

MERTHYR

BOWLS CLUB INC

CONSTITUTION

Approved Date.....

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President

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Secretary

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DEFINITIONS

- "Bowling Member"** – A person who belongs to the Association's bowling team, this person does not have an entitlement to vote but is a registered bowling player for the Association and is a financial member of the Association and Bowls Association.
- "Financial Member"** - A person who has paid their membership fees, for their particular class of membership and who is approved by the Board of Management, by the 30th of June of the previous financial year.
- "Financial Year"** - Commences on the 1st of July and ends on the 30th of June of the following year.
- "General Member"** – A person who has paid their membership fees to become a full member, and who has been a social or bowling member with the Association for at least two (2) years prior, this person has full voting entitlement for all the Association AGM's and general meetings.
- "Official Address"** – Address recorded in the Association's register for service of notices and other official activities.
- "Social Member"** – A person who has paid their membership fees to belong to the social club of the Association, they do not have any voting rights or entitlements.
- "Surplus Assets"** - Has the meaning given by section 92(3) of the Act.
- "The Act"** – The *Association Incorporations Act 1986* (QLD).
- "The Association"** – The Merthyr Bowls Club Incorporation.
- "The Board of Management"** – Consists of the president, vice-president, secretary, and treasurer along with any other general board members who are elected at an AGM. The period for a board member is two years and is further defined in clauses 43 to 86.
- "The Club"** – The Merthyr Bowls Club Incorporated.

WORDS AND EXPRESSIONS TO HAVE THE MEANING IN THE ACT

1. A word or expression that is not defined in these model rules, but is defined in the *Associations Incorporations Act 1981* ("**the Act**") has, if the context permits, the meaning given by the act.

NAME

2. The name of the incorporated association is the Merthyr Bowls Club Incorporated ("**The Association**").

OBJECT OF THE ASSOCIATION

3. The object of the Association are:-
 - 3.1 to provide facilities and activities for Members and for the social and competitive playing of the Game of Bowls as prescribed by the World Bowling Board and the National, State and District Men's, Ladies' or joint Bowls Associations (hereinafter referred to, either singularly or collectively as appropriate as "Bowls Associations") which, from time to time, exercise valid authority and jurisdiction in respect of the playing of the Game of Bowls, and with which the Association is qualified to affiliate;
 - 3.2 to promote and develop the Association and its facilities and activities within the local community for the benefit of the Members and the Game of Bowls in particular, and for the community within which the Association exists in general;
 - 3.3 to sustain the integrity of the Game of Bowls and to provide programs to develop and maintain consistent high-standards for the Game of Bowls; and
 - 3.4 to provide, promote and develop such other programs, activities and use of property or assets as deemed necessary from time to time to generate and enhance good fellowship within and between Members, other Bowls and sports Clubs and the community, and without prejudice to the Game of Bowls.

POWERSGeneral Powers

4. The Association is to have the following powers:-
 - 4.1 The Association has the power of an individual.
 - 4.2 The Association may, for example:-
 - 4.2.1 enter into contracts;
 - 4.2.2 acquire, hold, deal with and dispose of property;

4.2.3 make changes for services and facilities it supplies; and

4.2.4 do other things necessary or covenant to be done in carrying out its affairs.

4.3 The Association may also issue secured and unsecured notes, debentures, and debenture stock for the Association.

Specific Powers

5. The powers of the Association also include, but are not limited to, the following:-

- 5.1 to subscribe to, become a member of and co-operate with any other association, club or organisation, whether incorporated or not, whose Objects are altogether or on part similar to those for the Association provided that the Association shall not subscribe to nor support with its funds any club, association or organisation which does not profit the distribution of its income and property among its member to an extent at least as great as that imposed onto the Association under or by virtue if the provisions of this Constitution;
- 5.2 to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the Members or persons frequenting the Association's premises;
- 5.3 to purchase, take or lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real or personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connexion with, any of the Objects - provided that in the case the Association shall take or hold any property which may be subject to any Trusts the Association shall only deal with the same in such manner as is allowed by law having regard to such Trusts;
- 5.4 to enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the Objects and the exercise of the Association's Powers;
- 5.5 to obtain from any such Government or Authority any rights, privileges or concessions which the Association may think it is desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
- 5.6 to appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workers and other persons as may be necessary or convenient for the purposes of the Association;
- 5.7 to remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting

to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the Association, or in or about the Association or promotion of the Association or in the furtherance of the Objects;

