



***Constitution
of the
Hahndorf Bowling Club Incorporated***

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Agreed terms

1. Name

The name of the incorporated association is Hahndorf Bowling Club Incorporated (in this Constitution called the Club).

2. Defined terms and interpretation

2.1 Defined terms

In this Constitution, unless the contrary intention appears:

Act means the Associations Incorporation Act 1985 (SA).

Committee means the committee of the Club.

Committee Member means a member of the Committee.

Financial Year means a financial year of the Club, as determined under rule 8.2.

General Meeting means a general meeting of Members, including Annual General Meetings and Special General Meetings convened in accordance with this Constitution.

Member means a member of the Club.

NFP Entity means a 'not-for-profit entity' as defined in the Tax Laws Amendment (Special Conditions for Not-For-Profit Concessions) Bill 2012 (or once that Bill commences, by section 995-1(1) of the Tax Act).

Ordinary Resolution means a resolution passed by a simple majority of members present and entitled to vote.

Regulations means regulations under the Act.

Special Resolution means a special resolution as defined in the Act.

Tax Act means the Income Tax Assessment Act 1997 (CHT).

2.2 Interpretation

In this Constitution, unless the contrary intention appears:

- (a) a reference to any document is a reference to that document as varied, novated or replaced from time to time;
- (b) the singular includes the plural and vice versa;
- (c) a reference to a gender includes all genders;
- (d) the use of the word 'including' does not limit what else might be included;
- (e) a reference to a thing includes all or any part of it;
- (f) where a word or phrase is defined, its other grammatical forms have a corresponding meaning;
- (g) a reference to a person or entity includes a natural person, a partnership, corporation, trust, association, unincorporated body, authority or other entity;

- (h) a reference to a party includes that party's legal personal representatives;
- (i) a term which purports to bind or benefit two or more persons binds or benefits them jointly and severally; and
- (j) a reference to a statute, ordinance, code or other law includes regulations and other instruments issued under it and consolidations, amendments, re-enactments or replacements of any of them.

2.3 Resolutions

Any reference to a 'resolution' in a clause of this Constitution must be read as a reference to an Ordinary Resolution, unless a different type of resolution is required for the purposes of that clause (either by this constitution or the Act).

2.4 Questions of interpretation

The Committee will be the sole authority for the interpretation of this Constitution and of any by-laws which the Committee is authorised and empowered to make. The decision of the Committee upon any question of interpretation or of any matter affecting the Club and not provided for by this Constitution will be final and conclusive.

3. Objectives and powers

3.1 Objectives

The objectives of the Club are as follows:

- (a) To maintain and conduct a Club which is welcoming, non-discriminatory, of a non-political character and to provide a clubhouse, bowling green and other conveniences for the use and recreation of the members at such place or places as decided by the members.
- (b) To foster, promote and advance the game of bowls in the South Australian area as defined by Bowls South Australia, hereinafter referred to as Bowls SA. (BSA).
- (c) To encourage the involvement and relationship with the community, local council and businesses.
- (d) To maintain and enhance the reputation of the Sport and the standards of play and conduct of Members
- (e) To hire, employ or train all people whose services may be deemed necessary for the purposes of the Club.
- (f) To invest the monies of the Club in such a manner as from time to time may be determined.
- (g) Subject to the authority in every case where such exists of Bowls Australia and Bowls SA, to take part in intra and inter-club competitions and other bowls matches or tournaments including those played nationally, within the metropolitan and country regions of South Australia.
- (h) To do all such other lawful things as are incidental or conducive to the attainment of the objects aforesaid or any of them.
- (i) To manage risks.

3.2 Powers

Notwithstanding the Lease Agreement the Club has with Mount Barker District Council, the Club has the specific rights, powers and privileges conferred by section 25 of the Act; including to:

- (a) acquire, hold, deal with and dispose of any real or personal property,
- (b) construct, maintain and alter any buildings, grounds, playing surfaces, conveniences or works necessary or convenient for the purposes of, or which seem likely to advance the interest of the members of the Club,
- (c) operate financial institution accounts, and
- (d) do all other things that may be incidental or conducive to achieving its objectives.

