



CLAREMONT BOWLS AND COMMUNITY CLUB (INCORPORATED)

CONSTITUTION
JUNE 2023

**CLAREMONT
TASMANIA**

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Section 1: THE CLUB

1.1 NAME

- 1.1.1 The name of the Club shall be the CLAREMONT BOWLS AND COMMUNITY CLUB INCORPORATED (- in these rules called "The Club").

1.2 INTERPRETATION

- 1.2.1 In these rules unless the contrary intention appears:-

"Bank" includes a bank or other legally constituted financial institution

"Board" means the Board of Management as defined in Rule 4.1.1

"Constitution" means the rules of the Club presently in force

"Executive" means the Officers of the Club as defined in Rule 4.2.1

"General Meeting" means a general meeting of members convened in accordance with Rule 3.1.1

"Junior Member" means a member under the age of eighteen as defined in Rule 2.1.1 (d)

"Member" means financial member as defined in Rule 2.1.1

"Officer" means a member of the Executive as defined in Rule 4.2.1

"Ordinary Board Member" means a member of the Board of Management as defined by Rule 4.3.1 (a)(ii)

"Register" refers to the register of members as defined in Rule 2.8

- 1.2.2 Reference to any gender includes the opposite gender unless the context implies otherwise.

- 1.2.3 Singular includes plural unless the context implies otherwise.

- 1.2.4 In these rules, expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing words in a visible form.

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

- 1.2.6 If any doubt or dispute should arise as to the interpretation of any of these rules the interpretation adopted by the Board, by resolution, shall be binding on the members of the Club.

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

1.3 CLUB OFFICE

- 1.3.1 The office of the Club shall be at 1 Bournville Crecent, Claremont or such other place as the Board of Management may from time to time determine.

1.4 OBJECTS OF THE CLUB

- 1.4.1 The basic objects of the Club shall be the conduct, promotion and encouragement of the game of bowls in accordance with the rules laid down by Bowls Australia and their associated Associations in Tasmania, such as Bowls Tasmania South, and all matters pertaining thereto including the provision of Club facilities for members

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

- (a) the purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of the Club;
- (b) the buying, selling and supplying of, and dealing in, goods of all kinds;
- (c) the construction, maintenance and alteration of buildings or works necessary or convenient for any of the objects or purposes of the Club;
- (d) the accepting of any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of the Club;
- (e) the taking of such steps from time to time as the Board or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Club whether by way of donations, subscriptions, or otherwise;
- (f) the printing and publishing of such newspapers, periodicals, books, leaflets, or other documents as the Board or the members in general meeting may think desirable for the promotion of the objects and purposes of the Club;
- (g) the borrowing and raising of money in such manner and on such terms as the Board may think fit or as may be approved or directed by resolution passed at a general meeting;
- (h) subject to the provisions of the Trustee Act 1898, the investment of any moneys of the Club not immediately required for any of its objects

or purposes in such manner as the Board may determine;

- (i) the making of gifts, subscriptions, or donations to any of the funds, authorities, or institutions to which paragraph (a) of subsection (1) of Section 78 of the Income Tax and Social Services Contribution Assessment Act 1936-1964 of the Commonwealth relate; and
- (j) such provisions as are set out in the Guidelines in respect of Club Licences from time to time published by the Licensing Board in accordance with section 17 of the Liquor and Accommodation Act.

Section 2 MEMBERSHIP

2.1. CATEGORIES OF MEMBERSHIP

2.1.1 The Club shall consist of the following categories of members, as defined below:

- (a) **Full Members**, being either;
 - (i) General Members who are elected as such and complying with the requirements of these rules including those relating to the payment of subscriptions, or
 - (ii) Life Members who have had life membership conferred on them, pursuant to these rules.
- (b) **Social Members**, being persons who are elected as such, and who comply with the requirements of these rules, including those relating to the payment of subscriptions.
- (c) **Social Playing Members**, being persons who are elected as such and comply with the requirements of these rules, including those relating to the payment of subscriptions.
- (d) **Junior Members**, being persons who have not reached their eighteenth birthday who are elected as such by the Board and who comply with the requirements of these rules including those relating to the payment of subscriptions.
- (e) **Honorary Members**, being persons invited to membership by the Board for a determined period of time and as such comply with the requirements of these rules.

2.1.2 The Board may create a new category of membership and determine the privileges to accompany that category when circumstances warrant such action being taken.

- 2.1.3 Full members and life members shall be entitled to all privileges of the Club and shall be the only members to vote at Annual General or Special General Meetings of the Club. All other members shall be entitled to such privileges as the Board shall from time to time determine.

2.2 APPLICATION FOR MEMBERSHIP

- 2.2.1 Any person desirous of becoming a member of the Club shall lodge with the Honorary Secretary an application setting forth;
- (a) Full name, address, email address, occupation, date of birth and contact telephone number
 - (b) The class of membership sought, subject to the condition that a person who has not reached their eighteenth birthday shall be entitled to apply for Junior membership,
 - (c) Where applicable, the name and address of the last Bowls Club of which the applicant was a member.
- 2.2.2 Every such application shall be signed by a proposer and a seconder, both being full members of the Club, and by the applicant.
- 2.2.3
- (a) Subject to Rule 2.2.3 (b) of this Rule, an application shall be determined by the Board, and its decision shall be final.
 - (b) No such determination shall be made until the application has been posted on the notice board for at least fourteen (14) days, during which time any full member may lodge a written objection with the Honorary Secretary.
 - (c) On receipt of such objection, the matter shall be dealt with by the Board at the next Board meeting and the Board shall make whatever decision it considers best in the interests of the Club.
 - (d) In exceptional circumstances by the transfer of a recognised member from another Club the Board may give temporary approval for membership prior to the expiration of the fourteen (14) days notification outline in Sub-Rule 2.2.3(b).
- 2.2.4 A person admitted as a member of the Club shall be given notification thereof, forthwith, by the Honorary Secretary and advised of the amounts due in respect of any entrance fee and subscription payable by them before they are entitled to enjoy the rights and privileges of membership. If the said payments are not made within one month of notification being sent the Board may cancel the membership.

