



RULES OF ASSOCIATION

KALLANGUR MEMORIAL BOWLS CLUB INCORPORATED. (KMBC Inc.)

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INTERPRETATION;

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INTERPRETATION;

In these Rules

- (1) The Association or Club: Kallangur Memorial Bowls Club Incorporated. (KMBC Inc.)
- (2) Act means the Associations Incorporation Act 1981 and the Association Regulations, 1999 (GM 7/17)
- (3) Position Statements means the Club's Board, operational groups and staff and/or volunteers position overview, position descriptions and appropriate position task sheets
- (4) Club policies and procedures means the club's management, administration policies, procedures operating requirements and codes of conduct
- (5) Member means member of the Association as mentioned in [Rule 5](#)
- (6) Management Committee means the Board for the time being of the Association (GM 7/17)
- (7) General Meetings refer to the Annual Meeting (AGM), General Members Meeting and Special Meetings of the Association
- (8) Special Meeting means any Special Meeting of the Association requiring member's consideration other than the Association's AGM
- (9) In writing means written, email or printed or partly written and partly printed
- (10) Words importing singular include the plural and words importing the plural include the singular
- (11) A word not defined a word or expression that is not defined in these model rules, but is defined in the Act has, if the context permits, the meaning given by the Act
- (12) The Chief Executive as mentioned in [Rule 41](#) refers to the government representative for the Office of Fair Trading (OFT) responsible for managing approvals and the Incorporation Act's compliancy
- (13) Family member as mentioned in [Rule 43 6 \(d\)](#) refers to those who are related by birth, marriage or adoption, which includes partners and their family and includes any persons living or cohabitating with one another regardless of their relationship
- (14) Club Groups means men's bowling members group and women's bowling members group, operational subgroups, project groups and/or teams of individuals selected by the Board to assist
- (15) Membership fee refers to club membership only and doesn't refer to operating, activity, program or event costs and/or fees
- (16) Activity Fees and Charges refers to capitation, application, affiliation, administration, operating, activity, program and or event costs, fees and/or levies and facility, equipment and asset repairs, maintenance replacement and development
- (17) Bowler groups as mentioned refers to groups such as Men bowlers, Women's bowler members, Social Bowler clusters, Juniors
- (18) Active Life Member means a Life Member who actively participates in or contributes to a club or the association's programs and services within the season
- (19) Volunteer As mentioned in [Rule 5 \(2\)](#) refers to Board personnel and all volunteers selected by members or appointed by the Board

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- under the member approved structure to deliver the club's programs and services for the club in an official capacity.
- (20) Operational Volunteers means those volunteers who support the Board with operational tasks such as registrar, gaming, men's / women's bowling managers, marketing officers or coordinators to name a few
- (21) General Volunteers means those volunteers who provide bowlers support (coaches, managers, scorers), canteen, fundraising support and any other positions provided in the season from time to time
- (22) Acts Auditors Requirements
- Level 1** is defined under the Act as an Association that has current assets of more than \$100,000 or total revenue of more than \$100,000. This level Association requires a certified accountant or auditor to audit the Association's full financial statements.
- Level 2** is defined under the Act is an Association that has current assets between \$20,000 and \$100,000 and/or their total revenue is between \$20,000 and \$100,000. This level requires an Auditors Verification Statement. The statement must be provided by a certified accountant or auditor and they must verify they have sighted the Association's financial records and these records show the association has book keeping processes in place to adequately record the Association's income and expenditure and dealings with its assets and liabilities
- (23) User Pays Financial System means a user pays, affiliation, hire and facility usage financial billing system: Members' and External Users' fees/charges to incorporate the costs associated with providing the activity, event/use including facility maintenance and replacement. To ensure members and hires only pay for what they use and that facility, equipment standards can be maintained for future users
- (24) Liquor Legislation means '*Liquor Act*' 1992 (Qld) including any Regulations made under it
- (25) Gaming Legislation '*Gaming Machine Act*' 1991 (Qld) including any Regulations made under it
- (26) Food Legislation Food Safety Act' including any Regulations made under it and Local Council food licensing, policies, procedures, and program requirements
- (27) Professional Staff as referenced in [Rule 17\(3\)](#) means a club solicitor, accountant, auditor, bookkeeper paid for their professional services are entitled to nominate and serve on the Board of the Association
- (28) Meetings of the Board to meet mentioned in [Rule 22 \(1\)](#) means the Board Members Only. Individual Club Members are not entitled to attend any such meetings. The Board may from time to time invite a member to participate in a specific section of the meeting that is relevant to the member as an invited guest, if 100% of the Board Members agree. Club Members' access to the Board is to be provided at general meetings of the association as mentioned in [Sub-rule \(7\)](#)

2 NAME

The name of the incorporated Association is the Kallangur Memorial Bowls Club Incorporated. (KMBC Inc.) (*the Association*).

