

BYFORD BOWLING CLUB INC CONSTITUTION

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BYFORD BOWLING CLUB INC CONSTITUTION

1 NAME

The name of the Club shall be the **BYFORD BOWLING CLUB INC** hereinafter referred to as the “Club”.

2 PURPOSE

The purpose of the Club shall be:

To foster the game of lawn bowls and the promoting of good fellowship and sportsmanship among members.

To provide well maintained recreational and sporting facilities for members.

3 ATTAINING OBJECTS

The Club shall be empowered to do all things necessary which are incidental to and necessary for attainment of the objects of the Club.

4 COMPOSITION

The Club shall consist of financial members and Life Members (if any), with the management of the Club vested in the Management Committee,

5 AFFILIATION

5.1 BowlsWA

5.1.1 The Club shall be affiliated to the Royal Western Australian Bowling Association (RWABA) trading as BowlsWA.

5.1.2 All members shall recognise and accept the BowlsWA Constitution and By-Laws and shall make all decisions consistent therewith.

5.1.3 All games of lawn bowls shall be played according to the Constitution, By-Laws and laws of the game currently recognised by BowlsWA.

5.2 Byford District Country Club

5.2.1 The Club is affiliated with the Byford Districts Country Club (BDCC) by virtue of an agreement for the Club’s use of the lawn greens owned by BDCC (“the Agreement”).

5.2.2 The Club must do all things and make all by-laws necessary to ensure that the Club and all members comply with the terms of the Agreement.

5.2.3 All members shall recognise and accept the BDCC Constitution and By-Laws and shall pay the annual BDCC membership fees in place from time to time.

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6 PROPERTY AND INCOME

The Club must apply all property and income of the club towards the promotion of the objects or purposes of the Club. No part of that property or income to be paid or otherwise distributed, directly or indirectly, to members of the Club except in good faith in the promotion of those objects or purposes. The Club shall not be responsible for the loss or damage to any article whatsoever brought into the Club premises by members or visitors.

7 POWERS OF THE CLUB

- 7.1 To acquire, hold, deal with, and dispose of any real or personal property.
- 7.2 To open and operate bank accounts.
- 7.3 To invest its money
 - 7.3.1 In any security in which trust monies may be invested. or
 - 7.3.2 In any other manner authorised by the rules of the Club.
- 7.4 To borrow money upon such terms and conditions as the Club thinks fit.
- 7.5 To give such security for the discharge of liabilities incurred by the Club as the Club thinks fit.
- 7.6 To appoint agents and employees to transact any business of the Club on its behalf for the reward or otherwise.
- 7.7 To build, construct, erect, maintain, alter and repair any premises building or other structure of any kind and to furnish equipment and improve the same for use by the Club.
- 7.8 Accept donations and gifts in accordance with the objects of the Club.
- 7.9 Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the Club.
- 7.10 Provide gifts and prizes in accordance with the objects of the Club.
- 7.11 Organise social events for members and the promotion of the Club.
- 7.12 To enter into any other contract the Club considers necessary or desirable.
- 7.13 To enable Committee Members to be paid for out-of-pocket expenses for travel, accommodation and the like incurred in attending meetings or in connection with the association's business.

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8 MEMBERSHIP

- 8.1 Membership shall be open to any person who wishes to further interests of the club.
- 8.2 Any person seeking membership shall make application to the Management Committee, and the Management Committee shall determine whether the application is successful or not.
- 8.3 Each person admitted to membership shall be.
 - 8.3.1 Bound by the Constitution and By-Laws of the Club.
 - 8.3.2 Come liable for such fees and subscriptions as may be fixed by the Club.
 - 8.3.3 Entitled to all advantages and privileges of the membership category to which they are admitted.
- 8.4 Membership Categories.
 - 8.4.1 Ordinary Member

Any person who is a financial member of the Club and who has nominated the Club as their Home Club.
 - 8.4.2 Junior Member

Any Member who is older than nine (9) years and under the age of eighteen (18) years. A Junior Member has no voting rights and is not entitled to hold any office.
 - 8.4.3 Life Member

Any member elected by the Management Committee who has given outstanding service to the Club as a Member. Any member may nominate a person to the Management Committee for consideration for Life Membership.
 - 8.4.4 Social Member

Any financial Member who wishes to bowl and enjoy Club facilities but who does not represent the Club in competition and who does not evoke capitation fees to BowlsWA.
 - 8.4.5 Patron

The Club may, at its discretion, elect a patron/s or vice patron/s of the Club for such period as may be deemed necessary. Such patron/s or vice patron/s shall not be eligible to vote unless they are current members of the Club under another category of membership.