2.3 PRIVILEGES OF MEMBERSHIP CATEGORY

2.3.1 The following membership categories, and the privileges of each, shall apply: -

- (a) **Full Membership** for which no restrictions apply other than those laid down in these rules and those which are imposed by the Board;
- (b) **Life Membership**, which may only be elected on the recommendation of the Board, at an Annual General Meeting of the Club, and upon receiving the vote of two thirds of the members present;
- (c) **Social Membership** which:-
 - (i) allows the use of the bowls green on payment of a green fee as determined by the board from time to time.
 - (ii) is not eligible for pennant selection unless approval of the Board is given and only if there are no full members available for selection.
 - (iii) prohibits voting rights;
- (d) **Social Playing Membership** which:-
 - (i) allows playing on the green for social play and in competitions approved for such membership by the Board and also use of the greens at anytime the greens are available for practice;
 - (ii) allows, at the discretion of the selectors where there are no full members available, such member to play a maximum of three pennant matches in any one season. In these instances Bowls Tasmania South must be advised prior to the event.
 - (iii) prohibits voting rights
- (e) **Junior Membership** applicable to persons aged not more than eighteen years which:-
 - (i) incorporates the use of the bowls green in compliance with such restrictions and conditions as are determined pursuant to Rule 2.9;
 - (ii) grants rights to enter club events and tournaments; and
 - (iii) grants a right of election to take out full membership within the period of one month before and one month after attaining the age of eighteen years on payment of such additional amount by way of annual subscription, if any, as the Committee may

determine in each particular case, but an election made prior to the event shall not take effect until the happening thereof;

- (f) **Honorary Membership** may be granted to any person nominated by a member and subject to such conditions as may be set by the Board, including the right to play when vacancies on the green are available.
 - (i) The name and address of such honorary member must be entered book kept for that purpose at the Clubhouse entitled "Visitors Book".
 - (ii) The period of such membership shall not exceed seven consecutive days without fee, excepting that the Board may thereafter confer Honorary Membership for such period or periods of time and at such fees as they may determine from time to time. The introducing member shall be responsible for all fees, which shall be payable in advance.
 - (iii) The Board shall have the power to admit as an Honorary Member any distinguished resident or visitor with or without fees, on such conditions and with such right to play bowls as it may think fit at any time.

2.4 NUMBER OF MEMBERS

- 2.4.1 The Board shall have the power to establish at any time maximum numbers for each membership category.

2.5 REGISTRATIONS AND NON RENEWAL OF MEMBERSHIP

- 2.5.1 A member of the Club may, at any time, resign from the Club by delivering, conveying by electronic means or sending by post to the Secretary a written notice of resignation.

- 2.5.2 (a) Any member desiring

- (i) to resign from the Club or,
 - (ii) to alter his or her category of membership for the ensuing year,

shall give notice thereof in writing to the Secretary not later than the first day of October in any year.

- (b) Any member desiring to resign or transfer to another club, shall be liable for any arrears of subscription or other fees in respect of the current Club year.

- 2.5.3 A list of members who have not made arrangements to pay their subscription due (in accordance with Rule 5.5.4) by the 1st of October of the membership year shall be submitted to the Board at the first meeting of the Board after the

commencement of the bowling season for review and determination that the members so listed are deemed to have resigned from the Club.

2.5.4 Former members wishing to rejoin the Club shall be subject to re-election as provided in Rule 2.4, but shall not be required to pay the Entrance Fee unless such Fee shall have been increased and in that case the difference only.

2.5.5 Upon receipt of a notice under Rules 2.5.1 and 2.5.2 or a Board determination in accordance with Rule 2.5.3, the Secretary shall remove the name of the member concerned from the membership register whereupon that member ceases to be a member of the Club.

2.6 MEMBERSHIP YEAR

2.6.1 The membership year of the Club shall commence on July 1st in each year, and continue until June 30 in the following year.

2.7 LEAVE OF ABSENCE

2.7.1 Any member of the Club requesting leave of absence shall do so in writing and pass this on to the Secretary for consideration at the next meeting of the Board.

2.8 REGISTER OF MEMBERS

2.8.1 The Secretary of the Board of Management shall keep on the Club premises a register which shall contain the names and addresses of all members of the Club.

2.8.2 Members shall from time to time communicate any changes of their addresses to the Secretary.

2.8.3 All notices posted to or left at such addresses shall be deemed to have been duly delivered.

2.9 PRIVILEGES AND RESPONSIBILITIES

2.9.1 A right, privilege, or obligation of a person by virtue of his or her membership of the Club:-

(a) is not capable of being transferred or transmitted to another person; and

(b) terminates upon the cessation of his or her membership, whether by death, resignation or otherwise.

2.9.2 Priorities and restrictions on the use of the Club's facilities by each category of membership shall be determined by the Board and such priorities and restrictions shall be exhibited on a notice board in the Club pavilion.

2.9.3 A member may exercise his or her rights by requesting a Board member or other responsible officer of the Club to require any offending member to adhere to the rules laid down, where the circumstances at the time preclude

the member from enjoying the rights and priorities in which he or she is entitled.

- 2.9.4 Where the offending member referred to in Rule 2.9.3 fails to give way to the rights of the offended member, the latter may take action in accordance with Rule 6.6 hereof.

2.10 EXPULSION FROM THE CLUB

- 2.10.1 Subject to this rule, the Board may expel a member from the Club if, in the opinion of the Board, the member has been guilty of conduct detrimental to the interests of the Club.

- 2.10.2 The expulsion of a member pursuant to Rule 2.10.1 does not take effect:-

- (a) until the expiration of fourteen days after the service on the member of a notice under Rule 2.10.3; or
- (b) if the member exercises his or her right of appeal under this rule, until the conclusion of a Special General Meeting convened to hear the appeal, whichever is the later date.