3 OBJECTS

The objects of the Association are:-

- (1) To advance and promote the game of bowls in the Kallangur and surrounding area.
- (2) To promote and encourage the playing of Bowls and good fellowship between members of the club.
- (3) To provide a supportive, enjoyable and safe environment for our members.
- (4) To honour all service personnel who served in our armed forces with dignity and respect especially on occasions set aside for commemoration. (GM 7/17)
- (5) To be an affiliated member of the sport's recognised governing bodies for Bowls within the state of Queensland, and Australia. (GM 5/14)

4 POWERS

- (1) The Association has the powers of an individual.
- (2) The Association may, for example
 - (a) enter into contracts; and
 - (b) acquire, hold, deal with and dispose of property; and
 - (c) make charges for services and facilities it supplies; and
 - (d) do other things necessary or convenient to be done in carrying out its affairs.
- (3) The Association may also issue secured and unsecured notes, debentures and debenture stock for the Association.

5 CLASSES OF MEMBERS

The membership of the Association shall consist of the following classes of members:

- 1) Bowling Members
- 2) Volunteer Members
- 3) Life Members
- 4) Honorary Members
- 5) Social Members
- 6) Dual Members

- (1) **BOWLING MEMBERS** shall be any person playing the sport conducted by the Association on payment of the subscription or such other sum as may be nominated from time to time by the Board and or declared upon the Association at any General Meeting.

Bowling Members shall be:-

- (a) subject to the provisions of these Rules;
- (b) when participating in activities provided by the Association subject to the rules stipulated by the Association and the Association's governing bodies;
- (c) a bowler over the age of eighteen (18) years on payment of their membership and activity fees, shall be entitled to one vote;
- (d) a Junior bowler shall be a bowler under the age of eighteen (18) years of age. They are not eligible to vote; **(GM 7/17)**
- (e) a bowler as defined in sub clause (c) shall be entitled to hold office or otherwise take part in the management of the Association and all privileges connected therewith; and
- (f) a bowler member as defined in sub clause (d) parent or legal guardian is entitled to hold office or otherwise take part in the management of the Association and all privileges connected therewith.

Bowling Members shall be unlimited.

- (2) **VOLUNTEER MEMBERS** shall be any person who is not a registered bowler, who serves as a volunteer in an official capacity as described in [Rule 1 \(19\)](#).

Volunteer Members shall be:-

- (a) subject to the provisions of these Rules;
- (b) exempt from the payment of membership fees; and
- (c) If over the age of eighteen (18) years will be entitled to vote at a General Meeting and entitled to hold office or otherwise take part in the management of the Association.

The Volunteer Members shall be limited.

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- (3) **LIFE MEMBERS** shall be any person who has provided meritorious services or support to the Association and meets the criteria as set by the Association and whose nomination has been passed by the Board and confirmed by a majority of members present at the Annual General Meeting of the Association.

Life Members shall be:-

- (a) subject to the provisions of these Rules;
- (b) exempt from the payment of membership fees ;
- (c) will be entitled to vote at a General Meeting if the life member is an active participant as described in [Rule 1 \(18\)](#) in club activities, but if the life member is a non-active member in club programs or activities, they will be entitled to speak at General Meetings of the Association but not entitled to vote; and
- (d) afforded all the entitlements offered to bowling Members.

The Life Members numbers shall be limited so that no more than two (2) Life Memberships are nominated in any one year.

- (4) **HONORARY MEMBERS** shall be any person who is not a Bowling, Volunteer or Life member who is nominated and elected by a simple majority of Board members present. Honorary membership shall be terminated at the following Annual General Meeting, but may be renewed.

Honorary Members shall be:-

- (a) subject to the provisions of these Rules;
- (b) exempt from the payment of membership fees and will be entitled to one vote; and
- (c) entitled to hold office or otherwise take part in the management of the Association. and shall be entitled to all privileges connected therewith

The Honorary Members numbers shall be determined by the Board from time to time.

- (5) **SOCIAL MEMBERS** shall be any person whose application for social membership of the club has been approved by the Board and on payment of the subscription or such other sum as may nominate time to time by the Board. Social membership shall be terminated at the following Annual General Meeting, but may be renewed.

Social Members shall be:-

- (a) subject to the provisions of these Rules;
- (b) shall be entitled to all privileges of a social club membership; and
- (c) not entitled to hold office or otherwise take part in the management of the Association, nor be entitled to nominate any member for election to any position in the club nor take part in or vote at any meeting of the club.

The Social Members numbers shall be determined by the Board from time to time.

- (6) **DUAL MEMBERS** shall be any person who is affiliated with more than one Club, but shall nominate one Club as being the Club with which the player will be identified for the purposes of playing Championship events conducted by the District, State, Territory or National Authority. Members NOT declaring for Kallangur Memorial Bowls Club Inc., will NOT be eligible to compete in Championship Singles, Pairs, Fours.(GM 5/14)(GM 7/17)

6 NEW MEMBERSHIPS

- (1) An applicant for membership of the Association must be proposed by one (1) member of the Association (the *proposer*) and seconded by another member (the *seconder*).
- (2) An application for membership must be—
 - (a) in writing as defined in [Rule 1 \(9\)](#) ; and
 - (b) signed by the applicant and the applicant’s proposer and seconder; and
 - (c) in the form decided by the Board

7 FEES AND CHARGES

- (1) The membership fee as mentioned in [Rule 1 \(15\)](#)
 - (a) is the amount decided by the members from time to time at a General Meeting; and
 - (b) is payable when, and in the way, the Board decides.
- (2) Activity Fees and Charges (Registration) as mentioned in [Rule 1 \(16\)](#)
 - (a) is the amount decided by the Board from time to time; and
 - (b) is payable when, and in the way, the Board decides.