3.3 Application of Funds

The assets and income of the Club shall be applied solely in furtherance of its above mentioned objectives and no portion shall be distributed (directly or indirectly) to the members of the organisation except as bona fide compensation for services rendered expenses incurred on behalf of the Club.

4. Constitution

- (a) This Constitution will bind the Club and every Member to the same extent as if they had signed them, and agreed to be bound by all of the provisions.
- (b) This Constitution may be altered (including an alteration to the name of the Club), or be rescinded and replaced by substituted Constitution, by a Special Resolution of the Members. Such an alteration will be registered as required by the Act. The Committee must also ensure that the Commissioner of Taxation and/or Australian Charities and Not-For-Profits Commission are notified of any such alteration (if required).

5. Membership

5.1 Categories of Members

- (a) Life Members
- (b) Ordinary Members
 - (i) Full members
 - (ii) Junior/Student members
 - (iii) Social members

5.2 Life Membership

- (a) A Member who has been a Full Member for at least fifteen (15) years or rendered special service or services to the Club may on the recommendation of the Administrative Committee at an Annual General Meeting or Special General Meeting, be elected a Life Member of the Club.
- (b) The election of a Life Member shall be by a unanimous vote of the Administrative Committee and endorsed by the Full Members and Life Members present by acclamation.
- (c) A Life Member is not required to pay Club fees other than annual registration fees required by BowlsSA and any other relative association to enable play in a team representing the Club.
- (d) A Life Member has all the Club rights of an Ordinary Member.

5.3 Ordinary Members

- (a) Full Members
 - (i) A full member is a member who has paid the full annual subscription. Such members are entitled to vote at Annual General Meetings and Special General Meetings of the Club, participate in pennant bowls competitions and receive such other privileges as the Club may from time to time determine.
 - (ii) Members with full registration with Bowls SA shall be eligible to play in all Bowls SA and Bowls Australia events for which they are qualified and open or invitation tournaments of other clubs.
- (b) Junior/Student Members
 - (i) Junior Members shall be persons under the age of eighteen (18) years as at July 1 in the year of registration.
 - (ii) Student Members shall be full-time students under the age of 25 years as at July 1 in the year of registration.
 - (iii) Members with Junior or Student registration with Bowls SA shall be eligible to play in all Bowls SA and Bowls Australia events for which they are qualified and open or invitation tournaments of other clubs.
- (c) Social Members
 - (i) A Social member is a member who is not registered with Bowls SA as a Full Member or Junior Member.
 - (ii) They shall not be selected for pennant teams until all available Full Members and eligible Life Members have been selected; and
 - (iii) They shall not be eligible to represent the Club in Bowls SA or Bowls Australia events or events of other clubs.

5.4 Application for Membership

- (a) A person who applies and is approved for membership as provided in this Constitution is eligible to be a member of the Club on payment of the Annual Subscription, or such amount as decided by the Committee.
- (b) An application from a person for membership of the Club must:
 - (i) be made in writing in the form set out in Annexure 1; and
 - (ii) be lodged with the Secretary.
- (c) As soon as practicable after the receipt of an application, the Secretary must refer the application to the Committee.
- (d) The Committee must decide whether to approve or reject the application.
- (e) If the Committee approves an application for membership, the Secretary must, as soon as practicable:
 - (i) notify the applicant in writing of the approval for membership; and
 - (ii) request payment within 28 days of the notification of the sum payable under this Constitution the first year's Annual Subscription.
- (f) The Secretary must, within 28 days after receipt of the amounts referred to in rule 5.4(e), enter the applicant's name in the Register of Members.
- (g) An applicant for membership becomes a Member and is entitled to exercise the rights of membership when his or her name is entered in the register of Members.
- (h) If the Committee rejects an application, the Committee must, as soon as practicable, notify the applicant in writing that the application has been rejected.
- (i) A right, privilege, or obligation of a person by reason of membership of the Club:
 - (i) is not capable of being transferred or transmitted to another person; and
 - (ii) terminates upon the cessation of membership whether by death or resignation or otherwise.