- 2.10.3 Where the Board expels a member from the Club, the Secretary of the Club shall, without undue delay, cause to be served on the member a notice in writing:-

- (a) stating that the Board has expelled the member;
- (b) specifying the grounds for the expulsion; and
- (c) informing the member that if he or she so desires he or she may, within fourteen days after the service of the notice on him or her appeal against the expulsion provided in this rule.

- 2.10.4 A member on whom a notice under Rule 2.10.3 is served may appeal against the expulsion to a Special General Meeting by delivering or sending by post to the Secretary of the Club, within fourteen days after the service of that notice, a requisition in writing demanding the convening of such a meeting for the purpose of hearing his or her appeal.

- 2.10.5 Upon receipt of a requisition under Rule 2.10.4 the Secretary shall forthwith notify the committee of its receipt and the Board shall thereupon cause a Special General Meeting of members to be held within twenty-one days after the date on which the requisition is received by the Secretary.

- 2.10.6 At a Special General Meeting convened for the purpose of this rule:-

- (a) no business other than the question of the expulsion shall be transacted;

- (b) the Board may place before the meeting, details of the grounds of the expulsion and the Board's reasons for the expulsion;
- (c) the expelled member shall be given the opportunity to be heard; and
- (d) the members present shall vote by secret ballot on the question whether the expulsion should be lifted or confirmed.

2.10.7 If at the Special General Meeting a majority of the members vote in favour of the lifting of the expulsion, the expulsion shall be deemed to have been lifted and the expelled member is entitled to continue his or her membership of the Club.

2.10.8 If at the Special General Meeting a majority of the members present vote in favour of the confirmation of the expulsion, the expulsion takes effect, and the expelled member ceases to be a member of the Club.

Section 3 GENERAL MEETINGS

3.1 GENERAL

3.1.1 The management of the Club shall be in the hands of the members of the Club through general meetings of which there will be two types, as hereinafter provided: the Annual General Meeting and Special General Meetings. All general meetings of members other than the Annual General Meeting shall be called Special General Meetings.

3.2 ANNUAL GENERAL MEETINGS

3.2.1 The Club shall, in June each year, hold an Annual General Meeting for members.

3.2.2 The Annual General Meeting shall be held on such day as the Board may determine.

3.2.3 The Annual General Meeting shall be in addition to any other meetings that may be held in the same year.

3.2.4 The Annual General Meeting shall be specified as such in the notice convening it.

3.2.5 The ordinary business of the Annual General Meeting shall be:-

- (a) to confirm the minutes of the preceding Annual General Meeting;
- (b) to receive Reports from the Committee, Auditor and servants of the Association relating to the activities and transactions of the Club during the last financial year;

- (c) to elect officers of the Club and the Board members;
- (d) to appoint the Auditor if required; and
- (e) to determine the remuneration of the servants of the Club.

3.2.6 The Annual General Meeting may transact special business of which notice is given in accordance with these rules.

3.3. SPECIAL GENERAL MEETINGS

3.3.1 The Board may, whenever it thinks fit, convene a Special General Meeting of members.

3.3.2 The Board shall, on the requisition in writing of not less than ten members, convene a Special General Meeting of the Club.

3.3.3 A requisition for a Special General Meeting shall state the objects of the meeting and shall be signed by the requisitioners and deposited at the office of the Club and may consist of several documents in the like form, each signed by one or more of the requisitioners.

3.3.4 If the Board does not cause a Special General Meeting to be held within twenty-one days from the date on which a requisition therefore is deposited at the office of the Club, the requisitioners or any one of them, may convene the meeting, but any meeting so convened shall not be held after three months from the date of the deposit of the requisition.

3.3.5 A Special General Meeting convened by requisitioners in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Board, and all reasonable expenses incurred in convening the meeting shall be refunded by the Club to the persons incurring them.

3.4 NOTICE OF MEETINGS

3.4.1 The Secretary of the Club shall, at least 14 days before the date fixed for holding a General Meeting or Special General Meeting, notify each category 2.1.1(a) member and Life Member in writing of the date and place of the meeting and items to be discussed.

3.5 CONDUCT OF MEETINGS

3.5.1 All business that is transacted at Special General Meetings and all business that is transacted at the Annual General Meeting, with the exception of that specially referred to in these rules as being the ordinary business of the Annual General Meeting, shall be deemed to be special business.

3.5.2 The President or, in his absence, a Vice-President shall preside at every General Meeting of the Club.

- 3.5.3 If the President and both Vice-Presidents are absent from a General Meeting, the members present shall elect one of their number to preside thereat.
- 3.5.4 The Chair of a General Meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 3.5.5 Where a meeting is adjourned for fourteen (14) days or more, a similar notice of the adjourned meeting shall be given as in the case of the original meeting.
- 3.5.6 Except as provided in the foregoing provisions of this rule, it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

3.6 QUORUMS FOR GENERAL MEETINGS

- 3.6.1 No item of business shall be transacted at a General Meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering the item.
- 3.6.2 Fifteen members personally present (being members entitled under these rules to vote thereat) constitute a quorum for the transaction of the business of General Meeting.
- 3.6.3 If within thirty minutes after the appointed time for the commencement of a General Meeting a quorum is not present, the meeting, if convened upon the requisition of the members, shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chair at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within thirty minutes after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

3.7 VOTING

- 3.7.1 Only category 2.1.1(a) members and life members are eligible to vote at any General Meeting of the Association. A vote for this purpose includes a show of hands.
- 3.7.2 All decisions shall be by simple majority of those participating in the vote except that a decision to alter this constitution shall take effect only if at least two-thirds of those participating in the vote in favour of the change.
- 3.7.3 A question arising at a general meeting of the Club shall be determined on a show of hands and, unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the Chair that a resolution has, on a show of hands, been carried, or carried unanimously, or carried by a

particular majority, or lost, and an entry to that effect in the minute book of the Club shall be evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against that resolution.