8 ADMISSION AND REJECTION OF NEW MEMBERS

- (1) The Board must consider an application for membership at the next Board Meeting held after it receives the application for membership; and
- (2) The Board must ensure that, as soon as possible after the person applies to become a member of the Association, and before the Board considers the person’s application, the person is advised:
 - (a) whether or not the Association has public liability insurance; and
 - (b) if the Association has public liability insurance, the amount of the insurance.

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- (3) The Board must decide at the meeting whether to accept or reject the application: though any application from a person or persons under a suspension order for failure to pay and/or breaches of behaviour from a bowling club and/or any similar type sporting club within Australia shall be denied the privileges of membership of this Association for the period of suspension, expulsion, or removal.
- (4) If a majority of the members of the Board present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.
- (5) The Secretary of the Association must, as soon as practicable after the Board decides to accept or reject an application, give the applicant a written notice of the decision.

9 WHEN MEMBERSHIP ENDS OR IS SUSPENDED

- (1) A member may resign from the Association by giving a written notice of resignation to the Secretary.
- (2) The resignation takes effect at—
 - (a) the time the notice is received by the Secretary; or
 - (b) if a later time is stated in the notice, the later time.
- (3) The Board may terminate a member's membership if the member—
 - (a) is convicted of an indictable offence; or
 - (b) does not comply with any of the provisions of these Rules, By-laws, Club policies, Procedures and Code of Conduct; or **(GM 7/17)**
 - (c) has membership fees in arrears; or
 - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Association.
- (4) The Board may suspend a member's membership and may withhold the privileges of membership from any member whose:
 - (a) subscription is one (1) month in arrears after the date on which it was due and any such person may have the privilege restored on payment of arrears; and
 - (b) may remove from the register of members the name of any person whose subscription is two (2) months in arrears. Any such person who desires re-admission shall tender payment of all arrears not exceeding twelve (12) months subscription and apply for new membership in accordance with **Rule 8**; or
 - (c) actions as determined by the Board to be in breach of the Association's and/or the sport of bowls' rules, policies and/or codes of behaviour and conduct.
- (5) Before the Board terminates a member's membership, the Board must give the member a full and fair opportunity to show why the membership should not be terminated.
- (6) If, after considering all representations made by the member, the Board decides to terminate the membership, the Secretary of the Board must give the member a written notice of the decision.
- (7) If the member withdraws from the Association they must pay all outstanding membership, activity fees, and any other money due to the Association.

10 APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- (1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the Secretary written notice of the person's intention to appeal against the decision.
- (2) A notice of intention to appeal must be given to the Secretary within one (1) month after the person receives written notice of the decision.
- (3) If the Secretary receives a notice of intention to appeal, the Secretary must, within one (1) month after receiving the notice, call a General Meeting to decide the appeal.

11 GENERAL MEETING TO DECIDE APPEAL

- (1) The General Meeting to decide an appeal must be held within one (1) month after the Secretary receives the notice of intention to appeal. **(GM 7/17)**
- (2) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (3) Also, the Board and the members of the Board who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
- (4) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.

12 REGISTER OF MEMBERS

- (1) The Board must keep a register of members of the Association.
- (2) The register must include the following particulars for each member—
 - (a) the full name of the member;
 - (b) the postal or residential address of the member;
 - (c) the date of admission as a member;
 - (d) the date of death or time of resignation of the member;
 - (e) details about the termination or reinstatement of membership; and
 - (f) any other particulars the Board or the members at a General Meeting decide.
- (3) The register must be open for inspection by members of the Association at all reasonable times.
- (4) A member must contact the Secretary to arrange an inspection of the register.
- (5) However, the Board may, on the application of a member of the Association, withhold information about the member (other than the members full name) from the register available for inspection if the Board has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

13 PROHIBITION ON USE OF INFORMATION ON REGISTER OF MEMBERS

- (1) A member of the Association must not—
 - (a) use information obtained from the register of members of the Association to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes.
- (2) Sub-rule (1) does not apply if the use or disclosure of the information is approved by the Association.

14 APPOINTMENT OR ELECTION OF SECRETARY

- (1) The Secretary must be an individual residing in Queensland, or in another State but not more than 65km from the Queensland border, who is:
 - (a) a member of the Association elected by the Association as Secretary; or
 - (b) any person who is appointed by the Board.
- (2) If a vacancy happens in the office of Secretary, the members of the Board must ensure a Secretary is appointed or elected for the Association within one (1) month after the vacancy happens.
- (3) If the Board appoints a Secretary, other than to fill a casual vacancy on the Board, the person does not become a member of the Board.
- (4) However, if the Board appoints a person as Secretary to fill a casual vacancy on the Board, the person becomes a member of the Board.
- (5) If the appointed Secretary is not remunerated for the services provided over and above reimbursements for expenses incurred while executing the duties of the position, these Rules will deem that the Appointed Secretary is a volunteer and as such will be subject to [Rule 17 \(5\)](#).
- (6) In this rule— **casual vacancy**, on a Board, means a vacancy that happens when an elected member of the Board resigns, dies or otherwise stops holding office.

