**Zone 11 (Manning District) Bowling**

**Association Inc.**



**Constitution**

Adopted: 1 January 2016

**1. NAME**

The name of the Association shall be Zone 11 (Manning District) Bowling Association Incorporated,

**2. INTERPRETATION**

In this Constitution, unless the context or the subject matter otherwise indicates or requires:

a. **Definitions**

* **“Director-General”** means the Director-General of the Department of Fair Trading, NSW,
* **“RNSWBA”** means the Royal New South Wales Bowling Association Limited trading as Bowls NSW,
* **“B.A.”** means Bowls Australia Inc.
* **“The Association”** means Zone 11 (Manning District) Bowling Association Incorporated,
* **“the Act”** means the *Association Incorporation Act 2009*,
* **“Bowling Club”** means a properly constituted body of sixteen (16) or more full members whose annual subscription is not less than that prescribed by law for the Registration of a Club, having a bowling green ready for play of not less than four (4) rinks and which complies with the Laws of the game of bowls as provided by B.A.
* **“Delegate”** means an Individual member of the Management Committee who is a nominated representative of a Member Club or provisional Member Club as set forth in this constitution,
* **“Executive Committee”** means the President, Senior Vice President, Vice President, Secretary and Treasurer of the Association.
* **“Financial Club Member”** means a natural person who has paid the appropriate fees, if any, to a Club for the current financial year and who is entitled to play bowls at that Club by virtue of their membership,
* “**Member Club”** means a Club which has been granted affiliation with the Association.
* **“Individual member”** in relation to a Member Club means:

i. a male or female member of that Club, who at any time, when his or her status as a member of that club is relevant for the purpose of any provision of the Constitution, is a Financial Club Member of that Club by reason of his having paid the full or junior subscription for membership of that Club; or

ii. a male life member of that Club,

* **“Management Committee”** means the Executive Committee and two (2) Delegates of Member Clubs as set forth in this Constitution,
* **“Office Bearer”** means an elected person of the Executive Committee,
* **“Provisional Club”** means a properly constituted body having at least sixteen (16) full members whose annual subscription is not less than that prescribed by law for the

registration of a Club, and having acquired the necessary site, intend to construct a bowling green of not less than four (4) rinks and which will comply with the laws of the game of

bowls as provided by B.A.

* **“Secretary”** means:

i. the person holding the office under this constitution as Secretary of the Association, or

ii. if no such person holds that office - the Public Officer of the Association,

* **“Public Officer”** means the person who is nominated as the Association’s Public Officer in the Association’s application for registration,
* **“Special General Meeting”** means a General Meeting of the Association other than an Annual General Meeting,
* **“Management Meeting”** means a convened meeting of the Management Committee as is defined herein and
* **“The Regulations”** means the *Associations Incorporation Regulation 2010*.

b. **Interpretation**

In this Constitution:

i. a reference to a function includes a reference to a power, authority and duty, and

ii. a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

c. The provisions of the *Interpretation Act 1987* apply to and in respect of this Constitution in the same manner as those provisions would so apply if this Constitution were an instrument made under the Act.

**3. OBJECTS**

The objects of the Association shall be:

a. To affiliate with the RNSWBA as a Zone Association,

b. To promote, advance and administer the game of bowls in the area covered by the Association in the interest of Member Clubs,

c. To promote, arrange, manage and administer Inter-Association, Inter-District and other Association competitions and games and

d. To consider and deal with any matter referred to it that may be relevant to the objects of the Association.

**4.APPLICATION OF INCOME AND PROPERTY**

a. The income and profits of the Association shall be applied solely towards the promotion of the objects of the Association and no portion thereof shall be paid, transferred directly or indirectly, by way of dividend, bonus or otherwise to the Member Club, or Individual members of the Association,

b. Nothing herein shall prevent the payment, in good faith, of reasonable and proper remuneration, to any officer or servant of the Association in return for any services actually rendered to the Association and

c. No member of the Executive Committee or Management Committee shall be paid by fees and no remuneration or other benefit in any money or monies worth shall be given by the Association to any member of such Committee except as provided in clause 40.