- 3.7.4 Upon any question arising at an Annual or Special General Meeting of the Club, a member has one vote only.
 - 3.7.5 All votes shall be given personally, or by postal vote in accordance with Rule 3.8.
 - 3.7.6 In the case of an equality of voting on a question the Chair of the meeting is entitled to exercise a second or casting vote.
 - 3.7.7 If at a meeting a poll on any question is demanded by 15 of the members present who are entitled to vote it shall be taken at that meeting in accordance with the provisions of Rules 3.7.7 and 3.7.8, and the result of the poll shall be deemed to be the resolution of the meeting on that question.
 - 3.7.8 A poll that is demanded on the election of a Chair, or on a question of adjournment, shall be taken forthwith, and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chair may direct.
 - 3.7.9 A poll shall involve the holding of a secret ballot supervised by impartial scrutineers and, after the declaration of the result of the poll, the ballot papers shall be destroyed by the scrutineers who shall not disclose details of the voting to any person other than the Chair of the meeting.
- 3.8 POSTAL VOTING**
- 3.8.1 If any member who has a vote is unable to be present at any Annual General Meeting of the Club due to the incidence of sickness or of work or absence from the City, an application may be made to the Club Secretary for the form on which to record a postal vote for the election of Officers and Board Members. Such vote must be lodged with the Secretary not less than forty-eight (48) hours prior to the time of any such meeting.

Section 4. BOARD AND COMMITTEES

4.1 GENERAL

- 4.1.1 The general affairs of the Club shall be managed by a Board of Management constituted as provided in Rule 4.3. However, all matters relating to bowling shall be managed by Bowling Sub-Committee.

4.2 OFFICERS OF THE CLUB

- 4.2.1 The officers of the Club shall be:-
 - (a) a President;
 - (b) a Female Vice-President

- (c) a Male Vice-President
- (d) a Treasurer; and
- (e) a Secretary;

all of whom must be category 2.1.1(a) or 2.1.1(b) members and shall be known as the “Executive”.

4.2.2 The Board shall be empowered to appoint a Secretary Manager in lieu of the Secretary and Bar Manager as it deems necessary.

4.2.3 An officer of the Club may hold that particular office for a maximum period of three (3) consecutive years, but shall be eligible for re-election to it after an absence of at least one (1) complete year from the office. However if at the Annual General Meeting no nomination has been received either in writing or from the floor of the meeting the current incumbent of any particular office may be re-elected.

4.3 BOARD COMPOSITION

4.3.1 (a) The Board shall consist of:

- (i) the Officers of the Club as set down in Rule 4.2; and
- (ii) Six (6) category 2.1.1(a) or 2.1.1(b) members.

(b) All members of the Board will be elected at the Annual General Meeting of the Club.

(c) Two (2) of the members of the Board may be appointed, one (1) as Assistant Secretary and one (1) as Assistant Treasurer, by the Board.

4.3.2 The provision of Rules 4.4.2, 4.4.3 and 4.4.4, so far as they are applicable and with necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in Rule 4.3.1.

4.3.3 Each officer of the Club and each ordinary Board member shall hold office until the Annual General Meeting next after the date of being elected, but each is eligible for re-election, except as provided by Rule 4.2.2.

4.3.4 In the event of a casual vacancy in any office mentioned in rule 4.3.1, the Board may appoint one of its members to the vacant office, and the member so appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of appointment.

4.4 BOARD ELECTION PROCEDURE

4.4.1 Nominations of candidates for election as Officers of the Association or as ordinary Board members:-

- (a) shall be made in writing signed by two (2) members of the Club and accompanied by the written consent of the candidate (which may be

endorsed on the form of nomination); and

- (b) shall be delivered to the Secretary of the Club at least ten (10) days before the date fixed for the holding of the Annual General Meeting.

- 4.4.2 If insufficient nominations are received to fill all vacancies on the Board, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- 4.4.3 If the number of nominations received is equal to the number of vacancies to be filled, persons nominated shall be deemed to be elected.
- 4.4.4 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- 4.4.5 The ballot for the election of officers and ordinary Board members shall be conducted at the Annual General Meeting in such usual and proper manner as the Board may direct.

4.5 VACANCIES

4.5.1 For the purposes of these rules, the office of an officer of the Club or of an ordinary Board member becomes vacant if the officer or Board member:-

- (a) dies;
- (b) becomes of unsound mind;
- (c) resigns from office by writing to the Board;
- (d) ceases to be resident in the State;
- (e) fails, without leave granted by the Board, to attend three consecutive meetings of the Board;
- (f) ceases to be a member of the Club; or
- (g) fails to pay all arrears of subscriptions due within fourteen (14) days after receipt of a notice in writing signed by the Secretary stating that the Board member is no longer a financial member of the Club.

4.6 LEAVE OF ABSENCE FROM THE BOARD

- 4.6.1 An officer or ordinary Board member may be granted leave of absence from Board meetings for any period up to the end of term of office, on application in writing by the officer or ordinary Board member concerned stating the reason for the request, and subject to the Committee considering the request reasonable.
- 4.6.2 In the event of the leave of the absence referred to in Rule 4.6.1 being granted and the period of absence is to extend beyond six (6) months, the

Board shall have the power to fill the position casually by inviting a category 2.1.1(a) or 2.1.1(b) member to serve as a Board member for the period of absence.

4.7 POWERS AND FUNCTIONS OF THE BOARD

4.7.1 The Board:-

- (a) shall control and manage the business and affairs of the Club:
- (b) may, subject to these rules, exercise all such powers and functions as may be exercised by the Club, other than those powers and functions that are required by these rules to be exercised by General Meetings of the Club or are, in accordance with these rules, directly related to the management of bowling; and
- (c) subject to these rules, has power to perform all such acts and things as appear to the Board to be essential for the proper management of the business and affairs of the Club.

4.7.2 The Executive shall have all powers as in 4.7.1 when urgent matters require resolution, and when to call a full Board Meeting is impractical, given the urgency of the matter.

