



BY-LAWS OF THE TOOWOOMBA CITY BOWLS CLUB INC

RESPONSIBLE OFFICERS:	Chairman, Secretary, Treasurer
AUTHORITY:	Management Committee
APPROVED BY BOARD:	06/02/2022
VERSION NUMBER:	1.1
CLUB SOLICITOR REVIEW:	04/11/2021
APPROVED AT AGM:	27/02/2022

**BY-LAWS OF THE TOOWOOMBA CITY BOWLS CLUB INC PURSUANT TO SECTION 42 OF THE
CONSTITUTION**

1. NAME

The name of the incorporated club is Toowoomba City Bowls Club Inc. (hereafter referred to as "the Club").

2. DEFINITIONS

- a) "The Club" means the aforementioned Club.
- b) "The Constitution" means the Constitution or rule of the Club in force for the time being.
- c) "Management Committee" means the members for time being of the Management Committee of the Club as constituted in accordance with the Constitution and is the controlling body of the Club subject to any direction of members at a General Meeting.
- d) "Month" means calendar month.
- e) "Year" means the financial year as defined in the Constitution.
- f) "The Seal" means the common seal of the Club.
- g) "DBA" means the District Bowls Association.
- h) "BQ" means Bowls Queensland.
- i) "BA" means Bowls Australia.
- j) "WBA" means the World Bowls Authority.
- k) "Chairman" means the Chairman of the Management Committee as hereinafter provided.
- l) "Member" means any member of the Club.
- m) Reference to any gender includes the opposite gender unless the context indicates otherwise.
- n) "Singular" indicates plural unless the context indicates otherwise.

3. POWERS OF THE CLUB – see Clause 4 of the Constitution.

4. ACTIVITIES TO BE LAWFUL

The club must comply with all lawful requirements of the commonwealth, state and local governments and statutory authorities having jurisdiction over any activity of the club.

5. MEMBERSHIP – see Clause 5 of the Constitution.

6. ELIGIBILITY FOR MEMBERSHIP

To be eligible for membership a person must be:

- a) Not less than 18 years of age for membership other than junior membership
- b) Interested in playing the sport of Bowls
- c) Prepared to support and promote the welfare of the club and the sport of Bowls
- d) Of good character and compatible with other members; and
- e) Free of indebtedness to any Bowls Club, DBA, BQ, or BA.
- f) No person will be admitted as a member of the club who is a member of any club affiliated with the BQ unless such person satisfies the management committee by presentation of a clearance on the official form as prescribed by BQ.

An application for membership must be accompanied by the prescribed nomination fee as determined by the Management Committee.

An employee of the club whether on salary, wages or contract may be a member of the club, but will not be eligible to nominate for or hold any elected office of the club or to nominate or second any other member for an elected office of the club.

7. CLASSIFICATION AND PRIVILEGES OF MEMBERSHIP

A. ORDINARY MEMBERS

An ordinary member is a member whose application for membership of the club has been approved by the management committee and has paid all the prescribed fees. Ordinary members are entitled to all the privileges of the club and to exercise all the rights of membership.

B. LIFE MEMBERS

An ordinary member on the recommendation of the management committee may be elected a life member by the club at a general meeting in recognition of services rendered to the club. Such election must be by resolution of a 75% majority of members present and entitled to vote at a general meeting. A life member shall be free to enjoy all club privileges and exercise all rights but shall be exempt from the payment of the annual subscriptions.

C. JUNIOR MEMBERS

Persons under the age of 18 years may apply for junior membership of the club. A junior member:

- a) Is neither entitled to vote nor to nominate members for office nor to nominate other persons to membership of the club.
- b) Is entitled to play bowls in any State, District, National or club competition according to the conditions laid down for the playing of the event.
- c) On attaining the age of 18 years their membership will automatically be transferred to that of an ordinary member; and
- d) Must not under any circumstances be served or consume liquor from or on the club premises or engage in any form of gambling on the premises.
- e) Must pay the prescribed annual membership subscription as determined by the members from time to time at a general meeting.

