

- (1) With a minimum of 10 (ten) years continuous membership of the Club.
- (2) A number of years service on the Board or Bowling Division Committees.
- (3) Exemplary behaviour and willingness to foster the Club ideals and set an example for other Members to emulate.
- (4) Not more than 2 (two) Life Memberships may be granted in any one year.
- (5) Life Membership proposals are to be nominated and seconded by any two full financial members of the Club. All relevant details of the proposed Life Member are to be included. The nomination is to be in the hands of the Club Secretary at least 3 (three) months prior to the AGM for Board approval and investigation.

(c) Full Non-Affiliated Member

Shall have paid the Club membership portion only of the annual subscription fees; Shall be entitled to all privileges of the club and shall be entitled to vote at General Meetings of the club (except on resolutions or matters involving the Bowling Division); Shall have the right to hold any elected non-executive position within the Board of Management of the Club (with the exception of Bowls specific positions); Shall not have the right to play competition bowls within the Club, but shall have an enduring invitation to participate in a club organised social event and/or trade day etc; and may become a Full Member upon full payment of the current affiliation fees.

(d) Junior Members

A junior under the age of eighteen (18) years may become a Junior Bowling Member upon such terms and conditions, and upon the payment of such fees as the Board shall determine from time to time. They shall not be entitled to vote, nor be nominated for office, nor nominate Members for office, nor to nominate other persons to membership of the Club. They shall be entitled to play bowls in any State, District or Club competition according to the conditions laid down for the playing of the event. They shall not be allowed under any circumstances to be served, to obtain or to consume liquor from or on Club premises, or engage in any form of gambling on the premises.

On attaining the age of eighteen (18) years a Junior Member may apply in writing for ordinary membership which application will be dealt with in the same manner as any application for ordinary membership.

(e) Honorary Members

The Club may grant Honorary Membership to any person who has rendered service, benefit or esteem to the Club. Honorary Members shall be entitled to social privileges of the Club for a time as determined by the Board or the Club Manager; but not be entitled to hold office, nor take part in, nor vote at any meeting run by the Club. They shall also be subject to those conditions that are applicable from time to time as determined by the Board.

(f) Social Members

The Board may approve any person as a Social Member of the Club and charge such membership fees, as the Club shall determine from time to time.

Social Members shall be entitled to the social privileges of membership except they shall not be entitled to hold any office of the Club, nor be entitled to nominate Members for election to any position in the Club, nor take part in or vote at meetings of the Club, nor to nominate persons for membership of the Club, nor to take part in the game of bowls, except on an occasion when persons other than Members may be playing bowls on the invitation of the Board, such as a bowls promotion day. Application for Social Membership shall be as prescribed in Rule 10(a) for Ordinary Members.

The special qualifications of Social Membership shall be:

- i. Any person who is of good repute and whose interests and activities are, in the opinion of the Board, compatible with those of the existing Members of the Club.
- ii. Not under eighteen (18) years of age.

(g) Termination of Social Membership

The Board Executive shall have authority, at its absolute discretion, to terminate the Membership of a Social Member if such Member, in the opinion of the Executive and the Manager, acts in a manner prejudicial to the best interests of the Club, such as, but not restricted to, being abusive to other members and/or staff, using obscene language, being intoxicated or using drugs whilst on Club premises. Such Social Members will not have the right of appeal against such decision.

10. ADMISSION TO MEMBERSHIP

(a) Application Form

An application for membership of the Club, with the exception of Honorary Members as provided for in this Constitution, must be made in writing on a form prescribed by the Board 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. Such fee to be refunded if the application is rejected.

(b) Proposed Members Register

Particulars of all applications for membership of the Club with the exception of Honorary Members as provided for in this Constitution, shall forthwith, upon receipt of same, be entered in the order of time in which each application is received by the C.E.O. in a book (hereinafter referred to as the Proposed Members Register) to be kept by the C.E.O. Each entry shall record the full name and address of the person proposed, and the time and date of receipt by the C.E.O. of the application, and in relation to any and every vacancy however arising in the membership of the Club, each application shall be dealt with, and determined in the order in which it is so recorded.

(c) Display of Nominations

The names and addresses of each person proposed as a Member shall be displayed on the Club's notice board for at least fourteen (14) days prior to the date on which the Board shall consider the application for membership.

(d) Objections to Application for Membership

Any Member or Members may object to any application for membership by delivery of a written objection to the Secretary of the Club.

All applications for membership shall be dealt with and determined by the Board at a duly convened meeting.

If a written objection is received from a Member, or Members of the Club, the Board shall investigate the objection before making a decision in relation to acceptance or rejection of the applicant.

For the purpose of enquiring with respect to an applicant, the matter of dealing with and determining the application may be postponed for no longer than three (3) months. Any other such proposals may be dealt with and determined during that period, if:

- i. the vacancy in respect of which the postponed proposal is required to be dealt with and determined is kept open during the period of postponement; and
- ii. the postponed proposal is dealt with and determined forthwith upon the expiration of the period of postponement thereof, and in priority to any and every proposal evidenced by the proposed Members Register as being of a later date.

(e) Members to Retain Qualifications

A person shall not be allowed to remain a Member of the Club unless the person continues to remain financial, and complies with the Constitution and By-Laws of the Club.

(f) Acceptance of Rules by Members

All Members, on admission, shall be deemed to have agreed to be bound by the Constitution and By-Laws of the Club in force for the time being.

11. REJECTION OF APPLICATION FOR MEMBERSHIP

A person, whose application for membership is rejected by the Board, may within ten (10) days of receipt of written notification thereof lodge with the Secretary of the Club written notice of intention to appeal against the decision of the Board. The appeal shall be determined at a Special General Meeting as set out in Rule 15(b) of this Constitution.

A record in a Members Admissions Book shall be kept by the Club of the time and date of the holding of every such meeting of the Board or Special General Meeting of Members of the Club, the names of the Members present and entitled to vote on the question of the admission of each and every person proposed as a Member and the names of the person proposed and whether they are accepted or not. If there is more than one Member to be balloted for, each shall be balloted for separately.

Any applicant who has been rejected by the Board or by ballot at a Special General Meeting of Members of the Club shall not be proposed for membership during the next twelve (12) months unless it appears to the satisfaction of the Board that an injustice has been done.

12. RESIGNATION FROM MEMBERSHIP

(a) Member May Resign

A Member may resign from the Club at any time, provided they are not under notice of suspension or expulsion, by giving notice in writing to the Secretary. Such resignation shall take effect from the date of such notice being received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date. The Secretary shall acknowledge in writing, the receipt of each resignation.

A request for a clearance is not a resignation.

(b) Responsibility for Outstanding Monies

Resignation from the Club shall not relieve any person from the payment of any subscriptions, or other monies due or payable by that person at the time of the resignation or termination of membership. The resignation of any Member shall involve the automatic forfeiture of all rights and privileges in respect to all Club matters and property.