**5. MEMBERSHIP**

Only those Bowling Clubs that are within the boundaries of the Association as determined from time to time by the RNSWBA may be granted membership of the Association.

**6. APPLICATION FOR MEMBERSHIP**

a.Application for membership of the Association shall be made in writing to the Secretary

on the form set out in Appendix 1 accompanied by the applicants Constitution or Memorandum and Articles of Association,

b. As soon as possible after receiving a nomination for membership, the Secretary must refer the nomination to the Management Committee which is to determine whether to approve or reject the nomination,

c. Where the Management Committee determines to approve a nomination for membership, the Secretary as soon as practicable after the determination shall notify the nominee of that approval and request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under this Constitution by a member as subscriptions and capitation fees and

d. The Secretary must, on payment by the nominee of the amounts referred to in clause c., within the period referred to in that clause, enter the nominee’s name in the register of Member Clubs and the name being so entered, the nominee becomes a Member Club of the Association.

**7. CESSATION OF MEMBERSHIP**

a. A Bowling Club ceases to be a Member Club of the Association if it:

i. Is dissolved or if it being a Company it resolves to go into voluntary liquidation or an order for the liquidation of the Company is made, or

ii. Resigns the membership, or

iii. Become un-financial for a period exceeding 3 months, or

iv. Is expelled from the Association.

**8. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE**

a. A right, privilege or obligation which a Member Club has by reason of being a member of the

Association:

1. Is not capable of being transferred, or transmitted to another bowling club or person; and

1. Terminates upon cessation of membership of the Association.

**9. RESIGNATION OF MEMBERSHIP**

a. A Member Club of the Association is not entitled to resign that membership except in accordance with this rule,

b. A Member Club of the Association, who has paid all amounts payable by the Individual member’s to the Association in respect of the Member Club’s membership, may resign from membership of the Association by first giving to the Secretary written notice of at least one month (or such period as the Management Committee may determine) of the Member Club’s intention to resign and on the expiration of the period of notice the Member Club ceases to be a member and

c. Where a Member Club ceases to be a member under clause b., and in every other case where a Member Club ceases to hold membership, the Secretary must make an appropriate entry in the register of Member Club’s recording the date the Member Club ceased to be a member.

**10. REGISTER OF MEMBERS**

a. The Secretary of the Association shall establish and maintain a register of Member Clubs of the Association specifying the name and address of each bowling club which is a Member Club of the Association together with the date on which the bowling club became a member and

b. The Register of Member Clubs shall be kept at the principal place of administration of the Association and shall be open for inspection, free of charge, by a Delegate(s) of any Member Club of the Association during normal business hours (subject to appointment).

**11. FEES AND SUBSCRIPTIONS**

a. Every Member Club shall pay to the Association an annual fee together with an annual capitation fee and any levies approved by the Management Committee for each of its Individual members (bowling members, multiple members, junior members and life members),

b. The amount of such affiliation fee, capitation fee and levies for the following financial year shall be determined by the Management Committee at a Quarterly General Meeting preceding the Annual General Meeting each year,

c. Such fees shall be paid to the Association Treasurer on or before the 31st day of July each year,

d. The Treasurer of every Member Club shall pay to the Association the capitation fee of any additional Individual member (bowling member, multiple members, and or junior member) accepted for membership after 31st July each year. Such fee is to be paid no later than 30 days after membership to the club has been granted and

e. Only Delegates who are Financial Club Members and over the age of 18 years will be entitled to attend, speak and vote at any meeting of the Association.

**12. MEMBERS LIABILITIES**

The liability of a Member Club of the Association to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the Member Club in respect of membership of the Association as required by clause 11.

**13. DELEGATES**

a. Each Member Club of the Association may be represented at all meetings of the Association (except Executive Meetings) by a Delegate or Delegates appointed in writing by the Member Club and given to the Secretary. Such notification to be received by the Secretary on or before the 31st July each year or within fourteen (14) days of the Member Club’s Annual General Meeting if such meeting is to be held after 31st July,

b. Should any appointed Delegate fail to attend three (3) consecutive Management Committee meetings without leave of absence or being represented by an alternate Delegate, his position shall become vacant and the Member Club shall be notified,

c. In the event of a Delegate being unable to attend any Management Committee meeting, the Member Club may appoint any other person to act as an alternate Delegate and speak and vote at such meeting,

d. Delegates and alternate Delegates must be persons affiliated with the RNSWBA, the Association and the Member Club and

e. A Member Club may be represented by two (2) Delegates at all meetings of the Association.