E. SOCIAL MEMBERS

The management committee may elect any person as a social member of the club and charge the membership fees that the management committee determines. Social members are entitled to the social privileges of membership except they must not hold any office of the club nor be entitled to nominate members for election to any position in the club nor take part in or vote at meetings of the club nor to nominate persons for membership of the club nor to take part in the game of bowls except on an occasion when persons other than members may be playing bowls on the invitation of the management committee such as a bowls promotion day. An application for social membership must be as prescribed in Clause 7 of the Constitution.

A social member must also be:

- a) A person who is of good repute and whose interests and activities are in the opinion of the management committee compatible with those of the existing members of the club; and
- b) Not under 18 years of age

8. ADMISSION AND REJECTION OF NEW MEMBERS – see Clause 9 of the Constitution.

9. CONDUCT OF MEMBERS – see Clause 10 of the Constitution.

10. CONDUCT OF VISITORS.

Club visitors shall, at all times, maintain a proper decorum, and shall not speak obscene or abusive language or indulge in unseemly conduct. The Senior Officer present at the time shall have authority to have such persons removed from the Club premises.

In addition, if that person is a member of another Bowls Club, the Management Committee may report that persons conduct to such Club, to the DBA or to BQ.

11. DISCIPLINARY PROVISIONS

All discipline and complaint related procedures shall be governed by the **Bowls Queensland Member Protection Policy**.

Any member of the club who conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Club, may be subject to the provisions of Clauses 10(3), 10(4) and 10(5) of the Constitution.

Pending determination of any appeal against termination of membership pursuant to Clauses 11(2) and 12 of the Constitution, the appellant must be allowed all membership privileges.

Minor disciplinary breaches shall be resolved pursuant to Clause 8.1 of the **Bowls Queensland Member Protection Policy**.

In the case of a junior member being called before the Management Committee on a charge or complaint such member shall be entitled to be accompanied by a parent or guardian.

12. PLAYER COMMITMENTS

When a member of the club has been called to fulfil a BA, BQ, DBA or Club commitment in a match or on official business, on any day on which they have been drawn to play in a BA, BQ, DBA or club commitment, the onus shall be on the player to notify BQ, or the DBA or Club as the case may be.

The Controlling Body may define circumstances which it will not accept as a valid reason for a player's unavailability. However, a substitute is not to be permitted if an intended player enters another competition scheduled to be played at the same time. If a substitute is refused on these grounds the Controlling Body shall declare the position of the absent player vacant and the provisions of Domestic Regulation 2 shall apply.

Provisions consistent with this clause shall be included in all club rules, and shall be deemed to be a condition of competitions conducted by the Club.

13. REGISTER OF MEMBERS – see Clause 13 of the Constitution.

14. THE MANAGEMENT COMMITTEE

Pursuant to Clause 18 of the Club Constitution, which stipulates that membership of the Management Committee include the chairman, secretary, and treasurer, other positions on the Management Committee open for election include, Deputy Chairman, Greens Director, Providedore and a Members Representative. In addition, the elected Presidents of the Mens Section and Ladies Section are members of the Management Committee by virtue of their election to those positions.

- **Duties of the Chairman:**

The Chairman shall be responsible, subject to the direction of the Management Committee and General Meetings of members, for the overall administration of the club. The Chairman is to ensure that the decisions of the Club or Management Committee are carried out and that the Constitution of the club is fully adhered to by all members.