Any Member, who resigns after the commencement of the new financial year, shall be liable for that years subscription fees, as well as any other monies owed to the Club by that Member.

Any Member failing to give written notice to the Secretary of an intended resignation prior to the date on which that Member's subscription is due shall be liable for the current year's subscription fee, and any other monies owing to the Club by that Member.

13. CONDUCT OF MEMBERS AND GUESTS

Members and visitors 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 or conduct that is prejudicial to the interests of the Club. The Manager or his delegate (ref. Rule 15) may also deal with this matter.

Any alleged infringement of Rule 13 which is reported in writing to the Board shall be investigated by the Board, which shall have the power to demand and direct apologies. If necessary, if the offending person is a Member, the Board may deal with that person under the provisions of Rules 13-14, or if that person is a Member of another Club, report that persons conduct to such Club to the DBA and BQ.

If the person whose conduct is unsatisfactory is a visitor and is not a Member of a Bowls Club, a Board Member or Club employee may have that person removed from Club premises.

14. SUSPENSIONS FROM OR TERMINATION OF MEMBERSHIP

The Board shall have power to reprimand, suspend or expel any Member who fails to observe any of the Constitution or By-Laws of the Club, the DBA, or of BQ, or who is deemed guilty of an act, practice, or conduct calculated to bring discredit on the Game of Bowls or to the Club or the DBA, or BQ, and its Members, or who on any Club or DBA premises engages in illegal gambling, or uses obscene or abusive language.

A member who has been suspended forfeits all rights, privileges and responsibilities for the full term of the suspension and is still liable for all subscriptions, levies, fees and other charges applicable to his or her membership for the duration of the suspension.

15. DISCIPLINARY PROCEEDINGS

(a) Board and Executive Powers

- (1) If any Member shall wilfully refuse or neglect to comply with any of the provisions of the memorandum of association or of these articles of the Club or the By-Laws thereof or be, in the opinion of the Board guilty of conduct which is unbecoming of a member or which shall render the member unfit for membership, the Board shall have power to reprimand and or suspend, for such period as it considers fit, expel or accept the resignation of such Members and to have recorded in the Register of Members that the person has ceased to be a Member of the Club provided that:
 - i. such Member shall be notified of any complaint against him/her pursuant to this article and the date, time and place of the hearing of the complaint by notice in writing sent as a prepaid registered letter posted to the Member's last known address at least 14 days clear before the meeting of the Board at which such complaint is to be heard;
 - ii. the Member against whom the complaint is made shall be entitled to attend the hearing for the purpose of answering the complaint and shall also be entitled to submit to the meeting written representations for the purpose of answering the complaint;
 - iii. no motion by the Board to reprimand, fine, suspend or expel a Member shall be deemed to be passed unless a two thirds majority of the Members of the Board present in person vote in favour of such motion by way of secret ballot; and
 - iv. if the Member fails to attend such meeting the complaint may be heard and dealt with and the Board may decide on the evidence before it in the Member's absence, notwithstanding but having regard to any representations which may have been made to it in writing by the Member against whom the complaint is made.

- (2) Any decision of the Board on such hearing shall be final and the Board shall not be required to assign any reason for its decision.
- (3) The Manager or his delegate shall have the power to suspend temporarily any member from membership of the Club who, in the opinion of the Manager or his delegate, is then intoxicated, violent, quarrelsome or disorderly or, who's presence or conduct on the premises of the Club in the opinion of the Manager renders the Club or the Manager of the Club liable to a penalty under the Qld Liquor Act 1992, Qld Gaming Machine Act 1991, and or any other relevant acts.
- (4) Any suspension pursuant to this article 15 (a) (3) shall be for a period of seven days only and the Manager shall make a written report of the circumstances giving rise to the suspension to the Board within 24 hours of the suspension being imposed.
- (5) In the event that a notice of complaint is issued to a Member pursuant to sub paragraph 15(a) (3) of this article, the Board shall have the power to suspend that Member from all privileges of the Club until the complaint is heard and determined or for five weeks whichever is the sooner. Such suspension shall be notified in writing to the Member concerned.
- (6) In the event of a Junior Member being called before the Board on a charge or complaint, such Member shall be entitled to be accompanied by Parent/Guardian.

(b) Right of Appeal

Any person so reprimanded, suspended or expelled shall have the right of appeal within ten (10) days of receipt of written notice of suspension or expulsion to a Special General Meeting. Such written notice shall inform the person of the right of appeal under this rule. The appeal shall be in writing, signed by the appellant. Upon receipt by the Secretary of the Notice of Appeal, the Secretary in accordance with Clause 17(c) shall call a Special General Meeting, and the appellant shall be entitled to all Club privileges until such appeal is determined. An appeal shall be deemed lost unless upheld by a three-quarters majority of those Members present and entitled to vote at the meeting. There shall be no further right of appeal. Forthwith, after the expiration of the said ten (10) days, if the person suspended or expelled has failed to appeal, or if the appeal has failed at the Special General Meeting, the person concerned shall lose all rights and privileges of the Club during the period of suspension or expulsion, and the Secretary shall certify, in writing, to the DBA, and BQ the name of the person suspended or expelled, and the period of suspension.

A Member shall be suspended from the privileges of membership of the Club for a period as the Board may deem fit.

(c) General Denial of Privileges

Any person, whether a Member of this Club, a Member of another Bowls Club affiliated with BQ or any other Bowls Association, and is suspended or expelled by order of this Club, or any other Club or Association, or is removed from the list of Members of a Club or Association, as a result of the failure to pay monies to that Club, or Association shall be denied the privileges of membership of this Club, and shall not be permitted to enter the premises of this Club during the period of suspension, expulsion, or removal.

(d) **Member Who Defaults In Payment of Subscriptions**

The Board may terminate the membership of any person whose subscription is two (2) months in arrears.

Any such person so removed from membership who desires re-admission shall tender payment of all arrears not exceeding twelve (12) months subscription, and apply in accordance with Clause 10. Payment of a nomination fee may be waived at the discretion of the Board.

16. REGISTER OF MEMBERS

The Club shall keep a register of Members in which shall be entered:

- i. Name, Address, Phone Number and Date of Birth;
- ii. Date and class of membership granted;
- iii. Major Club or District Offices and achievements and qualifications including dates of appointment, relevant Certificate numbers and expiry date;
- iv. Deaths, Resignations and Terminations and Reinstatements of Membership and any other further particulars the Board may require from time to time.