**14. DISCIPLINING OF MEMBER CLUBS**

a. Where the Management Committee is of the opinion that a Member Club of the Association

i. has persistently refused or neglected to comply with a provision or provisions of

the Constitution; or

ii. has persistently or wilfully acted in a manner prejudicial to the interests of the Association.

That Member Club will be subject to the following disciplinary procedure:

b. The Committee will write to the Member Club giving fourteen (14) days to reply. If no reply is received or the reply is not satisfactory, the Management Committee may, by resolution, expel the Member Club from the Association or suspend the Member Club from membership of the Association for a specified period,

c. A resolution of the Management Committee under clause b. is of no effect unless the Management Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the Member Club of a notice under clause c. confirms the resolution in accordance with this clause and

d. Where the Management Committee passes a resolution under clause a. the Secretary must, within seven (7) days, cause a notice in writing to be served on the Member Club setting out the resolution of the Management Committee and the grounds upon which it is based. This notice must also contain instruction regarding the Member Club’s right of appeal.

**15. RIGHT OF APPEAL – DISCIPLINED MEMBER CLUB**

a. A Member Club may appeal to the Association against a resolution of the Management Committee under clause 14, within 7 days after notice of the resolution is served on the Member Club, by lodging with the Secretary a notice to that effect,

b. On receipt of a notice from a Member Club the Secretary must notify the Management Committee which is to convene a Management Committee Meeting of the Association to be held within 28 days after the date on which the Secretary received the notice,

c.. At a meeting of the Management Committee held as referred to in clause b. the Management Committee shall:

i. Give to the Delegate or Delegates of the Member Club an opportunity to make oral representations,

ii. Give due consideration to any written representations submitted to the

Management Committee by the Member Club at or prior to the meeting, and

iii. By secret ballot determine whether to confirm or revoke the resolution.

**16. DISCIPLINING OF INDIVIDUAL MEMBERS**

a. Should any Individual member, as described in clause 2 a. of this Constitution, by his or her actions be deemed to bring the game into disrepute, the Executive Committee may take action against the Individual member in regard to the matter and may warn, suspend or expel such Individual member. The Individual member shall be given 14 days’ notice to appear before the Executive Committee to answer the charge,

b. The Notice shall set out the reason for the citation and the possible penalty that the Executive Committee may impose if the charge is proven,

c. The Executive Committee shall communicate its decision to the Individual member within three (3) days of the citation appearance,

d. The Individual member shall have the right of appeal to the Management Committee of Zone 11 ( Manning District) Bowling Association Inc. of any decision made by the Executive Committee in the matter for which he was cited and

e. Any appeal must be lodged with the Secretary of the Association within 7 days of the original decision being communicated.

**17. THE COMMITTEE OF MANAGEMENT POWERS**

a. The Management Committee of the Association, subject to the Act, the Regulation and this

Constitution and to any resolution passed by the Association in general meeting:

i. Is to control and manage the affairs of the Association, and

ii. May exercise all such functions as may be exercised by the Association, other than those functions that are required by this Constitution to be exercised by a Special General Meeting of members of the Association, and

iii. Has power to perform all such acts and do all such things as appear to the Management Committee to be necessary or desirable for the proper management of the affairs of the Association and

iv. Has the power to make By-laws not inconsistent with these rules for the administration of the business and affairs of the Association.

b. A By-law shall not be effective until a copy of the By-law certified under the hand of the Secretary has been sent to all Member Clubs of the Association and

c. A By-law, by resolution, may be rescinded, amended or passed by a simple majority at a Management Committee Meeting.