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8.5 Members Register

- 8.5.1 The Management Committee shall appoint a member of the Management Committee to maintain an up-to-date register of the members of the Club.
- 8.5.2 A Member may upon request to the Secretary and at any reasonable time inspect the records and documents of the Club.
- 8.5.3 The Management Committee has the right and powers to create new classes of membership with such rights, privileges and obligations as are determined as applicable.

8.6 Members Rights

- 8.6.1 Only members who are financial or belong to an eligible membership category and have nominated the Club as their Nominated Home Club shall be entitled to play in a BowlsWA pennant competition for the Club or in Club Championships.

9 MEMBERSHIP FEES

The Club financial year shall commence on " the First (1st) day of April" each year.

Membership invoices for each year will be issued to members in early March and will clearly show the date payment is due and the date for final payment. Members will also be reminded that they must be financial for the current year to be heard at the Club Annual General Meeting.

9.1 Setting of Fees

- 9.1.2 Membership fees and deposits for the ensuing year for each class of membership shall be determined by the Management Committee, on the recommendation of the Club Treasurer.
- 9.1.3 These fees shall be confirmed by members at the Club's Half Yearly General Meeting or at Special General Meeting called for that purpose.
- 9.1.4 Capitation fees as set by BowlsWA shall be in addition to the Club membership fee but shall only apply to Ordinary and active Life members.
- 9.1.5 New members shall pay the full Club and capitation fee irrespective of when during the year the members join.
- 9.1.6 Members of the BYFORD BOWLING CLUB INC are also required to be members of the Byford and Districts Country Club Inc and shall pay the annual membership fees as set down by that Club.

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9.2 **Payment of subscriptions**

9.2.1 All membership fees shall become due for payment on the (first) day of April each year or, on entering into an arrangement with the Club Treasurer.

9.2.2 New social members joining after December shall not be liable for fees other than for the Country Club until the commencement of the following Club financial year commencing 1st April that year

10 NOMINATION AND ELECTION OF MEMBERS

10.1 Application for membership of the Club shall only be proposed and seconded by a Management Committee member.

10.2 Applicants shall complete a Membership Application Form in the form set out in the By-Laws.

11 TERMINATION OF MEMBERSHIP

11.1 Any person's membership may be terminated by the following events.

11.1.1 Resignation.

11.1.2 Expulsion.

11.1.3 A member's annual membership fee remains unpaid after three (3) months falling due.

11.2 The Management Committee shall have the power to suspend or expel any member of the Club for.

11.2.1 Any of the events in item 11.1

11.2.2 False or inaccurate statements made in the member's application for membership of the Club.

11.2.3 Breach of any rule, regulation, or By-Law of the Club and

11.2.4 By any act detrimental to the Club, after having undertaken due inquiry.

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- 11.3 Any member who is expelled, suspended, or has their membership terminated shall have the right to appeal against their expulsion by presenting their case to a Special General Meeting called for such a purpose, and the decision of the Special General Meeting shall be final.
- 11.4 Any member wishing to resign their membership of the Club may do so by giving written notice to the Club Secretary
- 11.5 Persons resigning from the Club or ceasing to be a member for any other cause shall not be entitled to have any claim upon any portion whatsoever of the property or funds of the Club.