SECTION D - GOVERNMENT OF THE CLUB

17. GENERAL MEETINGS

(a) **Annual General Meeting (AGM)**

The Annual General Meeting of the Club shall be held before the end of May on a date to be set by the Board. The business of the Annual General Meeting must include:

- i. reading the notice convening the meeting;
- ii. confirming the Minutes of the previous Annual General Meeting and/or Special General Meeting/s held since the last Annual General Meeting;
- iii. considering and adopting the Annual Report;
- iv. receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the Club (the incorporated association) for the last financial year;
- v. receiving the Auditor's report on financial affairs of the association for the last financial year;
- vi. presenting the audited statement to the meeting for adoption;
- vii. electing the Board of Management and the Bowling Committees;
- viii. appointing the Auditors;
- ix. considering any Notices of Motion submitted on the agenda;
- x. transacting any general business that may be brought forward in accordance with the Rules of the Club;
- xi. appointing a Patron (if required);
- xii. voting on nomination/s received for life membership.

(b) Quarterly Meetings

Quarterly Forums may be held as determined by the Board. The business at each of these Forums shall include:

- i. presenting the Balance Sheet and Financial Statements; and
- ii. transacting any General Business that may be brought forward in accordance with the Rules of the Club.

(c) Special General Meetings

The Secretary shall convene a Special General Meeting:

- i. when directed to do so by the Board, or
- ii. on the requisition in writing signed by not less than one-third of the Members presently on the Board, or
- iii. on the requisition in writing by Ordinary and Life Members being in number not less than 10 percent of the number of Full Members who are financial and entitled to vote, or
- iv. on being given notice in writing of an intention to appeal against the decision of the Board to reject an application for membership or to suspend, or terminate the membership of any person.
- v. at which a Notice of Motion, or a proposed special resolution of the Club will be heard and decided upon.

Notices requesting a Special General Meeting shall clearly state the reason why such Special General Meeting is being convened, and the nature of the business to be transacted at the meeting.

A Special General Meeting shall only consider the matter/s for which, notice has been given to Members.

(d) Notices of Motion

The Secretary shall receive Notices of Motion to be included on the agenda of the Annual General Meeting or any General Meeting at least twenty-eight (28) days prior to the meeting at which they will be discussed.

18. NOTICES FOR GENERAL MEETINGS

The Secretary shall convene all General Meetings of the Club by giving not less than fourteen (14) days notice to each Ordinary and Life Member. The notice of a General Meeting shall clearly state the nature of the business to be discussed at that meeting.

The Board may decide the way in which the notice must be given. However, notice of the following meetings must be given in writing:

- i. a meeting called to hear and decide the appeal of a member against the rejection or termination of a Member's membership by the Board.

19. QUORUMS FOR GENERAL MEETINGS

At any General Meeting the number of Members (being entitled to vote at the General Meeting) required to constitute a quorum shall be double the number of Members on the Board, plus one.

No business shall be transacted at any General Meeting unless a quorum of Members is present at the time when the meeting considers its business at the meeting.

If within half an hour from the time appointed for the commencement of a General Meeting a quorum is not present, the meeting, if convened upon the requisition of Members of the Board, or of the Club, will lapse. In any other case the meeting will stand adjourned to the same day in the next week at the same time and place, or to such other day, and at such other time and place as the Board may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the Members present will constitute a quorum for the purpose of conducting that meeting.

The Chairperson may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting to a new time and place, but no business will be transacted at any adjourned meeting other than the business left unfinished at the meeting at which the adjournment occurred. When a meeting is adjourned for twenty-eight (28) days or more, notice of the adjourned meeting must be given as in the case of the original meeting. Apart from this it is not necessary to give any other notice of an adjournment, or of the business to be transacted at an adjourned meeting.

20. CONDUCT OF GENERAL MEETINGS

Unless otherwise provided by this Constitution or the By-Laws, at every General Meeting:

(a) The Chairperson

The Chairperson shall preside, or if there is no Chairperson or the Chairperson is not present within fifteen (15) minutes after the time appointed for the holding of the meeting or is unwilling to act, the Deputy Chairperson shall preside, or if the Deputy Chairperson is not present or is unwilling to act then the Members present must elect one of their number to be Chairperson of the meeting.

The Chairperson must maintain order and conduct the meeting in a proper and orderly manner.

(b) Voting

Every question, matter, or resolution must be decided by a majority of votes of the Members present and entitled to vote. Subject to voting constraints set out in Rules 8 and 9, every financial Full Member (i.e. Ordinary and Full Non-Affiliated Members) as well as Life Members present are entitled to one vote, and in the case of equality of voting the status quo must be maintained.

The contested election of Members of the Board shall be by secret ballot, in accordance with the By-Laws.

Provision is made in the By-Laws (By-Law 3) for Absentee Voting. Provision is not made for Proxy Voting.

21. SPECIAL RESOLUTIONS

Election of Life Members, Suspension and/or Termination of Membership, Alterations to this Constitution, Removal of a Member of the Board and similar matters that Members may resolve at a General Meeting by way of a "Special Resolutions" must be resolved by the affirmative vote of at least three-quarters of the Members present at the meeting and entitled to vote.

22. INSURANCE

In line with its obligations as an incorporated association under the Associations Incorporation Act 1981, (as amended) the Board must ensure the incorporated association (the Club) takes out insurance in respect of damage to property, death or bodily injury occurring upon the property of the incorporated association for a cover of at least \$10 Million, and keeps such insurance cover current at all times.

The Secretary is required to notify the Chairperson of the Board that the required insurance cover has been taken out, and that the cover is current at all times.

[Section 70 of the Act provides for penalties for non-compliance]

23. THE AUDITOR

An Auditor, who shall be qualified as required by the Associations Incorporation Act 1981, (as amended) shall be appointed to audit the accounts, and prepare reports for submission to the next Annual General Meeting. The Auditor shall, when required by the Board, conduct special audits and investigations. The Auditor shall, at all times, have access to the books of account, vouchers, and relevant records of the Club, and shall have the right to obtain explanations relative to the finance and affairs of the Club, and the accounts from any person holding office or employment in the Club.

24. THE COMMON SEAL

The Board shall provide for a Common Seal, and for its safe custody. The Common Seal shall only be used by the authority of the Board, and every instrument to which the seal is affixed shall be signed by the Secretary or the Chairperson, the Deputy Chairperson or Treasurer and witnessed so.

25. ALTERATIONS TO THIS CONSTITUTION

Subject to the provisions of the Associations Incorporations Act, this constitution may be amended, rescinded, or added to from time to time by a Special Resolution carried at a General Meeting. Details of all amendments must be notified to BQ.

However, an amendment, repeal or addition, is valid only if registered by the Chief Executive.

26. DISTRIBUTION OF SURPLUS ASSETS

If the Club be wound up in accordance with the provisions of the Associations Incorporation Act 1981 (as amended), and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid or distributed among the Members of the Club, but shall be 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 subclause 41(d), 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).

SECTION E - MANAGEMENT OF THE CLUB

27. THE BOARD OF MANAGEMENT

The business and operations of the Club shall be controlled by a Board comprising the following:- Chairperson, Deputy Chairperson, Secretary, Treasurer, Greens/Grounds Director, and four other Directors two of whom shall be the Presidents of both the Men's and Ladies Bowling Divisions.