**18. COMPOSITION AND MEMBERSHIP – MANAGEMENT COMMITTEE**

a. Subject in the case of the first members of the Committee of Management to Section 21 of the Act, the Management Committee shall consist of:

i. the Office-Bearers of the Association and

ii. two (2) Delegates from each Member Club.

b. The Office-Bearers of the Association shall be known as the Executive Committee and shall comprise of the following:

i. President,

ii. Two (2) Vice Presidents,

iii. Secretary,

iv. Treasurer,

who shall be elected at the Annual General Meeting of the Association in accordance with clause 19,

c. The Management Committee may decide at the Quarterly General Meeting preceding the Annual General Meeting to combine the positions of Secretary and Treasurer,

d. An Executive Committee member may hold up to two offices (other than both the President and Vice-President offices),

e. Each Office-Bearer is subject to these rules, to hold office until the conclusion of the Annual General Meeting following the date of the member’s election, but is eligible for re-election,

f. In the event of a singular casual vacancy occurring in the membership of the Executive, the remaining Executive Officers may appoint an Individual member of the Association to fill such vacancy. The Individual member so appointed shall hold office, subject to this Constitution, until the next Annual General Meeting. In the event of the position of President becoming vacant the Senior Vice President shall act as President until the next Annual General Meeting.

**19. ELECTION OF OFFICE-BEARERS OF THE ASSOCIATION**

a. Nomination of candidates for election as Office-Bearers of the Association:

1. shall be made in writing, signed by two (2) Individual members of the Association

and accompanied by the written consent of the candidate (which may be endorsed on the nomination form), and

ii. must be delivered to the Secretary of the Association twenty one (21) days prior to the Annual General Meeting.

b. If insufficient nominations are received to fill all vacant positions further nominations are to be received at the Annual General Meeting,

c. Following sub-clause b. if insufficient nominations are received, any vacant positions remaining shall be re-advertised as vacant,

d. If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected,

e. If the number received exceeds the number of vacancies to be filled, a secret ballot shall be held,

f. The ballot for the election of the Office-Bearers is to be conducted at the Annual General Meeting in such usual and proper manner as the Management Committee may direct,

g. No person shall hold the position of President for more than four (4) consecutive years,

h. The Vice President receiving the most votes will be known as the Senior Vice President and

i. In the event of a tied ballot for any office the result shall be determined by the drawing of lots.

**20. SECRETARY-TREASURER**

a. The Secretary and Treasurer are to work in conjunction to keep proper books and/or electronic records of the Association and ensure that in the case of electronic records a backup copy is maintained in a secure area separate to where normal records are kept.

b. The Secretary of the Association shall:

i. as soon as practicable after being elected or appointed as Secretary, lodge notice with the Association of his address,

ii. keep minutes of all appointments of Office-Bearers and Delegates of the Management Committee,

iii. record the names of Individual members of the Management Committee present at all meetings of the Association, and

iv. record all proceeding at Management Committee meetings and Executive Committee meetings,

v. ensure that proceedings at a meeting are signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting,

vi. ensure that all monies due to the Association are collected and/or electronically received and all monies and electronic notices are placed in the hands of the Treasurer for banking and the issue of receipts for same.

c. The Treasurer of the Association shall:

i. receive all monies and electronic receipts from the Secretary and issue him with a bulk receipt for same,

ii. issue official Association receipts for all monies and/or electronic payments received by the Association,

iii. pay all accounts as approved from time to time by the Association,

iv. ensure that correct books of accounts and or electronic records are kept showing the financial affairs of the Association, including full details of all receipts and expenditure connected with the activities of the Association,

v. prepare and submit for approval by the Management Committee the financial budget of the Association and make recommendations for the overall financial policy of the Association,

vi. establish accounting procedures for the Association and

vii. prepare and submit financial reports to the Management Committee as required.

d. If it is decided by the Management Committee to combine the positions of Secretary and Treasurer as described in clause 18 c. the following will apply:

i. The Secretary/Treasurer of the Association must, as soon as practicable after being appointed as Secretary, lodge notice with the Association of his address.

ii. It is the duty of the Secretary to keep minutes of:

1. All appointments of Office-Bearers and Delegates of the Management Committee,

2. The names of Individual members of the Management Committee present at all meetings of the Association, and

3. All proceedings at Management Committee meetings and Executive Committee meetings.

iii. Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting,

iv. That all monies due to the Association is collected and received and that all payments authorised by the Association are made; and

v. That correct books and accounts are kept, either manually or electronically, showing the financial affairs of the Association, including full details of all receipts and expenditure connected with the activities of the Association.