15 REMOVAL OF SECRETARY

- (1) The Board of the Association may at any time remove a person appointed by the Board as the Secretary.
- (2) The Board of the Association may remove a Secretary elected by the members, though the person remains a member of the Board.

16 FUNCTIONS OF SECRETARY

The Secretary's functions include, but are not limited to:

- (a) calling meetings of the Association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the Chairperson of the Association; and
- (b) keeping minutes of each meeting; and copies of all correspondence and other documents relating to the Association; and maintaining the register of members of the Association.

17 MEMBERSHIP OF BOARD

- (1) The Board of the Association shall be a minimum of six (6) and maximum of nine (9). The Board of the Association shall consist of: **(GM 7/17)**
 - (1) Chairperson
 - (2) Communications Director (Secretary)
 - (3) Finance Director (Treasurer)
 - (4) Operations Director (Deputy Chairperson)
 - (5) Facilities Director
 - (6) Bowls Director
 - (7) IT Director
 - (8) Catering Director
 - (9) Director (if required only) **(GM 7/17)**
- (2) A member of the Board, other than a Secretary if appointed by the Board, must be a member of the Association.
- (3) No person employed by the Association within the previous twenty four (24) months can nominate for any Board position other than those persons employed to provide professional services to the Association as described in [Rule 1 \(27\)](#).
- (4) The Executive Office Bearers of the Association shall be positions one (1) to three (3). **(GM 9/17)**
- (5) At each Annual General Meeting (AGM) of the Association, the members of the Board must retire from office in line with Sub-rule (6) and are eligible, on nomination, for re-election in line with Sub-rule (7).
- (6) At the Annual General Meeting of the Association the members of the Board shall on even years retire all persons holding even numbered positions and on odd years retire all persons holding odd numbered positions from office but shall be eligible upon nomination for re-election subject to Sub-rule (7)
- (7) No member of the Board or the appointed Secretary as defined in [Rule 14 \(5\)](#) can hold any position for more than four (4) consecutive years and must retire for a minimum of one (1) year before they will be eligible for re-election to any Board position.
- (8) A member of the Association may be appointed to a casual vacancy on the Board under [Rule 20](#).

18 ELECTING THE BOARD

A member of the Board may only be elected as follows:

- (1) Any two (2) members of the Association entitled to vote may nominate another member who is the “**candidate**”, not in conflict with [Rule 17 \(5\)](#), to stand as a member of the Board.
- (2) A person may be a candidate only if the person is an adult and is not ineligible to be elected as a member under section 61A of the Act.
- (3) All nominations for membership of the Board are to be in writing and in the hands of the Secretary fourteen (14) days prior to the Annual General Meeting.
- (4) All candidates may be required to indicate in writing their ability to meet the skills, tasks and time required for the applied position as defined by the Association’s ‘Position Statements’. All prospective candidates will be required to complete the Board’s Position Statement nomination form and have it signed by the candidate and the two (2) nominees. **(GM 7/17)**
- (5) Candidates application forms must be posted in a conspicuous place in the club house, on the web or usual place of meeting of the Association for at least seven (7) days immediately preceding the Annual General Meeting.
- (6) Each member of the Association present and eligible to vote at the Annual General Meeting may vote for one (1) candidate for each vacant position on the Board.
- (7) In the absence of any valid written nominations, candidates may be called or accepted from the floor of the Annual General Meeting. Those nominating from the floor may be required to verbally provide the members with evidence of their ability to meet skills, tasks and time required for the specified position as defined by the Board’s Position Statements. The members present and eligible to vote will accept or reject the candidate’s nomination based on the information provided by the candidate. **(GM 7/17)**
- (8) If any position has only one candidate, the members present and eligible to vote will accept or reject the nomination based on the candidate’s ability to meet the Position Statement duties, if it is known. If there is doubt that the candidate possesses the skills to fill the position, the nomination shall be rejected and the position shall remain vacant until a suitable volunteer can be found under [Rule 20](#), or that the Association has the ability to buy in the services of skilled personnel.
- (9) Balloting lists shall be prepared, if necessary, containing the names of the accepted candidates in alphabetical order for each position and each voting member present at the Annual General Meeting shall be entitled to vote.
- (10) If after a vote has been conducted in the case of two candidates being tied and deadlocked the result will be decided by the members present, re- voting and no postal votes will be included. **(GM 5/14) (GM 7/17)**
- (11) If after a vote has been conducted in the case of more than two candidates, where two candidates polling the most votes are tied and deadlocked, the result will be decided by the members present, re- voting and no postal votes will be included. **(GM 5/14) (GM 7/17)**
- (12) A Position can remain vacant until a suitable volunteer can be found under [Rule 20](#) or the Association has the ability to buy in the services of skilled personnel. **(GM 5/14)**