The Chairperson shall not hold the office of President of either bowling divisions at the same time.

All offices shall be honorary and elective. Subject to section 61A of the Associations Incorporation Act 1981, every financial Ordinary and Life Member of the Club shall be eligible to hold any office.

Any Member or person holding office in any other affiliated bowls club shall be ineligible to hold any executive office or position on the Board of Management.

No employee of the Club nor their immediate family can hold a position on the Board of Management.

28. THE BOARD TO BE ELECTED ANNUALLY

Save as otherwise provided in this Constitution, and subject thereto, each Member of the Board shall be elected at the Annual General Meeting of the Club and shall hold office from the conclusion of the election at which they were elected until the conclusion of the election held at the next ensuing Annual General Meeting of the Club, but shall be eligible for re-election. A contested election for any position shall be resolved by secret ballot in accordance with the By-Laws.

29. ELECTION OF THE BOARD

At the Annual General Meeting all Members shall retire from office, but shall be eligible, upon nomination, for re-election. The election of Members shall take place in the following manner:

- i. any two financial Ordinary Members or Life Members of the Club shall be at liberty to nominate Members to serve as a Member of the Board;
- ii. no candidates are eligible for election as a Member of the Board unless they or their proposer and seconder are financial from the date of nomination to the date of election inclusive;
- iii. the nomination, which shall be in writing and signed by the candidate, the proposer and seconder shall be lodged with the Secretary at least fourteen (14) days before the Annual General Meeting at which the election is to take place. A resume of each candidate, stating qualifications, may be included on the nomination form;
- iv. a list of candidates' names in alphabetical order, with the proposers and seconders names, and a copy of each 'resume', shall be posted in a conspicuous place on the notice board not earlier than twenty-eight (28) days, and not later than fourteen (14) days prior to the Annual General Meeting;

- v. balloting lists shall be prepared (if necessary) containing the names of candidates in alphabetical order and each financial Member present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies; and
- vi. should there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.

30. VACANCIES ON THE BOARD

(a) A Member May Resign

Any Member of the Board may resign from the membership of the Board at any time by giving notice in writing to the Secretary and such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

(b) Removal of a Member

A Member of the Board may be removed from office by a three quarters majority of Members present and entitled to vote at a Special General Meeting of the Club. The Member concerned shall have due notice of such meeting and shall be afforded a reasonable opportunity to personally make representations to the meeting. There shall be no further right of appeal.

(c) The Board to Fill Vacancies

The Board (or the remaining Member or Members of the Board) shall have power at any time to appoint any properly qualified Member to fill any casual vacancy on the Board until the next Annual General Meeting. The continuing Member or Members of the Board may act notwithstanding any casual vacancy in the Board, but if and so long as their number is reduced below the number fixed by or pursuant to this Constitution as the necessary quorum of the Board, the continuing Member or Members may act for the purpose of increasing the number of Members of the Board to that number prescribed as a quorum or for summoning a General Meeting of the Club, but for no other purpose.

Provided however that in the event of a vacancy occurring in the office of Chairperson between Annual General Meetings the office shall only be filled by Members of the Club present and entitled to vote at a Special General Meeting called for that purpose.

31. FUNCTIONS OF THE BOARD

Except as otherwise provided by this Constitution, and the resolution of Members of the Club carried at any General Meeting, the Board shall:

- (a) control the business and operations of the Club;
- (b) have authority to interpret the meaning of these rules, and any matter relating to the Club on which these Rules are silent; and
- (c) exercise all the powers of the Club (such powers hereby conferred) to:
 - i. invest in such manner as the Members of the Club may from time to time determine;
 - ii. control its membership, finances, meetings, program and the use of greens;

- iii. transact and authorise expenditure, provided that the Board is not empowered to authorise any single item of expenditure in excess of \$100,000 without prior approval of a General Meeting of the Club;
- iv. appoint committees;
- v. call General Meetings of Members;
- vi. arrange meetings of the Board;
- vii. charge fees;
- viii. make, vary and revoke By-Laws from time to time but not inconsistent with this Constitution. Until varied or revoked, the By-Laws attached to this constitution will be the By-Laws of the Club;
- ix. appoint assistants to Members of the Board, such assistants not being able to exercise any power unless they have otherwise been elected on to the Board by the Club;
- x. do anything required or permitted under this constitution, the By-Laws or any law; and
- xi. otherwise act in the interest of Members.

32. EXECUTIVE COMMITTEE

The Executive Committee of the Club shall consist of the Chairperson, Deputy Chairperson, Secretary, Treasurer, three (3) Members thereof to constitute a quorum.

The Executive Committee shall transact any urgent business of the Club that may arise between Board meetings, and submit a report of any such business transacted by it to the next meeting of the Board, provided always that the Executive Committee shall not incur expenditure in excess of \$2000.00 between meetings of the Board, nor deal with the property of the Club. All business transacted by the Executive Committee shall be ratified and approved by the Board at the next Board meeting.

33. MEETINGS OF THE BOARD

The Board shall meet at least once every calendar month to exercise its functions of which at least seven (7) days notice shall be given.

A Special Meeting of the Board shall be convened by the Secretary on the decision of the Chairperson, or on the requisition in writing, signed by not less than one-third of the members of the Board, such requisition to clearly state the reasons why the Special Meeting is being convened, and the nature of the business to be transacted thereat.

At every meeting of the Board a quorum shall be not less than a simple majority of a number equal to the number of Members elected to the Board as at the close of the last Annual General Meeting of Members.

The Board may meet together and regulate its proceedings as it thinks fit, provided that questions arising at any meeting of the Board shall be decided by a majority of votes and, in the case of equality of votes the status quo shall be maintained.

A Member of the Board shall not vote in respect to any contract or proposed contract with the Club in which such Member is interested or any matter arising thereout, and if the Member votes, the vote shall not be counted.

The Secretary shall give not less than four (4) days notice to Members of the Board of any Special Meeting of the Board. Such notice shall clearly state the nature of the business to be discussed thereat.

The Chairperson shall preside, or if there is no Chairperson, or the Chairperson is not present within fifteen (15) minutes after the time appointed for the holding of the meeting, or is unwilling to act, the Deputy Chairperson shall preside, or if the Deputy Chairperson is not present, or is unwilling to act then the Members present shall elect one of their number to be Chairperson of the meeting.

If within half an hour from the time appointed for the commencement of a Board meeting a quorum is not present, the meeting, if convened upon the requisition of Members of the Board, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place as the Board may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.

Any Member of the Board who is absent from regularly notified meetings of the Board on three (3) consecutive occasions without the consent of the Board shall be deemed to have vacated the office.