**21. CASUAL VACANCIES**

**a.** For the purpose of this Constitution, a casual vacancy in a position of Office-Bearer or

sub-Committee occurs if the incumbent:

i. dies, or

ii. ceases to be an Individual member of the Association, or

iii. becomes an insolvent under administration within the meaning of the

Corporation Law, or

iv. resigns office by notice in writing given to the Secretary, or

v. is removed from office under clause 22, or

vi. becomes a mentally incapacitated person, or

vii. is absent without the consent of the Management Committee from

three (3) consecutive meetings of the Management Committee.

b. Casual Vacancies may be filled by the Executive Committee in accordance with clause 18 f. and 45 h.

**22. REMOVAL OF MEMBER OF EXECUTIVE COMMITTEE**

a. The Management Committee may by resolution remove any member of the Executive Committee from office before expiration of the term of office of that person and may by resolution appoint an Individual member to hold office until the expiration of the term of office of the person so removed,

b. Where an Individual member of the Executive Committee to whom a proposed resolution referred to in clause a. relates, makes representations in writing to the Secretary or President (not exceeding a reasonable length) and requests that the representations be notified to the Member Clubs of the Association, the Secretary or the President shall send a copy of the representations to each Member Club of the Association and

c. The Individual member is also entitled to require that the representations be read out at the meeting at which the resolution is considered.

**23. MEETINGS & QUORUM**

a. The Management Committee shall meet Quarterly at such time or place as shall be fixed by the Management Committee,

b. Any twenty (20) Individual members of the Management Committee constitute a quorum for the transaction of the business of a meeting of the Management Committee or Annual General Meeting,

c. Additional meetings of the Management Committee may be convened by the President and any two (2) Individual members of the Executive Committee,

d. The Executive Committee shall meet at such time and place as directed by the President or his nominee,

e. Any three (3) Individual members of the Executive Committee constitute a quorum for the transaction of the business of a meeting of the Executive Committee,

f. No business shall be transacted by the Management Committee or the Executive

Committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to such date, time and place as may be determined by those present at the meeting. Such date, time and place of the adjourned meeting shall be advised by the Secretary to Member Clubs absent at the original meeting at least fourteen (14) days prior to the adjourned meeting,

g. If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting then those present are deemed to be a quorum and

h. At the Annual General Meeting or a meeting of either the Management Committee or

Executive Committee:

i. The President or, in his absence, the Senior Vice-President is to preside, or

ii. If the President and the Senior Vice President are absent or unwilling to act, one of the remaining Individual members of the Executive Committee, as may be chosen by the Individual members present at the meeting, is to preside.

**24. DELEGATION BY MANAGEMENT COMMITTEE TO SUB-COMMITTEE**

a. The Management Committee shall delegate to one or more sub-Committees (consisting of such Individual members of the Association as the Committee thinks fit) the exercise of such of the functions of the sub-Committee as are specified by the Management Committee, other than:

i. This power of delegation; and

ii. A function which is a duty imposed on the sub-Committee by the Act or by any   
other law.

b. A function the exercise of which shall be delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub- committee in accordance with the terms of the delegation,

c. A delegation under this section shall be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as shall be specified in the instrument of delegation,

d. Despite any delegation under this rule, the sub-Committee may continue to exercise any function delegated,

e. Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this Article has the same force and effect as it would have if it had been done or suffered by the Management Committee,

f. The Management Committee may, by instrument in writing, revoke wholly or in part any delegation under this Article and

g. A sub-Committee shall meet and adjourn as it thinks proper.

**25. VOTING & DECISIONS**

a. Questions arising at a meeting of the Management Committee or of any sub-Committee are to be determined by a majority of the votes of the Management Committee and Individual members of the sub-Committee present at their meeting,

b. Each Member Club present at a meeting of a Management Committee or any Individual member of a sub-Committee appointed by the Management Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the Individual member presiding may exercise a second or casting vote,

c. Subject to clause 23 b. the Management Committee may act despite any vacancy on the Management Committee,

d. Any act or thing done or suffered, or purporting to have been done or suffered, by the Management Committee or by a sub-Committee appointed by the Management Committee,

is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any Member Club or Individual member of the Committee or sub-Committee and

e. An Individual member is not entitled to vote at any General meeting of the Association if the Individual member is under 18 years of age.