5.5 Fees

- (a) The payment of the Annual Subscription entitles a person to membership of the Club for the period October 1st until the 30th September each year.
- (b) The Annual subscription will be such amount as recommended by the Committee and approved at the Annual General Meeting and will be payable in advance on or before the start of each subsequent Pennant Season
- (c) New members admitted as Full Members during a Pennant Season shall pay a proportion of the Annual Subscription as determined by the Administrative Committee.

5.6 Register of Members

- (a) The Secretary must keep and maintain a Register of Members containing:
 - (i) the name, address and other contact details (e.g. email address) of each Member,
 - (ii) the date on which each Member's name was entered in the Register, and was incorporated into the Bowls Australia Database, BowlsSA and any appropriate association.

Note: (a) and (b) may contain confidential information so must be protected from everyday accessibility.

5.7 Ceasing membership

- (a) A Member ceases to be a Member on their death.
- (b) A Member of the Club who has paid all moneys due and payable by a Member to the Club may resign from the Club by giving one month's notice in writing to the Secretary of his or her intention to resign. Such resignation takes effect on the expiry of that period.
- (c) The Secretary must record in the Register of Members the date on which the Member ceased to be a Member.

5.8 Discipline, suspension and expulsion of Members

- (a) Subject to this Constitution, if the Committee is of the opinion that a Member has refused or neglected to comply with this Constitution, or has been guilty of conduct unbecoming a Member or prejudicial to the interests of the Club, the Committee may by resolution:
 - (i) suspend that Member from membership of the Club for a specified period; or
 - (ii) expel that Member from the Club.
- (b) A resolution of the Committee under rule 5.8(a) does not take effect unless:
 - (i) at a meeting held in accordance with rule 5.8(c), the Committee confirms the resolution; and
 - (ii) if the Member exercises a right of appeal to the Club under this rule, the Club confirms the resolution in accordance with this rule.
- (c) A meeting of the Committee to confirm or revoke a resolution passed under rule 5.6(a) must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the Member in accordance with rule 5.8(d).
- (d) For the purposes of giving notice in accordance with rule 5.8(c) the Secretary must, as soon as practicable, cause to be given to the Member a written notice:
 - (i) setting out the resolution of the Committee and the grounds on which it is based;
 - (ii) stating that the Member, or his or her representative, may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that Member;
 - (iii) stating the date, place and time of that meeting;
 - (iv) informing the Member that he or she may do one or both of the following:
 - (A) attend that meeting;
 - (B) give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution; and
 - (v) informing the Member that, if at that meeting, the Committee confirms the resolution, he or she may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Club in general meeting against the resolution.
- (e) At a meeting of the committee to confirm or revoke a resolution passed under rule 5.8(a), the Committee must:
 - (i) give the Member, or his or her representative, an opportunity to be heard;

- (ii) give due consideration to any written statement submitted by the Member; and
 - (iii) determine by resolution whether to confirm or to revoke the resolution.
- (f) If at the meeting of the Committee, the Committee confirms the resolution, the Member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal against the resolution.
- (g) If the Secretary receives a notice under rule 5.8(f), he or she must notify the Committee and the Committee must convene a meeting under rule 5.8 (h) of the Club to be held within 21 days after the date on which the Secretary received the notice.
- (h) A meeting consisting of the President, three (3) committee members and three (3) other Club members shall hear the appeal. The member making the appeal may have another Club member attend to offer support and guidance. This person may speak with the permission of the Chair.