34. COMMITTEES OF THE BOARD

The Board may delegate any of its functions and powers to a committee consisting of such Members of the Club as the Board thinks fit. Any committee so formed shall, in carrying out the functions and exercising the powers so delegated, conform to any regulations that may be imposed on it by the Board. The Board may appoint the Chairperson of any committee.

If the Board appoints no Chairperson, a committee may elect a Chairperson of its meetings. If no such Chairperson is elected, or if at any meeting the Chairperson is not present within fifteen (15) minutes after the time appointed for holding the meeting, the Members present may choose one of their numbers to be Chairperson of the meeting.

A committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the Members present and, in the case of equality of votes, the status quo shall be maintained.

The Board may disband a committee at any time.

35. VALIDITY OF ACTIONS

All acts done by any meeting of the Board, or of a Committee, or by any person acting as a Member of the Board shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such Member of the Board, or person acting as aforesaid, or that the Members of the Board, or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a Member of the Board.

36. INDEMNITY OF MEMBERS

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 which they may be compelled to pay in the course or as a result of such proceedings.

37. RESOLUTIONS IN WRITING

A resolution in writing signed by all the Members of the Board for the time being entitled to receive notice of a meeting of the Board shall be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more Members of the Board.

38. SECRETARY TO KEEP MINUTES

The Secretary shall cause full and accurate minutes of all questions, matters, resolutions, and other proceedings of every Board meeting and General Meeting to be recorded and open for inspection at all reasonable times by any financial Member who previously applies, in writing, to the Secretary for that inspection.

For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Board meeting shall be signed by the Chairperson of that meeting, or the Chairperson of the next succeeding Board meeting, verifying their accuracy. Similarly, the Chairperson of that meeting, or the Chairperson of the next succeeding General Meeting shall sign the minutes of every General Meeting; provided that the Chairperson of that meeting or the Chairperson of the next succeeding Annual General Meeting shall sign the minutes of any Annual General Meeting.

39. FINANCE

(a) Financial Year

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

(b) Annual Subscriptions

- i. An Entrance Fee and Annual Subscription shall be payable by all Members irrespective of Class, except as provided by this constitution.
- ii. Such Fees and Subscriptions shall be determined by the Board and will be ratified at the AGM for the next membership year (being 1st October to the following 30th September). Such fees shall continue in force until altered annually at the AGM. The Annual Subscription shall be deemed to be due and payable by the first day of the commencement of the new membership year and shall apply for that year.
- iii. Such Fees shall be payable in advance.
- iv. The Fees, as fixed, shall be payable in advance by new Members joining the Club. Any person taking up membership subsequent to the commencement of the membership year shall pay their Subscription, pro-rata, from the date of acceptance (but a minimum of two months) as a Member to the end of the Club's membership year, plus affiliation and capitation fees where applicable.
- v. Unfinancial. If Members fail to pay their Annual Subscriptions by the due date, at 30 days from the due date they shall be deemed to be unfinancial.
- vi. The increase in affiliation fees will be automatically added to the annual Club fees where applicable without the consent of a general meeting. The Board will have the right to waiver if it sees fit.

(c) Green Fees and Championship Nomination Fees

The Board shall have power to set green fees for any bowls event as well as nomination fees to be charged for Club Championships.

(d) Special Levies

- i. 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 the Board.
- ii. The levy shall only be payable to the Club if it has been passed by not less than three fourths majority of the Members present and entitled to vote at that meeting.
- iii. Each Member shall be advised by letter delivered to the Member or posted to his address, of any levy struck as afore said. If a Member fails to pay the levy within one month of the day following the posting of the letter of advice, they shall be deemed unfinancial.

(e) Unfinancial Members

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

- i. the right to hold office;
- ii. the right to speak or vote at any meetings of the Board or at any General Meeting of the Club;
- iii. the right to nominate any person for office or be nominated for office in the Club;
- iv. the right to enter for and play in Club matches or social play; and
- v. the right to enter Club property.

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

40. HANDLING OF FUNDS

All funds of the Club shall be deposited in the name of the Club in such Bank, Permanent Building Society, or any other financial institution as the Board may from time to time direct.

The funds of the Club shall be handled as follows:

(a) Books of Account

Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Club, and particulars usually shown in books of a like nature. All monies shall be banked as soon as practicable after receipt thereof.

(b) Payment of Accounts

A negotiable instrument issued by the association must be signed by any (two) 2 of the following association members- (a) the Chairman, (b) the Secretary, the Treasurer and another member authorised by the Management Committee for the purpose.

(c) Preparation of Reports

As soon as practicable 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 statement containing 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.

(d) Application of Club Funds and Property

The income and property of the Club whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid, or transferred directly or indirectly by way of dividend, bonus, or otherwise by way of profit to or amongst the Members of the Club, provided that nothing herein contained shall prevent the payment in good faith of interest to any such Member in respect of monies advanced by the Member to the Club, or otherwise owing by the Club to the Member or of remuneration to any officers or servants of the Club or other person in return for any services actually rendered to the Club, provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any Member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Club, or reasonable and proper rent for premises demised or let to the Club.

(e) Members Enjoy Equal Benefits

No Member shall be entitled to any benefit or advantage from the Club which is not shared equally by every class of Membership thereof, provided however, that reimbursements may be paid to Members in appreciation of services, provided the same has been recommended by the Board, and approved by resolution of the Club at the Annual General Meeting.

No officer or employee of the Club shall receive any monies by way of commission or allowance calculated by reference to the quantity of liquor sold or supplied by the Club or the receipts of the Club for such liquor.

41. DOCUMENTS

The Board shall provide for the safe custody of books, documents, instrument of title and securities of the Club.

42. VISITORS

Members shall have the privilege of introducing a friend or friends to their Club. No visitor shall be supplied with refreshments unless on the invitation and in the company of a Member or Members who shall be responsible for ensuring the visitors name and address are entered in the visitor's book.

All visitors, who are Members of any Club affiliated with BQ, and who are not under notice or order of suspension or expulsion shall have reciprocal rights with this Club and shall be deemed to be visiting Members of the Club whilst on the Club 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.

All visitors who are Members of any Club affiliated with the WBB, BA, or with any Controlling Body affiliated with the WBB and who are not under any notice or order of suspension or expulsion shall be deemed to be visiting Members of the Club whilst on Club premises. Such visitors may be accorded the privileges of Members of the Club but shall not take part in any meetings of the Club or vote thereat.

All visitors shall whilst on the Club premises be subject to the control of the Club. The Club reserves the right to refuse and or terminate admission to the Club premises of any visitor without assigning any reason for such refusal, and to regulate the attendance of visitors at the Club for any such periods it deems advisable. The Senior Officer present may exercise the Club rights and powers, under this rule at the time. If a visitor refuses a lawful request to leave the premises, such person immediately becomes a trespasser, and may be dealt with according to law.