**26. ANNUAL GENERAL MEETINGS - HOLDING OF**

a. The Association must hold its Annual General Meeting:

i. within six (6) months after the close of the Association’s financial year, or

ii. within such later time as may be allowed by the Director-General or prescribed by the Regulation.

**27. ANNUAL GENERAL MEETING - CALLING OF AND BUSINESS**

a. The Annual General Meeting of the Association is, subject to the Act and to clause 26, to

be convened on the fourth (4) Monday of August in each year at a time and place to be decided.

b. In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting is to include the following:

i. to confirm the minutes of the last preceding Annual General Meeting and any Special General Meeting held since that meeting,

ii. to receive from the Executive Committee and sub-Committees reports of the activities of the Association during the last preceding financial year,

iii. to receive and consider any financial statement or report required to be submitted to Member Clubs under the Act,

iv. to elect a Returning Officer and scrutineers,

v. to elect Office-Bearers of the Association, the RNSWBA Delegate, and sub- Committee Individual members,

vi. to fix any Honoraria for the year,

vii. to fix the date of commencement of Pennants & District Championships,

viii. to appoint a WEB Manager, Publicity Officer and a Recorder,

ix. to confirm the appointment of the Patrons, and

x. to consider business of which due notice has been given. The notice required shall be in writing and be in the hands of the Secretary of the Association at least twenty one (21) days prior to the date of the Annual General Meeting.

c. An Annual General Meeting must be specified as such in the notice convening it. In this notice the Secretary of the Association shall announce the names of the Individual members nominated as Office-Bearers together with any notice of special business at least fourteen (14) days before the date of the Annual General Meeting.

**28. FINANCIAL YEAR**

The financial year of the association shall end on the 30th June in each year.

**29. SPECIAL GENERAL MEETINGS - CALLING OF**

a. The Executive Committee or Management Committee may, whenever it thinks fit, convene a Special General Meeting of the Association,

b. The Management Committee must, on the requisition in writing of at least fifty (50) Individual members of the Association, convene a Special General Meeting of the Association,

c. A requisition of Individual members for a Special General Meeting:

i. must state the purpose or purposes of the meeting, and

ii. must be signed by the Individual members making the requisition, and

iii. must be lodged with the Secretary, and

iv. may consist of several documents in a similar form, each signed by one or more of the Individual members making the requisition.

d. If the Management Committee fails to convene a Special General Meeting to be held within one (1) month after that date on which a requisition of Individual members for the meeting is lodged with the Secretary, any one or more of the Individual members who made the

requisition may convene a Special General Meeting to be held not later than three (3) months after that date and

f. A Special General Meeting convened by Individual members as referred to in clause d. must be convened as nearly as is practicable in the same manner as Meetings are convened by the Management Committee.

**30. NOTICE OF SPECIAL GENERAL MEETINGS**

a. Where a meeting has been convened under clause 29 to call a Special General Meeting,

the Secretary must, at least fourteen (14) days before the date fixed for the holding of the meeting, cause notice to be sent to each Member Club specifying the place, date and time of the meeting, the nature of the business proposed to be transacted at the meeting,

b. If the nature of the business proposed to be dealt with at a Special General Meeting requires a special resolution of the Association, the Secretary must, at least twenty one (21) days before the date fixed for the holding of the meeting, cause notice to be given to each Member Club specifying, in addition to the matter required under subclause a. the intention to propose the resolution as a special resolution and

c. No business other than that specified in the notice convening the Special General Meeting is to be transacted at the meeting.

**31. SPECIAL RESOLUTION**

A resolution of the Association is a special resolution:

a. If it is passed by a majority which comprises at least three-quarters (75%) of such Member Clubs of the Association as, being entitled under these rules so to do, vote at a General Meeting of which at least twenty one (21) days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with this constitution, or

b. Where it is made to appear to the Commissioner that it is not practicable for the resolution to be passed in the manner specified in sub-clause a. the resolution is decided in a manner specified by the Commissioner.