5.9 Disputes and mediation

- (a) The grievance procedure set out in this rule applies to disputes under this Constitution between:
- (i) a Member and another Member; or
 - (ii) a Member and the Club.
- (b) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- (c) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (d) The mediator must be:
- (i) a person chosen by agreement between the parties; or
 - (ii) in the absence of agreement:
 - (A) in the case of a dispute between a Member and another Member, a person appointed by the Committee of the Club; or
 - (B) in the case of a dispute between a Member and the Club, a person who is a mediator appointed or employed by the Institute of Arbitration and Mediators Australia.
- (e) A Member of the Club can be a mediator.
- (f) The mediator cannot be a Member who is a party to the dispute.
- (g) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (h) The mediator, in conducting the mediation, must:
- (i) give the parties to the mediation process every opportunity to be heard;
 - (ii) allow due consideration by all parties of any written statement submitted by any party; and
 - (iii) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

- (i) The mediator must not determine the dispute.
- (j) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

6. General Meetings

6.1 Annual General Meetings

- (a) Subject to section 39 of the Act, the Committee may determine the date, time and place of the Annual General Meeting of the Club but no later than May 31st each year.
- (b) The notice convening the Annual General Meeting must specify that the meeting is an Annual General Meeting.
- (c) The ordinary business of the Annual General Meeting will be to:
 - (i) confirm the minutes of the previous Annual General Meeting and of any General Meeting held since that meeting;
 - (ii) receive from the Committee reports upon the transactions of the Club during the last preceding Financial Year including:
 - (A) Annual Report
 - (B) Financial Report
 - (C) Any other Report
 - (iii) elect officers of the Club and the Ordinary Committee Members;
 - (iv) the appointment of auditors, if required by the Act; and
 - (v) consider any other business requiring consideration by the Club.
- (d) The Annual General Meeting may conduct any special business of which notice has been given in accordance with this Constitution.

6.2 Special General Meetings

- (a) In addition to the Annual General Meeting, other General Meetings may be held in the same year.
- (b) All General Meetings other than the Annual General Meeting are Special General Meetings.
- (c) The Committee may, whenever it thinks fit, convene a Special General Meeting of the Club.
- (d) The Committee must, on the request in writing of Members representing not less than 10 per cent of the total number of Members, convene a Special General Meeting of the Club.
- (e) The request for a Special General Meeting must:
 - (i) state the objects of the meeting;
 - (ii) be signed by the Members requesting the meeting; and
 - (iii) be sent to the address of the Secretary.
- (f) If the Committee does not cause a Special General Meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the Members making the request, or any of them, may convene a Special General Meeting to be held not later than 3 months after that date.

- (g) If a Special General Meeting is convened by Members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the Committee and all reasonable expenses incurred in convening the Special General Meeting must be refunded by the Club to the persons incurring the expenses.

6.3 Special business

All business that is conducted at a Special General Meeting and all business that is conducted at the Annual General Meeting, except for business conducted under the Constitution as ordinary business of the Annual General Meeting, is deemed to be special business.

6.4 Notice of General Meetings

- (a) The Secretary must, at least 14 days (or if a Special Resolution has been proposed, at least 21 days) before the date fixed for holding a General Meeting of the Club, cause to be sent to each Member of the Club, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- (b) No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- (c) A Member intending to bring any business before a meeting may notify the Secretary in writing, or by electronic transmission, the nature of that business and the Secretary must include that business in the notice calling the next General Meeting.

6.5 Quorum at General Meetings

- (a) No item of business may be conducted at a General Meeting unless a quorum of Members entitled to vote under this Constitution is present at the time when the meeting is considering that item.
- (b) Fifteen Members present (either in person or by proxy) and entitled to vote constitute a quorum for the conduct of the business of a General Meeting.
- (c) If, within half an hour after the appointed time for the commencement of a General Meeting, a quorum is not present:
 - (i) in the case of a meeting convened upon the request of Members, the meeting must be dissolved; and
 - (ii) in any other case, the meeting will stand adjourned to the same day in the next week at the same time and (unless another place is specified by the chairperson at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place.
- (d) If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, then ten Members personally present and entitled to vote will be a quorum.