43. BOWLS MANAGEMENT

- (a) For the purpose of the control of bowls within the Club, the Club shall be divided into two Divisions - the Mens Bowling Division and the Ladies Bowling Division.
- (b) The Mens Division shall consist of all male bowling Members of the Club. It shall be responsible for the control of mens games through its elected committee and whatever other bowling matters the Board may direct.

The Ladies Division shall consist of all female bowling Members of the Club. It shall be responsible for the control of ladies games through its elected committee and whatever other bowling matters the Board may direct.
- (c) Membership shall be renewed with the relevant Bowls Associations in accordance with the Constitution of Bowls Queensland or Rules of the respective Bowls Associations.
- (d) Each Bowling Division of the Club shall elect their respective committees (except as provided in the By-Laws) at the Annual General Meeting.

Each committee shall consist of the positions as prescribed in the By-Laws but shall have a President, Vice President, Secretary, Games Coordinator and Selectors as a minimum requirement.
- (e) In the event of a vacancy occurring in any position of one of the committees, the committee may fill such vacancy until the next AGM.
- (f) Each Bowling Division of the Club shall provide advice to BQ and the DBA within 30 (thirty) days of any event that would affect the status of the Club's affiliation with BQ or the DBA the legal status of the Club and/or any changes or amendments to the Club's Constitution.
- (g) The Club shall provide to BQ and DBA such returns as are required by those bodies.
- (h) No Rule or By-Law in relation to the playing of the game of bowls shall be in conflict with the Rules and By-Laws of BA, BQ or the DBA.
- (i) The President (or nominated representative) of the respective Bowling Division shall act for the Chairperson of the Board on days that involve bowls events.
- (j) Any Member of the committees may resign from a position at any time by giving notice in writing to the Secretary of the Division and such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice.

- (k) Any Member of the committees may be removed from office by a three quarter majority of Members of the relevant Bowling Division present and entitled to vote at a special meeting of the Bowling Division. The Member affected shall have due notice of such meeting and shall be afforded reasonable opportunity for making representations to the meeting as thought fit. There shall be no further right of appeal.

BY-LAWS OF THE FERNY GROVE BOWLS, SPORTS AND COMMUNITY CLUB INC.

SECTION A - GENERAL BY-LAWS APPLICABLE TO CLUB MANAGEMENT

1. RETURNING OFFICER

- (a) At the first Board meeting each year, the Board shall appoint a Returning Officer whose duties shall be to control the issuing of ballot papers and subsequent collection and counting of same at the Annual General Meeting and subsequent General Meetings.
- (b) The Returning Officer shall liaise with the Secretary regarding the preparation of ballot boxes. He or she shall ensure that 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.
- (c) The Returning Officer will enlist the assistance of such number of scrutineers as required to conduct the ballot. Neither the Returning Officer nor any scrutineer shall be a candidate in such ballot.
- (d) The Returning Officer shall advise the Chairperson of the meeting the result of the scrutineers count and the Chairperson shall announce the result to the meeting.
- (e) The ballot material shall not be destroyed without the authority of a motion passed at the meeting and it shall be the duty of the Returning Officer to carry out such instruction.

2. ELECTION AND BALLOT PROCEDURES

- (a) Nominations for Members of the Board shall be made in accordance with the Constitution.
- (b) Voting shall be by secret ballot. Every financial Ordinary Member and Life Member (i.e. every Full Member) shall be supplied with ballot papers. Conditions for an Absentee Vote are as provided under By-Law 3 hereunder.
- (c) The method of voting shall be as decided by the Board (i.e. deleting, marking with X or ✓).
- (d) The results of each ballot shall be determined on "First past the post" principle. If there be an equal number of votes for two or more candidates for the last remaining position in a ballot a further ballot shall be conducted between tied candidates.

- (e) If insufficient nominations are received for the positions of the Board, the candidates so nominated shall be declared elected and the meeting shall proceed to fill any remaining vacancies, and, if necessary conduct a ballot, but with nominations from the floor of the meeting.

Any member not present shall indicate, in writing, their willingness to accept nomination from the floor for any unfilled position.
- (f) Ballot papers may be issued to those entitled to vote not more than thirty (30) minutes prior to the meeting being opened. The Returning Officer shall 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 ballots. Before closing the ballot the Chairperson of the meeting shall introduce to the meeting any candidate for election who is not well known to the members, if such candidate be present at the meeting.
- (g) In the case of a ballot being necessary to resolve a matter other than election, Members shall indicate their choice on ballot papers in a manner specified by the Chairperson of the meeting.

3. ABSENTEE VOTES

Any Full Member unable to attend a General Meeting may apply, on a form as prescribed by the Board, for an Absentee Vote. The application must be received by the Secretary no later than 5.00 pm on the day preceding the Meeting. The Secretary will issue a Ballot Paper which, when completed by the Member, must be placed in a sealed envelope and lodged in a locked Ballot Box at the Club before the time set down for the Meeting. The Ballot Box will be opened by the Returning Officer at the time of counting the votes for the position or matter involved.

Provision is not made for Proxy Voting.

4. DUTIES OF BOARD MEMBERS

Rule 27 sets out the composition of the Board of Management. The duties of Board Members shall include, but not be limited to:

- (a) Chairperson of the Board

The Chairperson of the Board shall be responsible, subject to the directions of the Board and General Meetings of Members, for the overall administration of the Club. The Chairperson shall preside at all meetings and functions of the Club. The Chairperson shall attend to the carrying out of the decisions of the Club or the Board and generally see that the Members are properly accommodated and the Constitution of the Club is fully adhered to by all Members. The Presidents of the respective Bowling Divisions shall preside on days that involve bowling events only.
- (b) Deputy Chairperson

The Deputy Chairperson shall assist the Chairperson to ensure that all duties allotted by the Board are properly carried out. In the absence of the Chairperson, the Deputy Chairperson will carry out the duties normally performed by the Chairperson.

(c) Secretary

The Secretary shall ensure all such books and records as may from time to time be required by the Qld Liquor Act 1992, and the Associations Incorporation Act 1981, or any amendments thereof are kept, and all necessary returns or information are furnished in good time to the Licensing Commission and the Office of Fair Trading (or the authorities from time to time respectively administering the legislation).

The Secretary shall keep a faithful record of the business transacted at all meetings of the Board, issue notices of all meetings connected with the Board and ensure a Register of Members is kept as per Rule 16.

The Secretary shall receive all correspondence and reply thereto as the Board may direct.

(d) Treasurer

The Club shall keep a record of the receipts and expenditure and 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. The Treasurer to report the financial position of the Club at each monthly meeting of the Board, and present accounts for payment at each monthly meeting of the Board for ratification.