**32. VOTING**

a. At all General Meetings of the Association (including the Annual General Meeting),

the following shall be entitled to one (1) vote:

i. Office-Bearers, and

ii. Member Clubs (represented by their Delegates).

b. Proxy voting is not allowed. All votes shall be given personally,

c. In the case of an equality of votes on a question, the President is entitled to exercise a second or casting vote,

d. A Delegate of a Member Club is not entitled to vote at any meeting of the Association unless all money due or payable by the Member Club to the Association has been paid and

e. All Office-Bearers and Delegates must be a Financial Club Member of a Club, be over 18 years of age, and affiliated with the Association.

**33. INSURANCE**

All property and office equipment belonging to the Association must be insured against fire, theft and burglary.

**34. FUNDS SOURCE**

a. The funds of the Association are derived from capitation fees, levies and affiliation Fees of Member Clubs, donations, investment interest and, subject to any resolution passed by the Association, such other sources as the Management Committee determines,

b. All money received by the Association must be deposited as soon as practicable to the credit of the Association’s bank account and

c. The Association must, as soon as practicable after receiving any money, issue an appropriate receipt.

**35. FUNDS MANAGEMENT**

a. Subject to any resolution passed by the Association, the funds of the Association are

to be used in pursuance of the Associations objectives in such manner as the Management Committee determines under clause 4 ,

b. All cheques, drafts, bills of exchange and other negotiable instruments must be signed by the President, two (2) Vice Presidents, Secretary, Treasurer or any two (2) of them and

c. Any surplus funds may be invested in such bank or banks, building societies, credit unions or any other financial institution as may be determined by the Executive Committee.

**36. ALTERATION OF OBJECTS & CONSTITUTION**

The Constitution and statement of objects may be altered, rescinded or added to only by

a special resolution of the Association in accordance with clause 31 of this Constitution.

**37. CUSTODY OF BOOKS**

Except as otherwise provided by this Constitution, the Secretary must keep in his

custody or under his control all records, books and other documents relating to the Association.

**38. INSPECTION OF BOOKS**

The records, books and other financial documents of the Association must be available for inspection, free of charge, by a Member Club of the Association during normal business hours.

**39. SERVICE OF NOTICES**

a. For the purpose of this constitution, a notice from the Association may be served on or given to a Member Club or Individual member:

i. by delivering it to the Club or person personally, or

ii. by sending it by registered post to the address of the Club or person, or

iii. by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the Club or person for giving or serving the notice.

b. For the purpose of this Constitution a notice is taken, unless the contrary is proved, to have been given or served:

i. in the case of a notice given or served personally, on the date on which it is received by the addressee, and

ii. in the case of a notice sent by registered post, on the date when it would have been delivered in the ordinary course of post, and

iii. in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

**40. PAYMENT OF OFFICE-BEARERS & INDIVIDUAL MEMBERS**

a. An Individual member of the Management Committee shall not be appointed to any salaried office of the Association or any office of the Association paid by fees, and no remuneration or other benefit in money or monies worth shall be given by the Association to any member of the Management Committee except:

i. Repayment of expenses incurred in carrying out official duties of the Association,

ii. Interest at a rate not exceeding interest at the rate for the time being which is or would be charged by the association’s bankers for money lent to the Association,

iii. Reasonable and proper rent for premises let to the Association.

**41. HEADQUARTERS OF THE ASSOCIATION**

The Headquarters of the Association shall be fixed at each Annual General Meeting of the Association.

**42. LIFE MEMBERS**

a. Any Individual member may be granted Life Membership of the Association in consideration of long and meritorious service, or any other reason accepted by the Management Committee,

b. Appointment of Life Members shall only be at an Annual General Meeting,

c. A nomination for Life Membership shall be proposed and seconded by two (2) Individual members who are Financial Club Members of the Association, and must be in the hands of the Secretary at least twenty one (21) days before such Annual General Meeting,

d. Notice of such nomination shall be given to all Member Clubs by the Association Secretary at least fourteen (14) days before such meeting,

e. Election of Life Members shall be by secret ballot and such nominee must receive at least seventy five per cent (75%) of the votes cast,

f. The Association shall have no more than five (5) Life Members at any one time, and only one Life Member shall be elected in any one (1) year and

g. Should there be more than one (1) nomination received, the Management Committee shall decide by secret ballot, which nominee is to be submitted for election in accordance with sub-clause e.