19 RESIGNATION, REMOVAL OR VACANCIES OF OFFICE OF THE BOARD

- (1) A member of the Board may resign from the Board by giving written notice of resignation to the Secretary.
- (2) The resignation takes effect at:
 - (a) the time the notice is received by the Secretary; or
 - (b) if a later time is stated in the notice, the later time.
- (3) A member may be removed from office at a General Meeting of the Association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- (4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (5) A member has no right of appeal against the member's removal from office under this rule.
- (6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.
- (7) A member of the Board may be removed from their position but retain a position more suitable on the Board if it is proven they are unable to deliver their position responsibilities as stipulated in the organisation Position Descriptions as defined in [Rule 1 \(3\)](#).
- (8) A member of the Board may be removed from office and/or their membership revoked if it is proven that they fail to abide by the Association's Rules, Policies, Procedures, Codes of Conduct and Behaviour and/or position responsibilities and shall be terminated in accordance with [Rule 9](#) and provided opportunity to appeal as stipulated under [Rule 10](#).
- (9) A member of the Board who is automatically removed by virtue of [Rule 22 \(11\)](#) is deemed to have resigned.

20 VACANCIES ON BOARD

- (1) If a casual vacancy happens on the Board, the continuing members of the Board may appoint another member of the Association to fill the vacancy in line with [Rule 17 \(7\)](#) until the next Annual General Meeting.
- (2) The continuing members of the Board may act despite a casual vacancy on the Board.
- (3) However, if the number of Board members is less than the number fixed under [Rule 23 \(1\)](#) as a quorum of the Board, the continuing members may act only to:
 - (a) increase the number of Board members to the number required for a quorum; or
 - (b) call a General Meeting of the Association.

21 FUNCTIONS OF BOARD

- (1) Subject to these rules or a resolution of the members of the Association carried at a General Meeting, the Board has the general control and management of the administration of the affairs, property and funds of the Association.
- (2) The Board has authority to interpret the meaning of these rules and any matter relating to the Association on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

Note: The Act prevails if the Association's rules are inconsistent with the Act – see section 1B of the Act.

- (3) The Board may exercise the powers of the Association:
 - (a) to borrow, raise or secure the payment of amounts in a way the members of the Association decide; and
 - (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Associations property, both present and future; and
 - (c) to purchase, redeem or pay off any securities issued; and
 - (d) to borrow amounts from members and pay interest on the amounts borrowed; and
 - (e) to mortgage or charge the whole or part of its property; and
 - (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association; and
 - (g) to provide and pay off any securities issued; and
 - (h) to invest in a way the members of the Association may from time to time decide.
- (4) For Sub-rule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by:
 - (a) the financial institution for the Association; or
 - (b) if there is more than one (1) financial institution for the Association, the financial institution nominated by the Board.

22 MEETINGS OF BOARD

- (1) Subject to this rule, the Board may meet as described in [Rule 1 \(28\)](#) and conduct its proceedings as it considers appropriate.
- (2) The Board must meet at least six (6) times a year to exercise its functions.
- (3) The Board must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the Board.
- (5) The Board may hold meetings, or permit a Board member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (6) A Board member who participates in the meeting as mentioned in Sub-rule (5) is taken to be present at the meeting.
- (7) A question arising at a Board Meeting is to be decided by a majority vote of members of the Board present at the meeting and, if the votes are equal, the question is decided in the negative.
- (8) A member of the Board must not vote on a question about a contract or proposed contract with the Association if the member has an interest in the contract or proposed contract and, if the member does vote, the members vote must not be counted.
- (9) The Chairperson is to preside as Chairperson at a Board Meeting.
- (10) If there is no Chairperson or if the Chairperson is not present within ten (10) minutes after the time fixed for a Board Meeting, the members may choose one (1) of their number to preside as Chairperson at the meeting.
- (11) Any member of the Board who absents themselves from two (2) consecutive official meetings of the Board without permission, shall automatically vacate their seat on the Board as per [Rule 19 \(9\)](#) and the Board will fill such vacancy in line with [Rule 20](#). (GM 7/17)

23 QUORUM FOR, AND ADJOURNMENT OF, BOARD MEETING

- (1) At a Board Meeting five (5) elected or appointed members are required to form a quorum. (GM 7/17)
- (2) If there is no quorum within thirty (30) minutes after the time fixed for a Board Meeting called on the request of members of the Board, the meeting lapses, other than on the request of the members of the Board for:
 - (a) the meeting is to be adjourned for at least one (1) day; and
 - (b) the members of the Board who are present are to decide the day, time and place of the adjourned meeting; or
 - (c) if a Board quorum cannot be achieved, the continuing members may act as required under [Rule 20 \(3\)](#).
- (3) If, at an adjourned meeting mentioned in Sub-rule (2a, 2b), there is no quorum within thirty (30) minutes after the time fixed for the meeting, the meeting lapses.

24 SPECIAL MEETING OF BOARD

- (1) If the Secretary receives a written request signed by at least 33% of the members of the Board, the Secretary must call a special meeting of the Board by giving each member of the Board notice of the meeting within 14 days after the Secretary receives the request.
- (2) If the Secretary is unable or unwilling to call the special meeting, the Chairperson must call the meeting.
- (3) A request for a special meeting must state:
 - (a) why the special meeting is called; and
 - (b) the business to be conducted at the meeting.
- (4) A notice of a special meeting must state:
 - (a) the day, time and place of the meeting; and
 - (b) the business to be conducted at the meeting.
- (5) A special meeting of the Board must be held within 14 days after notice of the meeting is given to the members of the Board.