6.6 Chairperson at General Meetings

- (a) The President, or in the President's absence, the Vice President, will preside as chairperson at each General Meeting of the Club.
- (b) If the President and the Vice President are absent from a General Meeting, or are unable to preside, the Members present must select one of their number to preside as chairperson of the meeting.

6.7 Adjournment of meetings

- (a) The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting to a time and place to be determined.
- (b) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- (c) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 6.4.
- (d) Except as provided in rule 6.7(c), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

6.8 Voting at General Meetings

- (a) Upon any question arising at a General Meeting of the Club, a Member has one vote only.
- (b) All votes must be given personally or by proxy.
- (c) In the case of an equality of voting on a question, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (d) A Member is not entitled to vote at a General Meeting unless all moneys due and payable by the Member to the Club have been paid, other than the amount of the Annual subscription payable in respect of the current Financial Year.

6.9 Manner of determining whether resolution carried

- (a) If a question arising at a General Meeting of the Club is determined on a show of hands:
 - (i) a declaration by the chairperson that a resolution has been:
 - (A) carried;
 - (B) carried unanimously;
 - (C) carried by a particular majority; or
 - (D) lost; and
 - (ii) an entry to that effect in the minute book of the Association,
- is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

6.10 Proxies

- (a) Each Member is entitled to appoint another Member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (b) The notice appointing the proxy must be for a General Meeting of the Club convened on the form set out in Annexure 2

6.11 Circulating Resolutions

- (a) If all the Members who are eligible to vote on a resolution have signed a document containing a statement that they are in favour of a resolution in terms set out in the document, then a resolution in those terms is taken to have been passed at a General Meeting held on the day on which the document was last signed by a Member.
- (b) For the purposes of clause 6.11(a), two or more identical documents, each of which is signed by one or more Members, together constitute one document signed by those Members on the days on which they signed the separate documents.
- (c) Any document referred to in this clause may be in the form of an electronic transmission.

7. Management

7.1 Committee

- (a) The affairs of the Club will be administered by the Committee.
- (b) The Committee:
 - (i) must manage and control the funds and other property of the Club;
 - (ii) may, subject to this Constitution, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by this Constitution to be exercised by General Meetings of the Members; and
 - (iii) subject to this Constitution, the Act and the Regulations, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Club.
 - (iv) Should affiliate the Club with the relevant State and Regional Bowling Associations and other bodies which will enable the achievement of the Club's sporting and social objectives.
- (c) The Committee consists of:
 - (i) the officers of the Association; and
 - (ii) up to six Committee Members.
- (d) The officers of the Club are:
 - (i) a President;
 - (ii) Vice President;
 - (iii) Treasurer; and
 - (iv) Secretary.
- (e) The Secretary must keep and maintain a register of Committee Members containing:
 - (i) the name and address and contact details (e.g. emails) of each Committee Member; and
 - (ii) the date on which each Committee Member's name was entered in, or removed from, that register.

7.2 Officers

- (a) Each Officer of the Club elected at the AGM will hold office for a period of two years until the Annual General Meeting but is eligible for re-election.
- (b) In the event of a casual vacancy in any office referred to in rule 7.1(d), the Committee may appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of the appointment.

7.3 Members of the Committee

- (a) Each Committee Member elected at the AGM will hold office for a period of two years but is eligible for re-election.
- (b) Committee Members may be required to fill various portfolios that enable the Committee to discharge the objectives of the Club.
- (c) In the event of a casual vacancy occurring in the office of a Committee Member, the Committee may appoint a Member of the Club to fill the vacancy and the Member appointed will hold office until the conclusion of the Annual General Meeting next following the date of the appointment.

7.4 Election of Officers and Committee Members

- (a) Nominations of candidates for election as Officers of the Club or as Committee Members must be:
 - (i) made in writing, signed by two Members and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
 - (ii) delivered to the Secretary of the Club not less than 14 days before the date fixed for the holding of the Annual General Meeting.
- (b) A candidate may only be nominated for one office or as an Committee Member, prior to the Annual General Meeting.
- (c) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated will be deemed to be elected and further nominations may be received at the Annual General Meeting.
- (d) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated will be deemed to be elected.
- (e) If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- (f) The ballot for the election of Officers and Committee Members must be conducted at the Annual General Meeting in such manner as the Committee may direct.