- 5.8 to construct, improve, maintain, develop, work, manage, carry out, alter or control any property, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof;
- 5.9 to invest and deal with the funds of the Association not immediately required in such a manner as may from time to time be thought fit;
- 5.10 to take, or otherwise acquire, and hold shares, debentures or other securities of any company or corporate body;
- 5.11 to lend and advance funds or give credit to any person or corporate body;
- 5.12 to guarantee and give guarantees or indemnities for the payment of funds for the performance of contracts or obligations by any person or corporate body, and otherwise to assist any person or corporate body;
- 5.13 to borrow or raise funds either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or over draft or otherwise to represent or secure any funds and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the Association's property or assets present or future and to purchase, redeem or pay-off any such securities;
- 5.14 to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
- 5.15 to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or part of the property and rights of the Association;
- 5.16 to take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, or of any part of the Association's property of whatsoever kind sold by the Association or any funds due to the Association from purchases or others;
- 5.17 to take any gift or property whether subject to any special Trust or not, for any one or more of the Objects, but subject to these rules;
- 5.18 to take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring

contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise;

- 5.19 to print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its Objects;
- 5.20 to amalgamate with anyone or more incorporated associations having Objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of the provisions of this Constitution;
- 5.21 to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorised to amalgamate;
- 5.22 to transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorised to amalgamate;
- 5.23 to make donations for patriotic, charitable or community purposes;
- 5.24 to transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged; and
- 5.25 to do all such other things as are incidental or conducive to the attainment of the Objects and the exercise of these Powers.

The Association may subscribe to any business association which is able to contribute positively to or otherwise enhance the purpose, development and business skills of the Association.

Incorporation

- 6. The Association is to be incorporated under the provisions of the *Act* and its subsequent provisions and amendments, and shall comply with the provisions of this act and its regulations.

Association to be Licenced

- 7. The Association is to maintain a licence under the provisions of the *QLD Liquor Licensing Act* and its subsequent revisions and amendments, and shall comply with the provisions of this Act and its regulations.
- 8. Any remuneration by the Association to any person shall preclude any sum by way of commission or allowance calculated by reference to the quantity of liquor sold or supplied by the Association or the receipts to the Association for such liquor.

LIMITATION OF THE ASSOCIATION'S POWERS

9. The Association shall not affiliate with nor seek membership of any corporate body or other association which has as one of its Objects a purpose for political or religious activity.

POWER TO ACQUIRE AND INTERGRATE WITH OTHER BOWLING ASSOCIATIONS

10. The Association may acquire other bowling associations and venues that will assist improving and maintaining the objectives of the Association.
11. In acquiring or integrating another bowling association, the Board of Management is to do all things necessary to ensure that the new venue is properly licensed in accordance with clauses 7 and 8.

AFFILIATION WITH BOWLS ASSOCIATIONS

12. The Association will affiliate with those Bowls Associations which exercise valid jurisdiction for the Game of Bowls over or for the geographic area within which the Association exists. The Association through such affiliations, shall secure for Members the most appropriate opportunities for participation in the Game of Bowls beyond the jurisdiction of the Association.
13. This Constitution (and any By-law of this Constitution) shall not in any way conflict with the Rules and By-laws of any Bowls Association with which the Association is affiliated in respect of any matter over which a Bowls Association exercises valid jurisdiction.
14. The Association, in order to sustain its affiliation, shall -
 - 14.1 renew its affiliations with the Bowls Associations each year and pay the prescribed Affiliation Fees;
 - 14.2 ensure that the Association is properly represented in all the appropriate forums, meetings and activities of these Bowls Associations; and
 - 14.3 diligently fulfil all valid Conditions for Affiliation prescribed by the Bowls Associations from time to time.

RECIPROCAL CLUBS

15. The Association, through the Board of Management, may enter into Formal Reciprocal Arrangements with any other club or clubs provided that any such arrangement is -
 - 15.1 only with any club whose Objects are complimentary to those of the Association;
 - 15.2 for the mutual benefits of the Members of the Association between which each Formal Reciprocal Arrangement exists; and

15.3 in accordance with the Liquor Act, as, where and when applicable.

CLASSES OF MEMBERS

16. The membership of the Association shall consist of general members, and any of the following classes of members:-
- 16.1 General members;
 - 16.2 Bowling members;
 - 16.3 Social members;
 - 16.4 Life members;
 - 16.5 Honorary members;
 - 16.6 Temporary members; and
 - 16.7 Junior members.