25 MINUTES OF BOARD MEETINGS

- (1) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Board Meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes, the minutes of each Board Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next Board Meeting, verifying their accuracy.
- (3) The minutes compiled by the Secretary and duly signed by the Chairperson authenticating their accuracy shall be deemed as the official minutes.

Deleted Duties of the Association and Committees Re-number

26 APPOINTMENT OF OPERATION GROUPS

- (1) The Board may appoint a group consisting of members of the Association considered appropriate by the Board to help with the conduct of the Associations operations.
- (2) The Board will determine the manner in which the group will operate and report from time to time.
- (3) The Men's and Women's Bowls Operations will be managed as stated in the By-laws. **(GM 7/17)**

27 ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

- (1) An act performed by the Board, an operational group or a person acting as a member of the Board is taken to have been validly performed.
- (2) Sub rule (1) applies even if the act was performed when:
 - (a) there was a defect in the appointment of a member of the Board, operational group or person acting as a member of the Board; or
 - (b) a Board member, operational group or person acting as a member of the Board was disqualified from being a member.

28 RESOLUTIONS OF BOARD WITHOUT MEETING

- (1) A written resolution signed by each member of the Board is as valid and effectual as if it had been passed at a Board Meeting that was properly called and held.
- (2) A resolution mentioned in Sub-rule (1) may consist of several documents in like form, each signed by one (1) or more members of the Board.

29 ANNUAL GENERAL MEETINGS (AGM)

Annual General Meeting must be held at least once each year and within three (3) months after the end date of the Association's reportable financial year.

30 BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING

- (1) The following business must be conducted at each Annual General Meeting of the Association:
 - (a) Opening, recording of attendance and apologies;
 - (b) Chairperson's address and welcome;
 - (c) Approval of minutes of the previous Annual General Meeting;
 - (d) Business arising from the minutes;
 - (e) Election of Life Members, Service Award recipients and Merit Certificate recipients;
 - (f) Financial Report and Auditors Statement required by the Act as described in [Rule 1 \(22\)](#);
 - (g) Review of the Strategic Plan; **(AGM 11/15) (GM 7/17)**
 - (h) Review of the Business Plan in conjunction with the objectives of the Strategic Plan: **(GM 7/17)**
 - (i) Board recommendations;
 - (j) Notice of motions;
 - (k) Election for members of the Board;
 - (l) Appointment of an auditor for the new financial year;
 - (m) Appointment of a Solicitor for the new financial year; **(GM 7/17)**
 - (n) Appointment of a Club Patron for the new financial year; **(GM 7/17)** and
 - (o) Approval of the Association membership fee for the next financial year.

31 GENERAL MEMBERS MEETINGS

General Members meetings must be held:

- (a) at least once (1) a year separate to the AGM; **(GM 7/17)** and
- (b) the meeting is to be scheduled on a date and time determined by the Board on or around the months of March and July each year. **(AGM 11/14) (GM 7/17)**

32 BUSINESS TO BE CONDUCTED AT GENERAL MEMBERS MEETINGS

- (1) The following business must be conducted at General Members Meetings of the Association:-
 - (a) discuss the sport needs, and playing needs;
 - (b) update members on all alterations to budget projection that may impact members or the Associations financial status;
 - (c) discuss any critical matters requiring members input;
 - (d) business, finance and planning discussion; and
 - (e) at the meeting around August the Board must discuss the club activity and capitation fees and charges for the following year.

33 NOTICE OF ANNUAL GENERAL MEETING AND GENERAL MEETINGS

- (1) The Secretary may call a General Meeting of the Association.
- (2) The Secretary must give at least fourteen (14) days' notice of the meeting.
- (3) If the Secretary is unable or unwilling to call the meeting, the Chairperson must call the meeting.
- (4) The Board may decide the way in which the notice must be given.
- (5) However, notice of the following meetings must be given in writing:
 - (a) a meeting called to hear and decide the appeal of a person against the Board's decision—
 - (i) to reject the person's application for membership of the Association; or
 - (ii) to terminate the person's membership of the Association;
 - (b) a meeting called to hear and decide a proposed special resolution of the Association.
- (6) A notice of a General Meeting must state the business to be conducted at the meeting.