7.5 Vacancies

The office of an Officer of the Club or of an Committee Member becomes vacant if the officer or member:

- (a) ceases to be a Member of the Club;
- (b) becomes permanently incapacitated due to ill health;
- (c) is absent without apology for more than 3 meetings in a financial year;
- (d) becomes an insolvent under administration within the meaning of the Corporations Act 2001 (Cth);

- (e) resigns from office by notice in writing given to the Secretary; or
- (f) is prohibited from being a member of the Committee under the Act.
- (g) has engaged in fraudulent activities within the Club.

7.6 Meetings of the Committee

- (a) The Committee will meet as often as is required, but at least ten times in each year at such place and such times as the Committee may determine.
- (b) Special meetings of the Committee may be convened by the President or by any three Committee Members.

7.7 Notice of Committee meetings

- (a) Electronic (or written where appropriate) notice of each Committee meeting must be given to each Committee Member at least four (4) business days before the date of the meeting.
- (b) Electronic (or written where appropriate) notice must be given to Committee Members of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

7.8 Quorum for Committee meetings

- (a) Fifty percent (50%) plus one Committee Members will constitute a quorum for the conduct of the business of a meeting of the Committee.
- (b) No business may be conducted unless a quorum is present.
- (c) If within half an hour of the time appointed for the meeting a quorum is not present:
 - (i) in the case of a special meeting, the meeting lapses; and
 - (ii) in any other case, the meeting will stand adjourned to the same place and the same time and day in the following week.
- (d) The Committee may act notwithstanding any vacancy on the Committee.

7.9 Chairperson at Committee meetings

At meetings of the Committee:

- (a) the President or, in the President's absence, the Vice President will preside as chairperson; or
- (b) if the President and the Vice President are absent, or are unable to preside, the Committee Members present must choose one of their number to preside.

7.10 Voting at Committee meetings

- (a) Questions arising at a meeting of the Committee, or at a meeting of any sub-committee appointed by the Committee, will be determined on a show of hands.
- (b) Each Committee Member present at a meeting of the Committee, or at a meeting of any sub-committee appointed by the Committee (including the person presiding at the meeting), is entitled to one vote and, in the event of an equality of votes on any question, the chairperson may exercise a second or casting vote.

7.11 Removal of Committee member

Removed as seen as unnecessary.

7.12 Circulating Resolutions

- (a) If all the Committee Members who are eligible to vote on a resolution have signed a document containing a statement that they are in favour of a resolution in terms set out in the document, then a resolution in those terms is taken to have been passed at a meeting of the Committee held on the day on which the document was last signed by a Committee Member.
- (b) For the purposes of clause 7.12(a), two or more identical documents, each of which is signed by one or more Committee Members, together constitute one document signed by those Committee Members on the days on which they signed the separate documents.
- (c) Any document referred to in this clause may be in the form of a electronic transmission.

8. Financial matters

8.1 Funds

- (a) The Treasurer of the Club must:
 - (i) collect and receive all moneys due to the Club and make all payments authorised by the Association; and
 - (ii) keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.
- (b) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by a minimum of two Office Bearers from the President, Secretary, Treasurer and one (1) other appointed member of the Committee.
- (c) The funds of the Club will be derived from annual subscriptions, donations and such other sources as the Committee determines.

8.2 Financial year

The first financial year of the Club will be the period commencing on the date of incorporation and ending on the next following 31 March, and thereafter all subsequent financial years will commence on 1 April and end on 31 March in each year.

8.3 Borrowing powers

- (a) Subject to this Rule, the Club may borrow money from banks or other financial institutions upon such terms and conditions as the Committee sees fit, and may secure the repayment of that money by charging the property of the Club.
- (b) Subject to section 53 of the Act, the Club may invite and accept deposits of money from any person on such terms and conditions as may be determined by the Committee from time to time.