17. The number of general members is unlimited.

TYPES OF MEMBERS

18. **General Member** – A General Member is a person who is a Bowling Member of the Association, and continues to be a Bowling Member of the Association and who participates in, or otherwise positively supports, the Game of Bowls within and/or on behalf of the Association. A General Member is elected by a majority of the Board of Management of the Association, after having served two years as a Bowling Member. A General Member shall only remain in that class of membership while they continue to remain a properly qualified Bowling Member of the Association.

A General Member is entitled to exercise all the privileges of membership and to enjoy all the benefits and responsibilities of membership for which the full subscription fee shall be paid.

The total number of General Members is to be determined by a vote at the Annual General Meeting for each financial year.

19. **Bowling Member** – A Bowling Member is a properly qualified person who wishes to be, and continues to be, a Bowling Member of the Association and who participates in, or otherwise positively supports, the Game of Bowls within and/or on behalf of the Association. A Bowling Member shall only remain in that class of membership while they continue to remain properly qualified as a Bowling Member of the Association.

A Bowling Member is only entitled to exercise the privileges of membership and enjoy the benefits and responsibilities of their membership for which the bowling subscription fee shall be paid. The privileges of this membership will allow a Bowling Member to compete on behalf of the Association as a bowler and to enjoy the facilities of the Association. A Bowling Member shall pay a subscription fee which shall be less than that of a General Member.

A Bowling Member shall be elected by a majority of the Board of Management.

A Bowling Member is not permitted to participate in the business activities of the Association, and cannot:-

- 19.1 participate or vote in the meeting or business of the Association;
- 19.2 nominate nor support the nomination of any member to any class of membership at the Association;
- 19.3 nominate nor support the nomination of any member to the Board of Management of the Association, nor to be elected to the Board of Management.

20. **Social Member** – A Social Member is an otherwise properly qualified person over the age of 18 years who wishes to only participate in the social activities of the Association.

A Social Member is only entitled to the social privileges of the Association and shall pay the social subscription fee which shall be less than that for a General Member and Bowling Member.

A Social Member is not permitted to participate in the business activities of the Association, and cannot:-

- 20.1 participate or vote in the meeting or business of the Association;
- 20.2 nominate nor support the nomination of any member to any class of membership at the Association;
- 20.3 nominate nor support the nomination of any member to the Board of Management of the Association, nor to be elected to the Board of Management.

21. **Life Members** - The Association, by Special Resolution at a General Meeting, may elect to Life Membership any Ordinary Member who rendered exceptional service within the Association for a continuous period of at least ten (10) years or who has satisfied the requirement of any By-Law, which sets out alternative ways a member can qualify for a life membership.

A Life Member is entitled to all the privileges and benefits of a General Member without the requirement to pay the Association Subscription Fee but, shall be

required to pay any Special Levies and all fees and levies due in respect of the Association's affiliations with associations including Bowls Associations.

22. **Honorary Members** - The Association, at a General Meeting, may elect as Honorary Member any person who is not otherwise a Member and who has rendered service or benefit to the Association and fairly deserves recognition for providing this service or benefit.

An Honorary Member is only entitled to the same privileges of membership as those of a Social Member for a maximum period of one year, but may be elected for successive one year terms at the discretion of the Association. Honorary Membership is by invitation and is free of any Subscription Fees.

23. **Temporary Membership** - The Board of Management may admit as a Temporary Member any person who is a bona-fide member of a Bowls Association affiliated directly or indirectly with the World Bowling Board or the Women's World Bowling Association, who does not normally reside within the locality of the Association and who is otherwise properly qualified in accordance with this Constitution.

Temporary Membership shall only be granted for a maximum period of six months at a time.

A Temporary Member is only entitled to the social privileges of the Association.

24. **Junior Members** - A Junior Member is a properly qualified person between the ages of 12 and 17 years inclusive who wishes to be, and continue to be, a Bowling Member of the Association and who participates in, or otherwise positively supports, the Game of Bowls within and/on behalf of the Association.

A Junior Member shall be elected by a majority of the Board of Management.

A Junior Member is not permitted to participate in the business activities of the Association, and cannot:-

- 24.1 participate or vote in the meeting or business of the Association;
- 24.2 nominate nor support the nomination of any member to any class of membership at the Association;
- 24.3 nominate nor support the nomination of any member to the Board of Management of the Association, nor to be elected to the Board of Management.

The subscription fee for a Junior Member shall be less than that for a Bowling Member.