4.8 CONFLICT OF INTEREST OF BOARD MEMBERS

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

4.8.2 No member of the Board shall vote as a member of the Board in respect of any contract or arrangement in which the Board member has an interest , and if he or she does so the vote shall not be counted.

4.9 BOARD MEETINGS

4.9.1 The Board shall meet in each month.

4.9.2 Special meetings of the Board may be convened by the President, or any four (4) of its members. These meetings may be held using electronic means.

4.9.3 Notice shall be given to members of the Board of any Special Meeting, specifying the general nature of business to be transacted, and no other business shall be conducted at such a meeting.

4.9.4 (a) Any seven (7) members of the Board constitute a quorum for the transaction of the business of a meeting of the Board.

(b) Any three (3) Office Bearers of the Board constitute a Quorum for the transaction of urgent business before them.

4.9.5 No business shall be transacted unless a quorum is present and if within thirty (30) minutes of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a Special Meeting in which case it lapses.

4.9.6 Meetings of the Board shall be chaired by:

- (a) the President, or if this officer is absent a Vice-President; or
- (b) if the President and both Vice-Presidents are absent, such one of the remaining members of the Board as may be chosen by the members present.

4.9.7 Questions arising at meetings of the Board or any Sub-Committee appointed by the Board shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.

4.9.8 Each member present at a meeting of the Board or of any Sub-Committee appointed by the Board (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

4.9.9 Written notice of each Board meeting shall be served on each member of the Board by delivering it at a reasonable time before the meeting or by sending it by pre-paid post in time to arrive at the member's address before the date of the meeting.

4.10 SUB-COMMITTEES

4.10.1 The Board may at any time appoint a Sub-Committee from the Board and members as it may think fit and shall prescribe the powers and functions thereof.

4.10.2 The Board shall nominate the Chair of each Sub-Committee.

4.10.3 The Board may co-opt as members of the Sub-Committee such persons as it thinks fit, whether or not those persons are members of the Club, but a non-member who has been co-opted, is not entitled to vote.

4.10.4 Three (3) appointed members of a Sub-Committee constitute a quorum at a meeting of the Sub-Committee.

4.10.5 The Chair of the Sub-Committee shall be responsible for calling meetings of that Sub-Committee.

4.10.6 Written notice of each Sub-Committee meeting shall be served on each member of the Sub-committee by delivering it at a reasonable time before the

meeting or by sending it by pre-paid post in time to arrive before the date of the meeting.

4.11 GREENS SUB-COMMITTEE

4.11.1 The Greens Sub-Committee, the Chair of which will be appointed by the Board, shall take all necessary action to ensure the effective maintenance and management of the Green in association with the Green Keeper.

4.11.2 The membership of the Greens Sub-Committee shall have a Chair and include two members of the Bowling Sub-Committee whose responsibility it shall be to inform that Sub-Committee of the policies of the Greens Sub-Committee.

4.12 BOWLING SUB-COMMITTEE

4.12.1 For the purposes of affiliation and registration by the Club with bowling councils and associations, and for operations and activities exclusively connected with the playing of the game of bowls, members of the Club shall function under the Bowling Sub-Committee.

4.13 COMPOSITION OF THE BOWLING SUB-COMMITTEE

4.13.1 The Sub-Committee shall comprise the following persons;

- (a) Committee Chair,
- (b) Immediate Past Chair of the Bowling Sub-Committee,
- (c) Secretary,
- (d) Three to six Committee members.

4.13.2 All of the members of the Bowling Sub-Committee shall be category 2.1.1(a) or 2.1.1(b) members.

4.13.3 There should be a minimum of two male or two female members, whichever the case may be, appointed to the Sub-Committee.

4.13.4 All members of the Bowling Sub-Committee shall be appointed by the Board as soon as practicable after the AGM. These appointments shall be selected from a list of "interested persons" which would have been posted on the notice board for at least fourteen (14) days prior to the AGM. Both elected Vice-Presidents shall also be appointed to the Bowling Sub-committee.

4.13.5 The successful members shall be notified by the Board, in writing, of their appointment to the Sub-Committee no later than 14 days after the AGM.

4.13.6 At the first meeting of the Bowling Sub-Committee after appointment they should seek nominations from within the Sub-Committee for the positions of Chair and Secretary and duly elect same.

- 4.13.7 For the purpose of officiating until the Sub-Committee office bearers are elected, the first meeting shall be initially chaired by the Immediate Past Chair.
- 4.14 VACANCIES ON BOWLING SUB-COMMITTEE**
- 4.14.1 Vacancies which arise under the same circumstances as give rise to vacancies on the Board of Management, shall be filled in the same manner as Board vacancies.
- 4.15 LEAVE OF ABSENCE FROM THE BOWLING SUB-COMMITTEE**
- 4.15.1 In the event of leave of absence being granted to a member of the Bowling Sub-Committee and the period of absence is to extend beyond six (6) months, the Sub-Committee shall have power to fill the position casually for the period of absence by co-opting any member eligible.
- 4.16 BOWLING SUB-COMMITTEE MEETINGS**
- 4.16.1 Meetings of the Bowling Committee shall be held as required and necessary for the administration of the management of bowling.
- 4.17 BOWLING SUB-COMMITTEE POWERS AND FUNCTIONS**
- 4.17.1 The functions of the Bowling Sub-Committee shall be limited to matters directly related to the management of bowling.
- 4.17.2 The Sub-Committee may establish such Sub-Committees to assist with the management of bowling.
- 4.17.3 The Bowling Sub-Committee shall nominate two bowling members to represent it on the Club's Greens Committee.
- 4.17.4 The Sub-committee established to manage bowling shall take note of the policies adopted by the Greens Committee for the management of the Green and shall give effect to these policies in their management of bowling events.
- 4.18 MANAGEMENT OF BOWLING**
- 4.18.1 At the first meeting after the Annual General Meeting, the Bowling Sub-Committee shall immediately call for nominations for Men's Pennant and Women's Pennant Selectors.
- 4.18.2 The Chairs of selectors for both men and women will be appointed from the Bowling Sub-Committee. The Chairs in consultation with the bowling committee shall appoint the selectors from the nominations received.
- 4.18.3 (a) The Bowling Sub-Committee shall organise and conduct all club championship events.
- (b) As appropriate from time to time, the Bowling Sub-Committee shall hold meetings to facilitate the conduct of bowling events involving both men and women.