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- **Duties of the Deputy Chairman:**
The Deputy Chairman shall assist the Chairman to ensure all duties allocated by the Management Committee are properly carried out. In the absence of the Chairman, the Deputy Chairman will carry out the duties normally performed by the Chairman.
- **Duties of the Secretary:** See Clause 17 of the Constitution.
- **Duties of the Treasurer:** The Treasurer is to ensure compliance with Clauses 45 and 46 of the Constitution.
- **Duties of the Provedore:**
The provedore is responsible for bar, kitchen and catering operations and should liaise with the presidents and/or selectors of the respective bowls sections to ensure catering and bar services are provided for all bowling events, social events and function bookings.
The provedore, subject to the concurrence of the Management Committee, have power to procure the necessary all bar, and kitchen and catering supplies and may enlist volunteers to assist in carrying out his/her duties. The provedore shall present a written report regarding such activities to each monthly meeting of the Management Committee.
- **Duties of the Greens Director:**
The Greens Director shall liaise with the greenkeeper as to the maintenance of good playing surfaces. The Greens Director decision shall be final regarding the question as to whether the green or greens are in a fit state for use or not. In the absence of the Greens Director, members of the Management Committee present shall be responsible for making a decision regarding the suitability of the green or greens for play.
The Greens Director, subject to the concurrence of the Management Committee, have power to procure the necessary material and any additional assistance required to maintain the green is good playing condition. The Greens Director shall present a written report regarding such activities to each monthly meeting of the Management Committee.
- **Duties of the Member Representative:**
The member representative shall be a conduit for members to bring matters to the Management Committee for resolution. The member representative shall act in the best interests of the members he/she is representing. The member representative may be required to conduct exit interviews with resigning members and any other appropriate engagement with members as directed by the Management Committee.

15. EXECUTIVE COMMITTEE

The Executive Committee of the Club shall consist of any three (3) of the Chairman, Deputy Chairman, Secretary, and Treasurer and one (1) remaining Management Committee member, provided always that if required, any two (2) of the former, in addition to any one (1) of the later shall constitute a quorum.

The Executive Committee shall transact any urgent business of the Club that may arise between Management Committee meetings, and submit a report of any such business transacted by it to the next meeting of the Management Committee, provided always that the Executive Committee shall not incur expenditure in excess of \$10,000 between meetings of the Management Committee, nor deal with the property of the Club. All business transacted by the Executive Committee shall be ratified and approved by the Management Committee at the next Management Committee meeting.

16. PATRON

The Mens and Ladies Sections may, at a general meeting, appoint an eminent person to be the section's patron under such terms and conditions, and to fulfil such duties, as are contained in these By-laws.

A patron need not be a member and shall not be a member of the Management Committee.

17. INDEMNITY OF MEMBERS

In the event of any proceedings being taken against a member or members of the Club in respect of any matter or thing done by them in the proper performance of their duties, or by the direction, or with the authority of the Club, the Club shall indemnify such member or members of the Club so proceeded against in respect to their costs of such proceedings, and in respect of all costs and damages and other sums which they may be compelled to pay in the course or as a result of such proceedings.

18. FINANCE

The Annual Membership Subscription as determined pursuant to Clause 8 of the Club Constitution shall be payable by each ordinary member in advance, either as one full annual amount, or half yearly in equal instalments.

Any person, other than a social member, taking up membership after January 31 in any year, shall pay the membership subscription on a monthly pro-rata basis from the date the membership application is accepted until the end of the year period.

The Management Committee shall have the power to charge a playing fee, such fee being subject to variation and determined by a majority decision of the Management Committee.

19. UNFINANCIAL MEMBERS

Any member who becomes unfinancial shall forthwith be deprived of all privileges of membership of the Club including:

- The right to hold office
- The right to speak or vote at any meetings of Management Committee or at any General Meeting of the Club
- The right to nominate any person for office or be nominated for office in the Club, and
- The right to nominate a new member
- The right to enter for and play in Club matches or social play

All privileges shall be restored to a previously unfinancial member upon the payment of all subscriptions and monies due to the club.

Pursuant to Clause 10(3)(c) of the Constitution, a member whose annual membership subscription remains unpaid for more than two (2) calendar months after they fall due, shall be called upon to show cause as to why his/her membership should not be terminated. If the member fails to show cause, the membership is terminated from the date the membership subscription was due.

20. AUDITOR AND SOLICITOR

An Auditor who shall be qualified as required by the Associations Incorporation Act 1981 (as amended) shall be appointed to audit the accounts and prepare reports for submission to the next Annual General Meeting. The auditor shall, when required by Management Committee, conduct special audits and investigations. The Auditor shall, at all times, have access to the books of account, vouchers, and relevant records of the Club, and shall have the right to obtain explanations relative to the finance and affairs of the Club, and the accounts from any person holding office or employment in the Club.