8.4 Accounts

- (a) The Club must keep and retain such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the Club.
- (b) No expenditure exceeding ten thousand (\$10,000) dollars shall be entered into without the approval of the members at an Annual General Meeting or Special General Meeting of the Club.
- (c) Expenditure exceeding five hundred (\$500) dollars shall not be entered into without the prior consent of the Administrative Committee.
- (d) The audited financial statements of the Club must be laid before the Members at the AGM.

8.5 Audit

- (a) The Club may (and, if required by the Act, must) appoint an auditor.
- (b) Any auditor so appointed will hold office for such period as the Club determines.
- (c) An auditor has the rights and duties prescribed by the Act.

9. Winding up or deregistration

- (a) The Club may be wound up or deregistered in the manner provided for in the Act.
- (b) Members will not be liable to contribute towards the payment of the debts and liabilities of the Club or the costs, charges, and expenses of a winding up or deregistration of the Club.
- (c) In the event of the organisation being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to other organisations with similar purposes which are not carried on for profit or gain of its individual members.

10. Other matters

10.1 Minutes of meetings

The Secretary must keep minutes of the resolutions and proceedings of each General Meeting, and each Committee meeting, together with a record of the names of persons present at those meetings.

10.2 By-laws

The Committee may make such by-laws as it deems fit and may amend them in accordance with such procedures as it may adopt for that purpose.

10.3 Seal

- (a) The common seal of the Club must be kept in the custody of the Secretary.
- (b) The common seal must not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal must be attested by the signatures of two from the President, Vice President, Secretary or Treasurer.

10.4 Notices

Any notice that is required to be given to a Member or a Committee Member, by or on behalf of the Club under this Constitution may be given by:

- (a) delivering the notice to the Recipient personally;
- (b) sending it by prepaid post addressed to the Recipient at that Recipient's address as shown in the register of Members or register of Committee Members (as the case may be);
- (c) facsimile transmission, if the Recipient has requested that the notice be given to him or her in this manner; or
- (d) electronic transmission, if the Recipient has requested that the notice be given to him or her in this manner.

10.5 Public Officer

- (a) The Club must have a Public Officer for the purposes of the Act.
- (b) Unless the Committee decides otherwise, the Secretary will act as Public Officer.

10.6 Indemnity

- (a) Subject to the Act, every person who is or has been a Committee Member of the Club is entitled to be indemnified out of the property of the Club against any liabilities, losses, costs, expenses and damages whatsoever sustained or incurred directly or indirectly in connection with that person's position as a Committee Member of the Club and the discharge by the person of his or her duties as a Committee Member of the Club except:
 - (i) a liability owed to the Club; or
 - (ii) a liability that did not arise out of conduct in good faith; or
 - (iii) legal costs in defending or resisting proceedings in which the person is found by a Court to have a liability for which the person cannot be indemnified under any of the foregoing provisions of this rule; or
 - (iv) legal costs in defending or resisting criminal proceedings in which the person is found guilty.
- (b) For the purposes of this rule:
 - (i) "conduct" includes acts and omissions;
 - (ii) "legal costs" means legal costs on a solicitor and client basis; and
 - (iii) the outcome of legal proceedings means the outcome of the proceedings and any appeal in relation to the proceedings.
- (c) Where a person seeks to rely on the indemnities contained in this rule, that person must:
 - (i) immediately notify the Club of any claim which gives rise to or could give rise to a liability of the Club to that person;
 - (ii) permit the Club to conduct any negotiations and legal proceedings in respect of the claim in the name of the person and to have the sole arrangement and the control of such negotiations or proceedings and to settle or compromise the claim or make an admission or payment in relation thereto;
 - (iii) not make any admission without the prior written consent of the Association;

- (iv) promptly render all reasonable assurance and co-operation to the Club as requested by the Club.
- (d) The Club must make available for inspection by any person who is or has been a Committee Member of the Club the books of the Club at all reasonable times for the purposes of any investigations or legal proceedings whether directly or indirectly in connection with that person's position as a Committee Member of the Club:
 - (i) to which the person is a party; or
 - (ii) that the person proposes in good faith to bring; or
 - (iii) that the person has reason to believe will be brought against the person.