34 QUORUM FOR, AND ADJOURNMENT OF, ALL GENERAL MEETINGS

- (1) The quorum for a General Meeting is twice the number on the Board plus one (1) present and eligible to vote. **(GM 7/17)**
- (2) No business may be conducted at a General Meeting unless there is a quorum of members when the meeting proceeds to business.
- (3) If there is no quorum within thirty (30) minutes after the time fixed for a General Meeting called on the request of members of the Board or the Association, the meeting lapses.
- (4) In any other case it shall 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 shall be a quorum.
- (5) The Chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (6) If a meeting is adjourned under Sub-rule (4), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (7) The Secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least thirty (30) days.
- (8) If a meeting is adjourned for at least thirty (30) days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

35 PROCEDURE AT GENERAL MEETINGS

- (1) A member may take part and vote in a General Meeting in person, or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (2) A member who participates in a meeting as mentioned in Sub-rule (1) is taken to be present at the meeting.
- (3) At each General Meeting:
 - (a) the Chairperson is to preside as Chairperson; and
 - (b) if there is no Chairperson or if the Chairperson is not present within fifteen (15) minutes after the time fixed for the meeting or is unwilling to act, the members present must elect one (1) of their number to be Chairperson of the meeting; and
 - (c) the Chairperson must conduct the meeting in a proper and orderly way; and
 - (d) accordingly members must conduct their manner and behaviour properly and according to the direction of the Chair and the majority of members' wishes.

36 VOTING AT AGM OR GENERAL MEETING OF THE ASSOCIATION

- (1) At a General Meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present and eligible to vote.
 - (a) A **special resolution** must be decided by a 75% of votes of the members present and eligible to vote.
- (2) Each member present and eligible to vote is entitled to one (1) vote as mentioned in [Rule 5](#) and, if the votes are equal, the motion, matter, or resolution shall be decided in the negative and not passed.
- (3) A member is not entitled to vote at a General Meeting if the member's annual subscription is in arrears at the date of the meeting.
- (4) The method of voting is to be decided by the Board.
- (5) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.
- (6) If a secret ballot is held, the Chairperson must appoint two (2) members to conduct the secret ballot in the way the Chairperson decides.
- (7) The result of a secret ballot as declared by the Chairperson is taken to be a resolution of the meeting at which the ballot was held.
- (8) At a Special General Meeting call in line with [Rule 38](#) shall have only questions, matters or resolutions circulated to members within the 'Notice of Meeting' in accordance with these Rules discussed and determined by the members present and eligible to vote at the meeting.
- (9) Proxy voting is NOT permitted at any General Meeting. **(GM 5/14)**
- (10) Subject to these Rules, each member present in person or by Postal Voting at a General Meeting, is entitled to one (1) in the election of a Board Director. **(GM 5/14)**
- (11) No motion shall be decided by a postal vote. **(GM 5/14)**
- (12) The postal vote shall be conducted under the procedures set by the Board from time to time. **(GM 5/14)**

37 SPECIAL GENERAL MEETING

- (1) The Secretary must call a Special General Meeting by giving each member of the Association notice of the meeting within fourteen (14) days after:
 - (a) being directed to call the meeting by the Board; or
 - (b) being given a written request signed by—
 - (i) at least 33% of the number of members of the Board when the request is signed; or
 - (ii) at least the number of ordinary members of the Association equal to double the number of members of the Association on the Board when the request is signed plus one (1); or
 - (iii) If the Secretary receives a written request signed by at least 33% of the members of the Board, or at least double the number of the Board elected at the previous general members plus one (1) by Association members.
 - (c) being given a written notice of an intention to appeal against the decision of the Board:
 - (i) to reject an application for membership; or
 - (ii) to terminate a person's membership.
- (2) A request mentioned in Sub-rule (1)(b) must state:
 - (a) why the Special General Meeting is being called; and
 - (b) the business to be conducted at the meeting.
- (3) A Special General Meeting must be held within three (3) months after the Secretary:
 - (a) is directed to call the meeting by the Board; or
 - (b) is given the written request mentioned in Sub-rule (1)(b); or
 - (c) is given the written notice of an intention to appeal mentioned in Sub-rule (1)(c).
- (4) If the Secretary is unable or unwilling to call the special meeting, the Chairperson must call the meeting.
- (5) A Special General Meeting called in line with Sub-rule 1 to 4 must be conducted in accordance with [Rule 34](#), [35](#), and [37](#).

38 MINUTES OF GENERAL MEETINGS

- (1) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each General Meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes:
 - (a) the minutes of each General Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next General Meeting, verifying their accuracy; and
 - (b) the minutes of each Annual General Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next meeting of the Association that is a General Meeting or Annual General Meeting, verifying their accuracy.
 - (c) the minutes compiled by the Secretary and duly signed by the Chairperson authenticating their accuracy shall be deemed as the official minutes.
- (3) If asked by a member of the Association, the Secretary must, within twenty-eight (28) days after the request is made:
 - (a) make the minute book for a particular General Meeting available for inspection by the member at a mutually agreed time and place; and
 - (b) give the member copies of the minutes of the meeting.
- (4) The Association may require the member to pay the reasonable costs of providing copies of the minutes.

39 BY-LAWS

- (1) The Board may make, amend or repeal By-laws, not inconsistent with these Rules, for the internal management of the Association.
- (2) A By-law may be set aside by a vote of members at a General Meeting of the Association.

40 ALTERATION OF RULES

- (1) Subject to the Act, these Rules may be amended, repealed or added to **by a special resolution** as defined in [Rule 37 1 \(a\)](#) carried at a General Meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by the Chief Executive as defined in [Rule 1 \(12\)](#).