- (c) The Bowling Sub-Committee shall also organise and conduct all social games, including carnival games.

4.19 DIVISIONAL SELECTORS

4.19.1 Selectors for each Pennant shall comprise of Chairs, who will be members of the Bowling Sub-Committee, and one member from each of the Divisions which competed in the previous season.

4.19.2 Only one nomination per member as divisional selector will be accepted.

4.19.3 Divisional selectors will be responsible for the posting of pennant selections in a timely manner and shall advise any members of their movement to or from a division prior to the posting of such teams.

4.20 AFFILIATION WITH STATEWIDE BOWLING ASSOCIATIONS

4.20.1 Subject to the rules of Bowls Tasmania South the Club may affiliate with any Bowls Club. Delegates shall be under the direction of their relevant Bowling Committee.

Section 5 FINANCE

5.1 FINANCIAL YEAR

5.1.1 The financial year of the Club is the period beginning on May 1 in each year and ending on April 30 next following.

5.2 ACCOUNTS

5.2.1 True accounts shall be kept.

- (a) of all sums of money received and expended by the Club and the matter in respect of which the receipt or expenditure takes place; and
- (b) of the property, credits, and liabilities of the Club and subject to any reasonable restrictions as to time and manner of inspecting them that may be imposed by the Association for the time being, those accounts shall be open to the inspection of the members of the Club.

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

5.2.3 The financial affairs of the Club shall encompass the financial affairs of all sub-committees.

5.2.4 The accounts, books, and records referred to in Rules 5.2.1 and 5.2.2 shall be kept in the Club's office or at such other place as the Board may decide.

5.3 ACCOUNTING

- 5.3.1 The Treasurer of the Club shall on behalf of the Club, receive all moneys paid to the Club and forthwith after the receipt thereof issue official receipts.
- 5.3.2 The Committee shall cause to be opened with such bank or other legally constituted financial institution as the Board selects, an account in the name of the Club into which all moneys received shall be paid by the Treasurer as soon as possible after receipt thereof.
- 5.3.3 The Board may receive from the Club's bank or bankers for the time being the cheques drawn by the Club on any of its accounts with the bank or bankers and may release and indemnify the bank or bankers from and against all claims, actions, suits, or demands that may be brought against the bank or bankers arising directly or indirectly out of those cheques or the surrender thereof to the Club.
- 5.3.4 Except with the authority of the Board no payment shall be made from the funds of the Club otherwise than by cheque drawn on the Club's bank account or by electronic transfer, but the Board may provide the Treasurer with a sum to meet urgent expenditure, subject to the observance of such conditions in relation to the use and expenditure thereof as the Board may impose.
- 5.3.5 No cheques or transfers shall be drawn on the Club's bank account except for the payment of expenditure that has been authorised by the Board.
- 5.3.6 All cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments shall be signed by any two (2) of three (3) category 2.1.1(a) members nominated by the Board for that purpose.

5.4 PAYMENTS TO MEMBERS OF THE CLUB

- 5.4.1 The income and property of the Club, however derived, shall be applied solely towards the promotion of the objects and purposes of the Club and no portion thereof shall be paid or transferred, directly or indirectly, by dividend, bonus, or otherwise, to any member of the Club, except as provided in rule.
- 5.4.2 The Club shall not:-
 - (a) Appoint a person who is a member of the Board to any office in the gift of the Club to the holder of which there is payable any remuneration by way of salary fees or allowances; or
 - (b) Pay to any such person any remuneration or other benefit in money or money's worth (other than the repayment of out of pocket expenses).
- 5.4.3 Nothing in the foregoing provisions of this rule prevents the payment in good faith to a servant or member of the Club of:-

- (a) remuneration or honorariums in return for services actually rendered to the Club by the servant or member or for the goods supplied to the Club by the servant or member in the ordinary course of conducting the Club;
- (b) interest at a rate not exceeding the current bank overdraft rate on moneys lent to the Club by the servant or member; or
- (c) a reasonable and proper sum by way of rent for premises let to the Club by the servant or member; or
- (d) fees covering a contract for goods or services supplied.

5.5 SUBSCRIPTIONS

- 5.5.1 The Annual General Meeting shall consider a recommendation from the outgoing Board of Management relating to the annual subscriptions for the forthcoming membership year, together with any suggestion that a levy should be sought from members, should this be considered necessary. The Annual General Meeting will respond to such recommendations from the outgoing Board of Management with an appropriate recommendation to the incoming Board of Management which at its first meeting shall consider the recommendation of the Annual General Meeting and set the subscriptions and entrance fees for the forthcoming membership year.
- 5.5.2 Should the Board of Management create a new membership category during the financial year, the Board shall determine the subscription for this category as soon as practicable thereafter.
- 5.5.3 Entrance fees shall apply to all new members joining the Club in membership category 2.1.1(a) and to any members transferring from membership category 2.1.1(d) to 2.1.1(a) where no entrance fee had previously been paid.
- 5.5.4
 - (a) The annual subscription of a member is due from the commencement of the current membership year.
 - (b) Subscriptions may be paid in total within thirty (30) days of the commencement of the membership year, or in the case of hardship they may be paid in three (3) instalments: one (1) third by August 1, one (1) third before October 1, and one (1) third by December 1.
 - (c) Names of unfinancial members after October 1 are to be tabled at subsequent Committee meetings.
- 5.5.5 Any person approved for membership in accordance with Rule 2.2.4 shall pay the subscription fee determined by the Board of Management as per Rule 5.5.1 or Rule 5.5.2 with the following exceptions:-
 - (a) Where membership operates from February 1 or later, the

subscription shall be determined by the Board.