**43. PATRONS AND LIFE MEMBERS**

a. Patrons appointed under the provisions of clause 46 of this constitution, and Life Members, granted Life Membership of the Association, under the provision of clause 42 of this constitution, may attend meetings of the Management Committee of the Association and the Annual General Meeting of the Association and

b. Unless elected as an Office-Bearer of the Association or being the appointed Delegate or alternate Delegate of a Member Club, shall “have voice but no vote” at such meetings.

**44. LAWS OF THE GAME OF BOWLS**

The laws of the game of bowls shall be those laws adopted by Bowls Australia from time to time.

**45. PERMANENT SUB-COMMITTEES**

a. The Management Committee shall elect permanent sub-Committees,

b. The President shall be an ex-officio member of all Sub-Committees,

c. Nominations for members of the permanent sub-Committees (other than the Chairperson) will close with the Association Secretary twenty one (21) days before the date of the Annual General Meeting. Nominees must be Individual members of the Association and need not be a Delegate of a Member Club and

d. No Member Club may have more than two Financial Club Members on any sub-Committee.

e. The following sub-Committees shall be elected annually in accordance with these rules:

i. The Match/Greens Committee -five (5) Individual members,

ii. The Selection Committee - five (5) Individual members,

iii. The District Umpires Panel - four (4) Individual members,

iv. The Coaching Committee - four (4) Individual members and

v. The Junior Bowls Committee - five (5) Individual members,

plus a Junior Representative.

f. If insufficient numbers are nominated to fill all sub-committee positions the Management Committee shall nominate and elect Individual members from the floor of the meeting to fill the vacancies on each sub-Committee,

g. If the vacancies caused by insufficient nominations cannot be filled from the floor of the meeting then the vacancy or vacancies shall be regarded as casual vacancies,

h. Casual vacancies occurring shall be filled by appointment of the Executive Committee. Such appointments shall hold office till the next Annual General Meeting,

i. The Chairperson of any Permanent sub-Committee shall be appointed by sub-Committee members,

j. The Chairman and one other of each sub-Committee, elected under the provisions of this clause, may attend meetings of the Management Committee of the Association and may “have voice but no vote” on matters pertaining to their respective sub-Committees,

k. Each permanent sub-Committee may appoint a minute secretary to keep minutes of all meetings. Such minutes shall be supplied to the Association for filing with the Association records and

l. It is expected the various sub-Committees co-operate where necessary.

**46. PATRONS**

The Patrons of the Association shall be by appointment of the Management Committee. Such appointments are to be confirmed at the Annual General Meeting.

**47. WINDING UP**

a. The Association may be wound up voluntarily if the Association so resolves by special resolution.

b. Subject to Section 65 of the Act any surplus property of the Association remaining after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of the winding up of the Association shall vest in an Association that:

i. has objects substantially similar to those of the Association being wound up, and

ii. is not carried on for the objects of trading or securing pecuniary gain for members, and

iii. has provision in its rules requiring the property of the Association to be distributed in dissolution of the Association, to another Association that has objects substantially similar to those of the dissolved Association.

**APPENDIX 1**

Clause 6 a.

**APPLICATION FOR MEMBERSHIP OF ASSOCIATION**

Zone 11 (Manning District) Bowling Association Inc.

(Incorporated under the *Association Incorporation Act 2009*)

The,……………………………………………………………………………………………………………

(Full name of Bowling Club)

of………………………………………………………………………………………………………………..

(Address)

Post Code…………………Phone No……….………….Fax No…………………..Email………………………………………..

Web Site………………………………………………………

Herby make application with Zone 11 (Manning District) Bowling Association Inc. to become a Member Club of the incorporated association. In the event of our admission as a Member Club, we agree to be bound by the rules and regulations of the Association for the time being in force.

…………………………………………

Signature of Club Secretary

Date………………………

Note:

1. A copy of your Constitution or Memorandum and Articles of Association is to be attached to this application.