12 MANAGEMENT COMMITTEE

- 12.1 Management of the Club shall be vested in the Management Committee elected by members at the Annual General Meeting and consisting of.
- President
 - Vice President
 - Secretary
 - Treasurer
 - Captain Men's bowls section
 - Captain Ladies' bowls section
 - Committee Member (a)
 - Committee Member (b)
- 12.2 Only a financial Ordinary Member or a Life Member of the Club is eligible to become a member of the Committee.
- 12.3 The Committee may determine the maximum number of members who may be Committee Members from time to time.
- 12.4 The Office Holders of the Club are:
- President.
 - Vice President.
 - Secretary.
 - Treasurer
- 12.5 All positions on the Committee are for a one-year term.
- 12.6 All members of the Committee are eligible for re-election, subject to their continuing membership of the Club and belonging to an eligible category of membership.
- 12.7 Any member who resigns from the Committee shall not be eligible for reappointment to any Committee until the next Club Annual General Meeting.
- 12.8 No person shall hold more than one position as an Office Holder of the Club at any one time

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- 12.9 If an Office Holder vacancy should occur during the term the Committee shall appoint a successor until the next General Meeting.
- 12.10 A person shall cease to be a member of the Management Committee at the conclusion of the Annual General Meeting which follows their election.
- 12.11 A quorum of the Management Committee shall be half of its members plus one.
- 12.12 If the President or Vice President is unable to attend, then a chairperson nominated by the meeting shall chair that meeting.
- 12.13 A member of the Management Committee may lose his or her seat on the Committee for either of the following.
- Absence from three (3) or more meetings without leave of absence.
 - Found not to be a financial member.
- 12.14 The Management Committee shall meet at such times and on such dates as decided by the Management Committee.

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13 POWERS OF MANAGEMENT COMMITTEE

- 13.1 Subject to the Associations Incorporation Act, these Rules and the By-Laws of the Club and any resolution passed at a general meeting, the Committee has power to do all things necessary or convenient to be done for the proper management of the affairs of the Club.
- 13.2 The Management Committee shall conduct the day-to-day running of the Club and shall have the power to manage the affairs of the Club, including -
 - 13.2.1 Administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account.
 - 13.2.2 Fix the manner in which such banking accounts shall be operated upon, providing the Management Committee passes all payments.
 - 13.2.3 Fix fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof.
 - 13.2.4 Adjudicate on all matters brought before it which in any way affect the Club.
 - 13.2.5 Cause minutes to be made of all proceedings at meetings of the Management Committee and General Meetings of members.
 - 13.2.6 Make, amend and rescind rulings and By-Laws.
 - 13.2.7 Have the power to form and appoint any sub- committee/s as required for specific purposes.
 - 13.2.8 At their discretion employ a person or persons to carry out certain duties required by the Club, at salaries or remunerations for such period, as may be deemed necessary.
 - 13.2.9 Should a vacancy occur on the Management Committee during the season, the Management Committee shall appoint a successor until the next Annual General Meeting.
 - 13.2.10 Appoint an officer/s or agent of the Management Committee to have custody of the Club's records, documents, and securities.

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14 DUTIES OF OFFICERS OF THE MANAGEMENT COMMITTEE

The Duties and Job Descriptions of the members of the Management Committee and other Committee positions include the following -

- 14.1 President
The President shall.
 - 14.1.1 Attend all appropriate meetings of the Management Committee.
 - 14.1.2 Chair all meetings of the Club and meetings of the Management Committee. In the absence of the President, the Vice President shall preside. If neither of the above-mentioned officers be present, the meeting shall elect a Chairperson.
 - 14.1.3 Represent (or delegate) dealings with the Management of the Byford Country Club.
 - 14.1.4 Promote and foster the development and growth of the Club in conjunction with Management Committee
- 14.2 Secretary
The Secretary shall.
 - 14.2.1 Attend all appropriate meetings of the Management Committee.
 - 14.2.3 Keep a correct record of all proceedings of Management Committee meetings and General meetings in a file provided for that purpose.
 - 14.2.4 Do such clerical work as may be necessary for the observance of the Rules and By-laws of the Club.
 - 14.2.5 Attend to all correspondence and perform all normal duties of Secretary as required by the Management Committee.
 - 14.2.6 Be responsible for the prompt distribution of all correspondence received from BowlsWA.
- 14.3 Treasurer
The Treasurer shall -
 - 14.3.1 Attend all appropriate meetings of the Management Committee.
 - 14.3.2 Be responsible for all monies paid to the Club and ensure that all these monies are paid into the Club's bank account as soon as possible after receipt.
 - 14.3.3 Keep a set of financial accounts in order and up to date.