A Solicitor (Honorary or Retained) may be appointed at the Annual General Meeting of the Club, or if not then appointed or if a vacancy occurs, he may be appointed by the Management Committee and he need not be a member of the Club.

21. MEN'S AND LADIES' BOWLS SECTIONS

Within 2 weeks of the Annual General Meeting of the Club, the respective bowls divisions must meet to elect those persons referred below, the duties of which are set out in these by-laws.

Each bowls division of the Club may elect a bowls division president, a bowls division secretary, a bowls division treasurer, a games director and selector/s for match arrangement and team selection and such other officers required for the conduct of the respective section and the Management Committee must be advised of the persons elected.

In the event of a vacancy occurring in any position referred to above, the respective bowls division committee may appoint a member to fill such vacancy until the next Annual General Meeting.

Duties of section committees:

- **Bowls Section Presidents**

The Presidents of the respective bowls sections shall preside on days which involve bowling events only. They shall attend to the carrying out of the decisions of the Management Committee and generally see that the members of the respective bowls sections are properly accommodated. They shall be responsible for and carry out the duties expected of persons holding such positions.

- **Bowls Section Secretaries**

The secretary of the respective bowls section shall deal with all correspondence and communications with the relevant Bowls Associations, other clubs or organisations in relation to bowls matters only. They shall issue all notices, and keep minutes for all general meetings of members of the section; display notices on the notice board, collect nomination fees for Association events, and lodge nominations by the due date, and otherwise carry out all property duties associated with the office.

- **Bowls Section Games Directors**

The Elected Games Directors of the respective bowls sections shall liaise and work together as required and be responsible for the conduct of all club championships and social play.

Their duties will include:

- Compiling conditions of play for club championships and obtaining approval from the Management Committee.
- Seeing that approved conditions of play are implemented.
- Arrange for the Umpires/Markers when required.
- Prepare cards for games under his/her control.
- Collect green fees applicable to any games being played, and remit to the Club at the conclusion of play;
- Advise the Provodore of all bar, kitchen and catering requirements for each day's play.
- The elected Games Directors and/or in their absence the delegated member or members as the Controlling Body, take immediate control over the Conditions of Play under which a game is played on the Club's green.
- If desired, the Games Director may appoint an assistant to assist.

- **Bowls Section Selectors**

The Elected Selector/s for each of the respective bowls sections shall select teams for pennant matches, Inter Club Games and all representative games. The Selectors of the respective bowls division must:

- Select teams for pennant matches, interclub games and, where required, social play.
- Liaise with the Greens Director to arrange the rinks for play.

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- Select individuals, teams and sides for any representative games.
- Keep records of games played (if applicable); and
- Forward results of all DBA games to the relevant Club as required.

22. MATCH COMMITTEES

The Mens and Ladies Sections shall appoint a Match Committee consisting of the Games Directors and Selectors and shall be responsible for recommending/modifying the Conditions of Play for all Championships, Social and Special games under the control of each section. The recommended conditions of play are to be approved by the Management Committee.

23. MENS AND LADIES SECTIONS GENERALLY

All male bowling members will automatically be members of the men's bowls section and all female bowling members of the club will automatically be members of the women's bowls section.

The men's division will consist of male ordinary members, life members, junior members and social members and will be responsible for the control of men's games through its elected games director and selectors and whatever other bowling matters the management committee may direct.

The women's division will consist of female ordinary members, life members, junior members and social members and will be responsible for the control of women's games through its elected games director and selectors and whatever other bowling matters the management committee may direct.

Capitation and affiliation fees to the respective Bowls Associations shall be based on the membership of the relevant section and shall be paid by the club.

No rule or by-law in relation to the playing of the sport of bowls shall be in conflict with the rules and by-laws of BA, BQ or the DBA.

The president of each bowls division may act for the club's chairperson on days that involve bowls events only.

Any member may resign from such position at any time by giving notice in writing to the secretary of the bowls division and such resignation must take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect at that later date.