The Treasurer shall also submit to the Annual General Meeting a statement of accounts for the preceding year, said accounts to be audited by a person approved by the Department of Fair Trading. Should the Treasurer be absent or ill, or neglect or refuse to do anything required by these By-Laws, the Board shall have the power to invite and appoint any other financial Member or the Manager of the Club to act in that capacity.

(e) Greens & Grounds Director

The greens shall be under the full control of the Board, but it may delegate its authority to the Greens/Grounds Director, who shall liaise with the Greenkeeper as to the maintenance of a good playing surface. The Greens/Grounds Director's decision shall be final regarding the question as to whether the green or greens are in a fit state for use or not.

In the absence of the Greens/Grounds Director, members of the Controlling Body present shall be responsible for making a decision regarding the suitability of the green or greens for play.

The Greens/Grounds Director shall, subject to the concurrence of the Board Chairperson, have power to order the necessary material and procure extra assistance if required for maintaining the greens in good playing order. The Greens/Grounds Director shall present a written report regarding the greens to each monthly meeting of the Board.

(f) Bowling Committee Representatives

Two representatives, one each from the elected Committees of the Mens and Ladies Bowling Divisions (who shall be the Presidents or Vice Presidents) shall be responsible for liaising with their respective Committees to provide an avenue of communication between the Board and these Committees.

In the event that the President of either Bowling Division cannot attend the Board Meeting, then the elected Vice President of that Committee shall become its representative on the Board.

(g) Member Representatives

Two representatives from the broader Full Membership shall provide an additional avenue of communication between the Board and the broader membership.

5. DUTIES OF CLUB MANAGER

The Manager (Chief Executive Officer) is an employee appointed by the Club's Board, and is responsible for the general management, promotion and supervision of the business and activities of the Club, employment and dismissal of all internal staff, liaison with all contractors (i.e. cleaners, maintenance workers etc), preparation and presentation to the Board at monthly meetings of all the reports required by the Board (including regulatory reports). The Manager is directly accountable to the Board and shall assist the Auditor in preparation of the Annual Report. He/She shall deal with and be responsible for any other such matter as may be mentioned in any other section of the Club's articles relating to the Managers duties.

6. SUB-COMMITTEES AND THEIR FUNCTIONS

The Chairperson of the Board shall be an ex-officio member of all sub-committees.

The Board may appoint sub-committees for any purpose whatsoever. The Chairperson of each sub-committee shall present a written report to each monthly meeting of the Board.

All sub-committees shall meet regularly to deal with matters within the scope of that sub-committee's designated functions. A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority vote of the Members present, and in the case of equality of votes the status quo shall be maintained.

The Chairperson of each sub-committee shall advise the Board's Chairperson of the date and time of any proposed meeting. The Board Chairperson shall be advised of any suggestions or decisions reached by the sub-committee.

All decisions or suggestions shall be submitted to the Board as recommendations for approval unless the Board has granted prior permission to act.

7. VOLUNTEER RECOGNITION

A Badge or Certificate of recognition may be bestowed upon a Member for volunteer services over and above to the Club over a number of years.

The Board will determine the worthiness of a Member's service to the Club.

8. CLUB ATTIRE

The Board shall set out minimum dress standards required in relation to Members and visitors within the specific areas of the Club. Such requirements will be displayed in a prominent position within the Club's premises. The bar staff are authorised to refuse entry and/or service to any person who fails to meet the minimum dress requirements.

9. NOTICE BOARD

A Notice Board, upon which all official notices shall be posted, shall be placed in a conspicuous position in the clubhouse. No other pamphlet, advertisement or notice of any kind shall be displayed within the Club without the permission of the Board and or the Manager.

10. THE CLUB COLOURS

The primary Club colours shall be White and Green.

11. THE CLUB FLAG

The Club flag shall be "as designed".

Both Bowling Divisions on all playing days shall use this flag.

12. THE CLUB LOGO

The Club logo shall form the Club Badge and shall be depicted on such documents as the Board may determine from time to time.

13. ALTERATIONS TO CLUB BY-LAWS

Adoption of alterations, revocations and/or additions to these By-Laws shall be made only by resolution of the Board after written notice of the motion for the resolution has been given to the Board not less than one (1) month prior to the meeting at which the motion shall be submitted. The meeting may amend such motion and pass it in its amended form and it shall be effective forthwith.

Any change to the By-Laws shall be displayed on the Club notice board not later than seven (7) days after the Boards resolution.

SECTION B - BY-LAWS APPLICABLE TO BOWLS MANAGEMENT

14. MANAGEMENT

The bowls administration of the Club shall be under the control of the Mens and Ladies Bowling Divisions as provided in the Constitution.

15. BOWLING COMMITTEES

Each Bowling Division shall elect separately a Committee, which will consist of the following:

- o President
- o District Association Delegate
- o Vice President
- o Catering Officer
- o Secretary
- o Fund Raising Officer
- o Games Coordinator

Additionally, the Men's Bowling Division shall elect three (3) Selectors and the Ladies Bowling Division shall elect three (3) Selectors (known as Inter-Club Selectors).

All elected Officers shall be honorary. Delegates may be able to hold any other office.

16. ELECTION OF OFFICERS

(a) Men's Bowling Division

All Committee positions shall be filled through election at the Club's Annual General Meeting.

Inter-Club Selectors shall be elected at a Special General Meeting held on a Saturday Social day not later than two months after the completion of Pennants season.

(b) Ladies Bowling Division

All Committee positions shall be filled through election at the Club's Annual General Meeting.

At the AGM the Ladies Division will also elect a four member Match Committee.

Inter-Club Selectors shall be elected at a Special General Meeting held on a Ladies playing day not later than two months after the completion of Pennants season.

17. NOMINATION FOR OFFICE

For each Bowling Division, Members may be nominated for office by any two financial Ordinary Members, or Life Members of the Club who are Full Bowling Members.

No candidate is eligible for election unless he or she and his or her proposer and seconder are financial from the date of nomination to the date of election inclusive.

The nomination shall be in writing and signed by the candidate, the proposer and the seconder. A list of candidates' names in alphabetical order, with the proposer and seconder's names shall be posted in a conspicuous place on the notice board not earlier than twenty-eight days and not later than fourteen days prior to the Annual General Meeting.

Balloting lists shall be prepared (if necessary) containing the names of candidates in alphabetical order, and each financial Member present at the AGM shall be entitled to vote for any number of candidates not exceeding the number of vacancies. Should a ballot be required the collection and counting shall be placed in the hands of the Returning Officer (see General By-Laws for procedure).

18. POWERS OF THE COMMITTEES

Within the rules of the Club (its Constitution and By-Laws) the Committees of Divisions shall manage and control bowling and have the power to:

- i. call Meetings of members where necessary;
- ii. arrange meetings of Committees;
- iii. fill any vacancies in its numbers which may occur;
- iv. otherwise act in the best interests of bowling members; and
- v. formulate guidelines/policies/domestic rules relating to bowling matters, and shall have a duty to communicate to members by means of displayed notices, newsletters and timely announcements.