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- 14.3.4 Present monthly and year to date reports to the monthly Management Committee meetings.
- 14.3.5 Present audited financial statement of accounts at the Club's Annual General Meeting and an interim financial report to the Club Half Yearly General Meeting.
- 14.3.6 Distribute all monies and pay all accounts as authorised by the Management Committee.
- 14.3.7 Ensure that the Club's financial records are available to the External auditor when requested.

14.4 Club Captains

The captains of the Men's and Ladies teams shall –

- 14.4 Attend all appropriate meetings of the Management Committee and be responsible for promoting the club.

14.5 General Committee

General Committee Members shall attend all appropriate meetings of the Management Committee and perform such duties as required from time to time in assisting other committee members for the benefit of the Club and its members in general.

15 AUDITOR

- 15.1 An Auditor or Auditors shall be elected or appointed at the Annual General Meeting.
- 15.2 The Auditor/s shall examine and audit all the books and accounts of the Club annually, and have the power to call for all books, papers, accounts, receipts and any other digital or electronic record of the Club to report thereon to the following Annual General Meeting or as otherwise directed by the Management Committee.

16 GENERAL MEETINGS

- 16.1 Annual General Meeting.
 - 16.1.1 The Annual General Meeting of the Club must be held within four (4) months of the end of the Club's financial year.
 - 16.1.2 The Secretary shall give at least fourteen (14) days' notice of the date of the Annual General Meeting, to members.
 - 16.1.3 All financial members may attend the Annual General Meeting.

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16.1.4 The quorum at the Annual General Meeting shall be a minimum of twenty-five (25) per cent of members. If, at the end of thirty (30) minutes after the time appointed in the notice for the opening of the Meeting, there be no quorum the meeting shall stand and adjourn for one (1) week. If at such meeting, there is no quorum those members present shall be competent to discharge the business of the meeting.

16.2 The agenda for an Annual General Meeting shall be.

- Opening of meeting
- Apologies
- Confirmation of minutes of previous Annual General Meeting
- Presentation of Annual Report
- Adoption of Report
- Presentation of Treasurer's statement
- Election of new Executive and appointment of Auditor
- Vote of thanks to outgoing Executive
- Notice/s of motion
- Confirmation of any Life Membership if applicable
- Urgent general business
- Closure

16.3 Special General Meetings

16.3.1 Special General Meetings may be called by the Management Committee or at the request of the President and Secretary or on the written request of twenty (20) percent of members of the Club.

16.3.2 The Secretary shall give at least 21 days' notice, in writing, of the date of the Special General Meeting to the member. Notice of Special General Meetings shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that Special General Meeting.

16.3.3 The quorum at the Special General Meeting shall be a minimum of twenty (20) members.

16.4 Notices

16.4.1 Notices of General Meetings and notices of Motion may be given, published, or circulated in the following manner: by

16.4.2 email

16.4.3 Club notice board.

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16.5 Special General Meeting called by Members

16.5.1 A Special General Meeting may be requested by members for any reason given in writing to the Secretary and signed by at least 20% of membership. The Notice requesting the meeting should state the reason for the meeting

16.5.2 Any such meeting shall be convened within 28 days of receiving the Notice. If the Committee fail to convene the meeting within the 28 days, the members may convene a special general meeting to be held within a three-month limitation of the request for such meeting

16.5.3 Only the business stated in the Notice requesting the meeting will be discussed at the Special General Meeting called by Members

17 VOTING

17.1 Voting Powers at General Meetings

17.1.1 At all General Meetings of the Club and all meetings of the Committee, the President, or in his absence the presiding Chairperson shall have a deliberative vote and a casting vote where necessary to retain the status quo.

17.1.2 The President shall be entitled to a deliberative vote and, in the event of a tied vote; the President shall cast a casting vote.