- (b) Where a member transfers from one category to another and the subscription registered in relation to the new category is higher than that registered in relation to the former category the difference in subscription shall be payable by the member concerned, but this difference shall be halved where the transfer takes place on or after the February 1.
- (c) No voting rights shall apply where membership has been granted less than one (1) month prior to the Annual General Meeting.
- (d) Any member granted leave of absence for an extended period by the Board shall pay such subscription as the Board determines when approving the leave of absence.

5.5.6 Where in any bowling season the member on leave of absence plays bowls on the Club green, even though this may be once only, the full subscription for financial year will be payable.

5.5.7 An exception to Rule 5.5.6 shall be allowed where the Club requires the services of the member to enable a full team to be entered in a pennant game where no other member is available for selection.

5.5.8 The Board shall not normally refund a subscription paid by a member who subsequently resigns from the Club and seeks clearance to play pennant bowls with another club.

5.6 LEVIES

5.6.1 Where a levy on members is considered necessary to meet the commitments of the Club, the amount shall be determined in accordance with either

- (a) the provisions of Rule 5.5.1; or
- (b) following the carriage at a Special General meeting of a resolution stating the terms, amount of the levy and upon whom it shall be imposed.

5.7 AUDITOR

5.7.1 At an Annual General Meeting of the Club, The Board may require the members present to appoint a person as the auditor of the Club.

5.7.2 A person so appointed shall hold office until the Annual General Meeting next after the appointment was made, and is eligible for re-appointment.

5.7.3 If an appointment is not made at an Annual General Meeting the Board may appoint an auditor of the Club as required.

- 5.7.4 Any auditor so appointed may only be removed from office by special resolution.

5.8 AUDITING OF ACCOUNTS

5.8.1 The accounts of the Club shall conform to any auditing requirements as set down by the Department of Corporate Affairs, Tasmania. The Board may determine at any time that an audit of accounts be undertaken. Where any audit is undertaken the following shall be complied with:-

- (a) The auditor shall certify as to the correctness of the accounts of the Club and shall report thereon to the members present at the Annual General Meeting.
- (b) In this report, and in certifying to the accounts, the auditor shall state:-
 - (i) whether all information required has been provided; and
 - (ii) whether the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Club according to the information made available, and the explanations provided and as shown by the books of the Club; and
 - (iii) whether the rules relating to the administration of the funds of the Club have been observed.
- (c) The Treasurer of the Club shall cause to be delivered to the auditor a list of all accounts, books and records of the Association.
- (d) The auditor:-
 - (i) has a right of access to the accounts, books, records, vouchers and documents of the Club;
 - (ii) may require from the servants of the Club such information and explanations as may be necessary for the performance of the duties involved
- (c) may employ persons to assist in investigating the accounts of the Club; and
- (d) may, in relation to the accounts of the Club examine any member of the Committee or any servant of the Club.

Section 6 General

6.1 NOTICE TO MEMBERS

- 6.1.1 A notice may be served by or on behalf of the Club upon any member either personally, by electronic means or by sending it through the post in a pre-paid letter addressed to the member at his or her usual or last known place of residence.

6.2 PATRON

- 6.2.1 There shall be one Patron of the Club.
- 6.2.2 At the first Board meeting held after the Annual General Meeting in each year, consideration shall be given to the person to whom an invitation is to be given to hold the position of Patron of the Club and the Board shall determine who the Patron shall be.
- 6.2.3 The Secretary shall, without delay, issue the invitation in writing to the person concerned.

6.3 PUBLIC OFFICER

- 6.3.1 At the first Board meeting held after the Annual General Meeting, the Board shall appoint a Public Officer.
- 6.3.2 (a) The Public Officer may be a Board member, a member of the Club, or an interested non-member of the Club.
- (b) The person appointed Public Officer shall reside in Tasmania.
- 6.3.3 The Public Officer shall be responsible for:
- (a) advising the Corporate Affairs Commission of changes to membership of the Club 's Board, its Constitution, or its financial situation within fourteen (14) days of the change;
- (b) maintaining an official address for the serving of documents on the Club;
- (c) bringing all documents received to the attention of the Board as soon as is practicable; and
- (d) notifying the Commission of any change to his address or that of the Club within fourteen (14) days of this change occurring.

6.4 VISITORS

- 6.4.1 Any member shall have the privilege of inviting friends to the Club premises during the prescribed trading hours or on special occasions as approved by the Board. The Board shall have the power to invite any guest or guests to the Club premises at any time.

6.4.2 Any member introducing a visitor or visitors must

- (a) ensure that their names are entered in the Visitors Book; and
- (b) remain on the premises in the company of their guests until their guests depart.

6.4.3 No visitors shall be supplied with liquor on the Club premises unless in the company of a member and unless of the age permitted by law.

6.5 DAMAGE TO CLUB PROPERTY

6.5.1 No member of the Club shall take away from the Club premises, or deface, tear or injure the property of the Club. Members inflicting such damage shall pay the assessed costs of such damage.

6.6 COMPLAINTS

6.6.1 All complaints regarding members, officers and servants of the Club, or other matters shall be made in writing to the Secretary, who shall act to resolve them or, if unable to do so, shall submit them to the Board. All such complaints must be referred later to the Board for confirmation of the action taken. Where the complaint is of a major nature, or is of such urgency that it should not be held until the next Board meeting, the Secretary shall refer to other members of the Board before taking any action.

6.6.2 All complaints made in writing to the Secretary and referred to the Board are to be considered in the manner detailed in Policy Document No 3 "COMPLAINTS, GRIEVANCES and DISCIPLINARY REGULATIONS" as amended from time to time.

6.7 DISPUTES

6.7.1 Subject to this rule, a dispute between a member of the Club, in his or her capacity as a member, and the Club shall be determined by arbitration in accordance with the provisions of the Arbitration Act 1892.