19. EXECUTIVE COMMITTEE

The Executive of each Bowling Division Committee shall consist of the President, Vice President, and Secretary, with three to comprise a quorum. They shall transact any urgent business that may arise between meetings and shall submit a report of any such transactions to the next Committee meeting.

20. DUTIES OF BOWLING DIVISION COMMITTEE MEMBERS

(a) President

The President of each Bowling Division shall preside on days that involve bowling events of their Division only.

They shall attend to the carrying out of decisions of the Board and generally see that the Members of their Bowling Divisions are properly accommodated.

They shall be responsible for and carry out the duties expected of persons holding such positions.

(b) Vice President

The Vice President shall assist the President, and ensure that all duties allotted to him/her by the Committee are properly carried out. In the absence of the President the Vice President shall carry out the duties normally performed by the President.

(c) Secretary

The Secretary of each Bowling Division shall keep all such records and books as may, from time to time, be lawfully required by the Club. The Secretary shall keep a faithful record of the business transacted at all meetings, issue notices for all meetings connected with the Committee, receive all correspondence and reply thereto as the Committee may direct.

(d) Games Coordinator

The Games Coordinator of each Bowling Division shall carry out all the directions of the Committee in respect to any competitions or social bowls, and supervise the playing of such competitions, record all results and complete a return in respect thereof, see that the laws of the game and conditions of play are adhered to, and report to the Committee at each monthly meeting.

(e) District Association Delegate

District Delegates shall attend District Meetings and vote thereat as instructed by their Committee at each monthly meeting.

(f) Fund Raising Officer

The Divisional Fund Raising Officers shall liaise with the other members and staff to organise and conduct fund raising activities and maintain necessary records.

(g) Catering Liaison Officer

Divisional Catering Liaison Officers shall liaise with the other members and staff to organise the catering requirements for all playing days under their Committee's control.

(h) Should any member of the Committee neglect or refuse to do anything required by the By-Laws, the Committee shall have the power to invite and appoint any other member of the Club to act in his/her place.

21. DUTIES OF INTER-CLUB SELECTORS

(a) Men’s Bowling Division

The Selection Sub-Committee consisting of the three Inter-Club Selectors has the main responsibility of selecting teams to represent the Club in pennants and other inter-club competition. They shall be guided by any standing policy/guidelines or procedures established by the Committee.

They shall elect a chairperson who shall be responsible to the Committee.

Where an inter-club event or other competition carries over after an election of the selectors, the outgoing selectors may continue to select players for that event until the event concludes.

In the case of inter-club events (those other than normal pennants) the selectors will, in agreement with the Committee take the following action:

- i. Select the squad members for the competition in accordance with the Conditions of Play for that event.
- ii. After this selection process a Manager or Managers shall be appointed. In the case of a mixed event this may involve both Men’s and Ladies Committees.

The Selectors may consult with the appointed Manager/s when selecting the playing teams from the squad/s in accordance with the Conditions of Play.

(b) Ladies Bowling Division

The Selection Sub-Committee consisting of the three Inter-Club Selectors has the main responsibility of selecting teams to represent the Club in pennants and other inter-club competition. They shall be guided by any standing policy/guidelines or procedures established by the Committee.

They shall elect a chairperson who shall report to the Committee monthly meeting.

22. LAWS OF THE GAME

The Laws, By-Laws and Policies of the game adopted from time to time by Bowls Australia and Bowls Queensland shall be the By-Laws of the Club. Domestic conditions of play may be formulated for Club games where applicable, and this may include Club Championship games.

23. CLUB CHAMPIONSHIPS

Club Championships shall consist of:

Men	Ladies	Mixed	Open
Singles A and B Grade	Singles A and B Grade		Veteran Singles Novice Singles
Pairs	Pairs	Pairs	Veteran Pairs
Triples	Triples		
Fours	Fours		

Additionally other competitions may be established by either Bowling Committee.

Club Championships conditions shall be determined by the relevant Committee, and under the control of the relevant Games Coordinator, with the Mens Division controlling the Open Novice Singles, Mixed and Veterans events.

All conditions for the competitions shall be regularly advertised in the appropriate way (Notice Board, Newsletters etc), and shall be detailed in the Committee's policy/ guidelines/ domestic rules.

To be eligible to play in Club Championships a player must be financial at the closing of nominations, submit an entry form and pay fees in the required time.

24. CONTROLLING BODY

The Controlling Body for all competition playing days shall be the respective Bowling Division Committees. Authority to adjudicate on disputes etc may be delegated to a committee prior to the event.

25. PLAYER COMMITMENTS

- (a) When a player has been called to fulfil multiple commitments (in matches or on business) with two or more of BA, BQ, DBA or their Club, the onus is on the player to inform the relevant bodies. The player may choose the commitment he or she wishes to fulfil and no penalties shall apply at the Club level.
- (b) When a player, of his or her own free will, enters another event not covered by clause 25 (a) on a day when the player is called for a Club competition, he or she will not be permitted a substitute in the Club competition.
- (c) In all circumstances the controlling body shall have the final decision.

26. BOWLS SPECIFICATIONS AND MARKINGS

Members' bowls must meet the standards required by BA and BQ.

27. BOWLING ATTIRE AND UNIFORM

In all games players will wear regulation dress approved by BA subject to variations which may be approved by BA or DBA. The Controlling Body shall be responsible for ensuring all players, markers and umpires participating in games wear correct attire.

The Board may determine other suitable attire from time to time.

Normal bowling attire will be acceptable on social bowls days, and exceptions to this will be approved and advertised by the Committees.

In all Club Championship games Ferny Grove Bowls Sports and Community Club uniform must be worn.

28. TROPHIES

All trophies presented to or offered by the Club for competitions shall be played for under such conditions as the Committees may from time to time determine.

29. GREENS

Play on the greens shall be approved by the Controlling Body. The Controlling Body must consult with the Greens/Grounds Director, Green Keeper or Board Executive to ensure that play under prevailing circumstances will not unduly stress the greens. No Member should be allowed to play on greens without approved footwear.

Social play and roll-ups conditions, rules, times etc must be approved by the appropriate Committee and advertised to ensure players are fully aware of their responsibilities.

30. SPECIAL SUB COMMITTEES

The respective Bowling Committees may appoint a Chairperson and a Sub-Committee to organise and control special bowls events as promoted from time to time by either Division. These Sub-Committees shall liaise with the Board for approval for the promotion and exceptional funding for the event.

Notification after approval must be given to the respective Bowling Committees and Club Management.

31. JUNIOR LIAISON OFFICER

The Bowling Committees may appoint a member as a Junior Liaison Officer to liaise with junior members to ensure that their participation in the game is to the mutual advantage of junior bowlers and the Club. An Assistant Junior Liaison Officer may also be appointed.