17.1.3 Each individual financial ordinary or Life Member present shall have one Vote.

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18 FINANCE

- 18.1 All funds of the Club shall be deposited into the Club's accounts at such bank or recognised financial institution as the Management Committee may determine.
- 18.1.1 All accounts due by the Club shall be paid after having been passed for payment at the Management Committee Meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next Management Committee Meeting.
- 18.1.2 The Treasurer shall not spend more than a set amount of petty cash without the consent of the Management Committee and shall keep a record of such expenditure in a petty cash book.
- 18.1.4 A statement showing the financial position of the Club shall be tabled at each Management Committee Meeting by the Treasurer.
- 18.1.5 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting. The Auditor's report shall be attached to such financial report.
- 18.1.6 The financial year of the Club shall commence on April 1st each year. The accounts books and all financial records of the Club shall be audited each year.
- 18.1.7 The signatories to the Club's account/s shall be any two (2) from the following.
- President
 - Vice President
 - Secretary
 - Treasurer
- 18.1.8 All property and income of the Club will apply solely to the promotion of the objects of the Club and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

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19 MISCONDUCT

- 19.1 When the Management Committee is advised that a member has allegedly breached, failed, refused, or neglected to comply with the provisions of the Constitution or By-laws of the Club. Or acted in a manner unbecoming of a member, or prejudicial to the objects and interest of the Club and/or the game of bowls.
- 19.1.1 The committee may commence or cause to be commenced, disciplinary or investigatory proceedings against the member and that the member will be subject to, and submit unreservedly to the jurisdiction, disciplinary procedures, penalties, and appeal mechanisms of the Club as set out in the Club By-laws.
- 19.1.2 However, if the alleged offence is considered by the Committee to be of a minor nature, then they may endeavour to resolve the matter under the rule for Minor Misconduct Issues as detailed in the Club By-Laws.
- 19.1.3 No person shall be entitled to take action or proceedings against the Club for or in respect of any suspension or expulsion as aforesaid and must conform to the decision of the Management Committee.

20 DISPUTES

Disputes under or relating to the rules between members; or between members and the Club shall be handled as follows:

- 20.1 The parties initially are required to attempt to resolve the dispute themselves.
- 20.2 Should the parties still be unable to resolve the dispute then the parties involved shall appear before the Management Committee who shall determine the matter and may appoint a mediator to assist.
- 20.3 Each party in the dispute shall be given an opportunity by the Club to be heard on the matter and that an unbiased decision maker decides the outcome.
- 20.4 When a dispute exists between person/s and the Management Committee, alternative unbiased mediation shall be sought.

21 KEEPING OF BOOKS AND SECURITIES

- 21.1 Books and Securities of the Club shall be kept in the Secretary's Custody.
- 21.2 Financial records shall be kept in the Treasurer's custody.

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22 COMMON SEAL

The common seal of the Club shall be kept in the care of the Secretary. The seal shall not be used or affixed to any deed or document except pursuant to a resolution of the Management Committee and in the presence of at least the President and two members of the Management Committee, both of whom subscribe their names as witnesses.

23 ALTERATIONS TO THE CONSTITUTION AND BY-LAWS

- 23.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or Special General Meeting, called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a Special General Meeting.
- 23.2 The Secretary shall forward such notices of motion to change the Constitution to each Management Committee member at least fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a Special General Meeting.
- 23.3 Such motions to change the Constitution, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority (Special Resolution) of those present and entitled to a vote at the Annual General Meeting or Special General Meeting, as the case may be.
- 23.4 Within one month of the passing of a special Resolution to change the Constitution, the Secretary shall notify the appropriate State Government Department.
- 23.5 Alterations to the By-Laws can be made only at Management Committee Meetings provided notice of the proposed alteration/s has been duly notified to each Management Committee member at least fourteen (14) days prior to the Management Committee meeting and any such proposed alteration has been passed by at least seventy five percent (75%) of the Management Committee.

24 DISSOLUTION

If, on the winding up of the Club, any property of the Club remains after satisfaction of the debts and liabilities of the Club and the costs, charges and expenses of that winding up, that property shall be distributed.

- 24.1 To another incorporated association having objects similar to those of the Club which incorporated association as the case requires, shall be determined by resolution of the members.