6.7.2 Nothing in this rule affects the operation or effect of Rule 2.10.

6.8 REPRIMANDS TO STAFF AND SERVANTS

6.8.1 A member has no right to reprimand a servant of the Club. Where a member considers a servant has acted out of order, this shall be reported to an officer of the Club for attention.

6.9 SUING AND BEING SUED

6.9.1 The Club shall have full power and authority in all questions between it and its members to sue, and be sued, in the name of the Secretary thereof for the time being, and no member of the Club shall, in any action or suit brought against him or her by the Club, be entitled to object or impugn such instance, and any person or persons by becoming members of the Club, after the adoption of this Rule, shall be held to have agreed to this Rule, and to waive

any objection competent to him or her or them in that respect, or to have sufficiency such instance.

6.10 ALTERING THIS CONSTITUTION

6.10.1 A motion for the alteration of this Constitution may only be made at an Annual General Meeting, or at a Special General Meeting convened for that purpose, and then only after notice of such alteration has been posted in the Club House for fourteen (14) days prior to such meeting.

6.10.2 Alterations to this constitution shall be adopted only if at least two-thirds of those members eligible to vote (in accordance with Rule 3.7.1) and who are present at a meeting where a motion (made in accordance with Rule 6.10.1) is being considered, vote in favour of the motion.

6.10.3 The Board is empowered from time to time to make by-laws, and to alter, amend, and rescind them, but such by-laws must not be opposed to any Rules of the Club.

6.11 ADHERENCE TO LIQUOR LICENSING LAWS

6.11.1 No liquor shall be sold or supplied for consumption elsewhere than on the premises of the Club, unless such liquor is removed from such premises by the member purchasing the same.

6.11.2 No person under the age permitted by law shall be supplied with liquor by the Club or on its premises.

6.11.3. No person under the age permitted by law shall be allowed to serve in any bar of the Club premises.

6.12 CONTROL OF BAR OPERATIONS

6.12.1 Control over bar operations shall be maintained in the following manner:-

- (a) The Board shall appoint a Bar Manager at the first Board meeting held in each financial year.
- (b) The Board shall approve of the policies to be followed concerning:-
 - (i) availability of bar services to members,
 - (ii) use of labour to supply services,
 - (iii) payment of labour to provide services,
 - (iv) use of bar facilities by other persons and organisations,
 - (v) types of items to be handled,
 - (vi) amount of stock to be held,
 - (vii) security of stock, and

- (viii) equipment to be used.
- (c) Discretion may be used by the Bar Manager in implementing the operations provided that these are within the guidelines of the policies referred to in Rule 6.12.1(b).
- (d) A stock count shall be conducted at not more than three (3) monthly intervals and the results reported at the next Board meeting.
- (e) The Bar Manager shall maintain a proper record of takings, and this record shall be included in the checks carried out by the Auditor.

6.13 APPLICATION OF CLUB ASSETS AND PROPERTY

6.13.1 The assets and income of the Club shall be applied solely in furtherance of its objects set out in Rule 1.4 and no portion shall be distributed directly or indirectly to the members of the Club except as bona-fide compensation for services rendered or expenses incurred on behalf of the organisation, and further it is hereby stated that in the event of the Club being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities, shall be repaid and applied by the Board in accordance with their powers, to any organisation which is exempt from income tax under relevant legislation.

6.13.2 In the event the Club be wound up:

- (a) every member of the Club; and
- (b) every person who, within the period of twelve (12) months preceding the commencement of the winding up, was a member of the Club, is liable to contribute to the assets of the Club for payment of the debts or liabilities of the Club and for the costs, charges and expenses of the winding up, and for the adjustment of the rights of the contributors among themselves with the sum, not exceeding one hundred (100) dollars, as may be required, but a former member or associate is not liable to contribute in respect of any debt or liability of the Club contracted after he or she ceased to be a member.

6.14 COMMON SEAL

6.14.1 The seal of the Club shall be in the form of a rubber stamp inscribed with the name of the Club encircling the word "seal".

6.14.2 The seal of the Club shall not be affixed to any instrument except by the authority of the Board, and the affixing thereof shall be attested by the signatures either of two (2) members of the Board, or of one (1) member of the Board and such other person as the Board may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the Board.

6.14.3 The seal shall remain in the custody of the Secretary.

6.15 FINANCIAL MANAGEMENT OF BOWLING ORGANISATIONS

6.15.1 The Club shall adhere to the laws of the game of bowls in Australia as from time to time adopted by Bowls Australia.

6.15.2 Financial transactions of each of the Bowling Committees shall be directed to the Treasurer of the Board and shall be conducted as laid down in Rules 5.2 and 5.3.

6.16 LEAVE OF ABSENCE FROM BOWLING

6.16.1 Under normal circumstances, any member on leave of absence from the Club for a full season shall not be registered for pennant competition but, in accordance with Rule 5.5.7, if the services of a player on leave are required to enable a full team to be entered in a pennant game the member shall be registered at the expense of the Club.

6.17 GRANTING CLEARANCE

6.17.1 Clearances shall be granted only after all financial obligations to the Club have been met.

6.18 BOWLING VISITORS

6.18.1 Members shall have the privilege of inviting visitors to the Club at any time, such visitors having no priorities of play on the green.

6.19 GREEN CARE

6.19.1 The Bowling Sub-Committee will at all times have due regard to the policies adopted by the Greens Sub-Committee to ensure the appropriate management of the Green.

6.19.2 Subject to the provisions laid down by Bowls Australia, a member of the Greens Sub-Committee or the Green Keeper or in their absence, the manager appointed for the day, shall at all times have power to determine if the Green is fit for play and any conditions under which play shall be permitted.

6.19.3 No person wearing other than approved bowling footwear shall be permitted on the Green.

6.19.4 The manager appointed for the day shall allot rinks for the competitive games to be held on that day.

6.20 ATTIRE ON GREENS DURING MATCHES

6.20.1 In all matches and official social fixtures players shall conform to the attire as approved by the State Bowls authority and as directed by the Committee.