The By-Laws shall prescribe the provision of facilities and services for Junior Members to ensure compliance of the Association with the *Liquor Act*.

NOMINATIONS FOR GENERAL, JUNIOR, BOWLING, SOCIAL AND TEMPORARY MEMBERSHIP

25. Each nomination for General, Junior, Social, Bowling and Temporary Membership shall be made through submitting to the Secretary a valid nomination on the Form prescribed by the Board of Management and accompanied by the prescribed Fee(s). The persons nominating and supporting a nomination for Ordinary, Junior, Social or Temporary membership must be a "financial" General or Life Member of the Association.
26. It is the obligation of a Member nominating a person for membership to fully acquaint that person of the benefits, privileges and responsibilities of membership; and the Nomination Form shall include that the nominee accepts all the obligations of membership and agrees to abide by this Constitution and the By-laws of the Association as they apply from time to time.

PARTICULARS FOR NOMINATIONS OF MEMBERSHIP

27. Particulars of each nomination for General, Junior, Bowling, Social and Temporary Membership shall, forthwith upon the receipt of same, be entered in order of the time it is received by the Secretary into the Proposed Members Register kept by the Secretary. Each entry shall include –
 - 27.1 full name;
 - 27.2 date of birth;
 - 27.3 residential address and telephone number;
 - 27.4 occupation;
 - 27.5 membership of other sports or social associations; and
 - 27.6 date and time of receipt of the Nomination Form.
28. Each nomination shall be dealt with and determined in the order within which it is recorded in the Proposed Members' Register.

ELECTION TO MEMBERSHIP

29. Members shall be elected by the Board of Management by the following process.

Display of Nomination

- 29.1 Each nomination for General, Bowling, Junior, Social and Temporary Membership shall be displayed on the Notice Board for at least fourteen days and shall include the-
- (a) name and address of nominee;
 - (b) names of the nominator and supporter of the nomination;
 - (c) list of any other current membership of any sports clubs; and
 - (d) the date by which objections will be received by the Secretary in writing to the nomination which shall be a date not less than twenty-one days after the date upon which the nomination was placed onto the Notice Board.

Admission and Rejection of Members

- 29.2 The Board of Management must consider an application for membership at the next meeting of the Board held after it receives:-
- (a) the application; and
 - (b) the appropriate membership fee for the application.
- 29.3 The Board of Management must decide at the meeting whether to accept or reject the application.
- 29.4 If a majority of the Board of Management present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member to the class of membership applied for.
- 29.5 The secretary of the Association, must as soon as practical after the Board of Management decides to accept or reject an application, give the applicant a written notice of the decision.

Appeal Against Rejection or Termination of Membership

- 29.6 A person who's application for membership has been rejected, or who's membership has been terminated, may give the secretary written notice of the persons intention to appeal against the decision.
- 29.7 A notice of intention to appeal must be given to the secretary within one month after the person receives written notification of the decision.

- 29.8 If the secretary receives a notice of intention to appeal, the secretary must, within three months after the day of receipt, call a general meeting to decide the appeal.
- 29.9 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.
- 29.10 Also the Board of Management and the board members who reject the application or termination of membership must be given an opportunity to show why the application should be rejected or the membership should be terminated.
- 29.11 An appeal must be decided by a vote of members present at the meeting.
- 29.12 If a person whose application has been rejected doesn't appeal against the decision within one month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the application they paid by that person.

Time Lapse Before Re-Nomination For Membership

- 29.13 Any person whose nomination for membership has been rejected by the Board of Management or the Association, as applicable, can not be re-nominated within one year of the date upon which the nomination was rejected by the Board of Management or the Association, whichever is the latter.

DUTY OF MEMBERS TO SUSTAIN QUALIFICATIONS OF MEMBERSHIP

30. A member of any class shall not be allowed to remain a member of the Association or within that class of membership to which he or she was elected if that member no longer continues, for any reason, to possess the qualifications for either membership of the Association or for that particular class of membership to which they were elected.
31. The Board of Management is empowered to terminate (on its own initiative but subject to the process before appeal described in Clauses 34 - 40 above) the membership of any person who no longer qualifies to be a member of the Association.
32. The Board of Management is empowered (on its own initiative but subject to a process of appeal) to transfer a member from one class of membership to another when that member no longer qualifies to remain in the class of membership to which he or she was elected.

WHEN MEMBERSHIP ENDS

33. A member may resign from the Association by giving written notice of their resignation to the secretary.