41 COMMON SEAL

- (1) The Board must ensure the Association has a common seal.
- (2) The common seal must be:
 - (a) kept securely by the Board; and
 - (b) used only under the authority of the Board.
- (3) Each instrument to which the seal is attached must be signed by a member of the Board and countersigned by:
 - (a) the Secretary; or
 - (b) another member of the Board; or
 - (c) someone authorised by the Board.

42 FUNDS AND ACCOUNTS

- (1) The funds of the Association must be kept in an account in the name of the Association in a financial institution decided by the Board.
- (2) The Board is required to keep a separate bank account to general funds for the express purpose of managing the organisation's obligations to:
 - (a) asset, facility, and equipment maintenance, repair, replacement and development;
 - (b) government taxes, staff obligations, superannuation and BAS; and
 - (c) gaming legislation.
- (3) The funds as mentioned in Sub-rule (2)(a) may only be used for the purpose described within this Sub-rule, unless 75% of members present at a General Meeting determine differently.
- (4) The funds as mentioned in Sub-rule (2)(b) may only be used for the purpose described within this Sub-rule, though all established BAS surpluses at the end of the Government reporting timeframe may be transferred to general funds.
- (5) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Association.
- (6) All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- (7) A payment by the Association of three hundred dollars (\$300) or more must be made by cheque or electronic funds transfer that has been pre-approved by the Board.
- (8) If a payment of three hundred dollars (\$300) or more is made by cheque or electronic funds transfer, the cheque or transfer must be signed by any two (2) of the following not a family member as defined in [Rule 1 \(13\)](#):
 - (a) the Chairperson
 - (b) the Communication Director (Secretary)
 - (c) the Finance Director (Treasurer)
 - (d) any other members of the Association authorised by the Board..

However, one (1) of the persons who signs the cheque or authorises the payment electronically must be the Chairperson, the Communication Director (Secretary) or the Finance Director (Treasurer).

- (9) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.
- (10) A petty cash account must be kept on the imprest system, and the Board must decide the amount of petty cash to be kept in the account.
- (11) All expenditure must be approved or ratified at a Board Meeting.

43 GENERAL FINANCIAL MATTERS

(1) The duty of the Board

Shall be to:

- (1) Set, administer and manage payment and payment compliancy utilising modern financial management practise.
- (2) Manage the Association under a user pays financial management system as mentioned in [Rule 1 \(23\)](#) and ensure this system applies to all users irrespective of their membership status or usage.
- (3) The Association's total wage cost may not exceed twenty five percent (25 %) of the member approved annual operational budget's total income, unless seventy five percent (75%) of the members eligible to vote present at a general members meeting of the association agree.
- (4) Occupancy charges and hire fees are to incorporate government taxes, asset repair and replacement, lighting, facility development and management, administration and wage costs. Funds collected are to be allocated and managed in the following manner:-
 - (a) government taxes to BAS account: Taxes and BAS to be paid at least quarterly;
 - (b) asset repair and replacement: to asset management account for either -
 - (i) green repair and/or maintenance; or
 - (ii) indoor facility repair and/or replacement;
 - (c) facility development funds to asset development account with funds being allocated to develop the facility and/or the facility standards only; and
 - (d) administration and wages to a general account with wages being paid a minimum of fortnightly.
- (5) Develop and operate an Association budget annually and this budget must report the projected income and expenditure against the previous year's actual income and expenditure. Budget must separate the following cost centres:-
 - (a) Club Liquor;
 - (b) Gaming;
 - (c) Men's and Ladies Bowls; and
 - (d) Functions and Catering. **(GM 7/17)**
- (6) Sight and sign the most recent bank statement at each official Board Meeting.
- (7) All funds raised, collected or paid by players, groups, fundraising and sponsors are to be held in the Association's accounts for distribution by the Board in accordance with Sub-rule (8). The Treasurer will be required to record and report these items separately within their financial report/s.
- (8) All funds raised, collected and/or paid for a special event, group project or individual/team selections sanctioned by the Board shall be held by the Association for the activities specific use. On completion of the event, activity and/or project all surplus funds are to be transferred to the Association's general fund.
- (9) The income and property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers.

(2) The duty of Treasurer

Shall be to:

- (1) provide a written financial report at every official meeting of the Board.

Each report must include a minimum of the following:

- (a) the budgeted (expected) income and expenditure forecast against the actual income and expenditure for the report period; and
 - (b) produce the most recent bank statements for all Board members to view and sign.
- (2) On behalf of the Board, the Treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared in the manner required by the Act as defined [Rule 1 \(2\)](#).

44 DOCUMENTS

The Board must ensure the safe custody of books, documents, instruments of title and securities of the Association.

45 FINANCIAL YEAR

The end date of the Association's financial year is August 31 in each year.

46 NON ACTION IN LAW

No member shall commence any action in law or inequity against the club or any of its office bearers until they have exhausted all remedies provided by these Rules of Association.

47 DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

- (1) This rule applies if the Association:
 - (a) is wound-up under part 10 of the Act; and
 - (b) has surplus assets.
- (2) The surplus assets must not be distributed among the members of the Association.
- (3) The surplus assets must be given to another entity:
 - (a) having objects similar to the Association's objects; and
 - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
- (4) In this rule— **surplus assets** see section 92(3) of the Act.