10.7 Books and records

- (a) Except as otherwise provided in this Constitution, the Secretary must keep in their custody or under their control all books, documents and securities of the Association.
- (b) All accounts, books, securities and any other relevant documents of the Club must be available for inspection by any Member upon request.
- (c) A Member may make a copy of any accounts, books, securities and any other relevant documents of the Club.

Annexure 1

Application for membership

Annexure to Constitution

Application for membership

NOMINATION FOR MEMBERSHIP

I
(Full given names) Please print (Surname)

wish to become a member of the Hahndorf Bowling Club and hereby agree to abide by the Constitution, Rules and Policies of the Club and of the relevant National and State Association if elected.

I was previously a member of the Bowling Club.

My division and playing position were

Marital status Spouse/partner's name

Address

..... Postcode

Telephone: Mobile:

Email address:

Occupation: Dob:

Nominated by: Seconded by:

Signature:

Office use

Elected at meeting held on: Secretary:

Member advised on: Secretary:

Annexure 2

Form of appointment of proxy

Annexure to Constitution

Form of appointment of proxy

I,

(name)

of

(address)

being a member of the Hahndorf Bowling Club

appoint

.....(name of proxy holder)

of

.....(address of proxy holder)

being a member of the Association, as my proxy to vote for me on my behalf at the Annual/Special*
General Meeting of the Club to be held on

.....(date of meeting)

and at any adjournment of that meeting.

My proxy is authorised to vote in favour of/against* the following resolution:

.....(insert details of resolution).

Signed:

Date:

*Delete if not applicable

For office use only

Rule 6.8(d) – Financial member?

Yes

No

By Law 1

Selection Policy

Annexure to Constitution

Selection

1. Guiding Principle

- a) The Club will consider gender equity of the Selection Panel to ensure equality and transparency when selecting players for open bowls competitions.
- b) The Administrative Committee will seek nominations for Selectors at least one month prior to the start of each pennant season. The Administrative Committee will make the final decision on all Selectors. In the case of any casual vacancy, the Selection Panel may co-op a Selector with the approval of the Administrative Committee.
- c) The Selection Panel will consist of up to:
 1. A Chair of Selectors
 2. Two selectors for each team
- d) Where a selector elected for a team is selected for another team that selector may remain in the position as elected.
- e) The aim of this Selection Policy is to provide Selectors with clear procedures to adhere to when selecting sides to represent the club and to communicate to members a transparent policy that provides all members with the ability to be selected on merit.
- f) Sides should be selected to maximise performance and achieve the best result possible for the Club; as well as taking into consideration the spirit of the game.

2. Fundamental Criteria

- a) Selection should be based primarily on merit and take into consideration recent form.
- b) In the selection of sides, consideration should be given to compatibility, team dynamics and player development.

3. Other Criteria

- a) If more members are available for a particular competition than required, the lowest side in that competition should operate a rotation policy to ensure that every player considered to be of acceptable standard is offered a fair and proportional share of games.

4. Feedback and Communication

- a) Selectors should communicate regularly with skippers regarding the performance of players. Selectors should also regularly seek feedback from players other than Skippers.
- b) Selectors should endeavour to personally advise the players concerned when making changes to the sides, providing feedback on the reasons for the changes.

5. Availability

- a) Members who wish to be considered for selection should notify Selectors in the method and by the appointed time each week as set by the Club.

6. Open Competitions

- a) Members who nominate to play in an open competition should be considered on merit regardless of gender.

7. Grievances

- a) If a member has an issue with selection, they should attempt to resolve the issue in the following order:

1. Seek clarification from the respective Selector(s).
2. Raise their concerns with the respective Chair of Selectors.
3. Formally raise their concerns with the Committee.