Any such member may be removed from office by a 75% majority of members of the relevant bowls division present and entitled to vote at a special meeting of the bowls division. The member affected must have due notice of such meeting and must be afforded reasonable opportunity for making representations to the meeting as thought fit. There will be no further right of appeal.

24. THE CLUB COLOURS

The club colours shall be royal blue and gold.

25. THE CLUB FLAG

The Club Flag shall be royal blue and gold. This flag shall be used on all playing days.

26. THE CLUB LOGO

The Club logo shall form the club badge and shall be depicted on such documents as the Management Committee may determine from time to time.

27. CLUB ATTIRE

- **Bowls Attire**

Consistent with regulations published by BA Laws of the Game of bowls, bowling attire shall be in accordance with BA guidelines. The Management Committee shall ensure that details of BA regulations (and any amendments thereto) regarding bowling attire are posted on the notice board in the club, and shall ensure that dress standards are adhered to.

- **Other than Bowling Attire**

The Management Committee shall determine the standard of dress (other than bowling attire) for members and visitors within the club. The dress standard so determined may be displayed throughout the club.

28. CLUB NOTICE BOARD

A notice board upon for the posting of notices may be placed in a conspicuous position in the clubhouse.

29. AFFILIATION

The Club may:

- a) Affiliate with BQ and accept and abide by the Rules and By-laws of BQ in so far as they apply to the sport of Bowls;
- b) Be a Member of a DBA and accept and abide by the Rules and By-laws of the DBA in so far as they apply to the sport of Bowls;
- c) Submit DBA and BQ affiliation fees and levies direct to BQ, BQ will notify the DBA of the payment;
- d) Renew its Membership with the DBA each year in accordance with the Rules of the DBA and pay annual Membership fees to the DBA;
- e) Provide to BQ and to the DBA the returns that are required by those bodies;
- f) Provide advice to BQ and the DBA within 30 days of any event which would affect the status of the Club's affiliation with BQ, the legal status of the Club and/or Changes or amendments to the Club's constitution; and
- g) Not make, or amend or repeal a Rule or By-law in relation to the playing of the Sport of Bowls that conflicts with the rules and By-laws of BA, BQ, or the DBA.

30. CONDUCT OF GENERAL MEETINGS

Unless otherwise provided by the Constitution, or these By-laws, at every General Meeting, the Chairman or in his absence the Deputy Chairman shall preside, or if they are not present within fifteen (15) minutes after the time appointed for the holding of the meeting or is unwilling to act, then the members present shall elect one of their number to be Chairman of the meeting.

The Chairman shall maintain order and conduct the meeting in proper and orderly manner.

Every question, matter, or resolution shall be decided by a majority of votes of the members present and entitled to vote. Every financial member present shall be entitled to one vote and in the case of equality of voting the status quo shall be maintained.

31. SPECIAL RESOLUTIONS

Election of Life Members, Suspension and/or Termination of Membership, alterations to these by-laws, removal of a member of Management Committee and such other matters that members may resolve by simple majority vote at a General Meeting to be "Special Resolutions" shall be resolved by the affirmative vote of at least three quarters of the members present at the meeting and entitled to vote.

32. ELECTION AND BALLOT PROCEDURES

Pursuant to Clause 38 of the Club Constitution, voting at General Meetings may be held by secret ballot. The result of the ballot shall be determined on 'first past the post' principle.

Where the chairman appoints two (2) members to conduct a secret ballot, neither member shall be a candidate in such ballot.

Ballot papers may be issued to those entitled to vote not more than thirty (30) minutes prior to the meeting being opened. The votes shall not be collected until the Chairman of the meeting announces the closing of the ballots. All votes will be deemed to have been made after the opening of the meeting and before the closure of ballots. Before closing the ballot, the Chairman of the meeting may introduce to the meeting any candidate for election who is not well known to members, if such candidate is present at the meeting.

In the case of secret ballots, members shall indicate their choice on the ballot papers in the manner specified by the Chairman of the meeting.

The ballot material may be destroyed at the conclusion of the meeting and it shall be the duty of the Chairman to destroy such material.

Where members do not request a secret ballot, voting shall be done by a "show of hands" and the result shall be determined on 'first past the post' principle.

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