

**BICHENO BOWLS
& R.S.L. SUB-BRANCH
INCORPORATED**

CONSTITUTION

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BICHENO BOWLS & R.S.L. SUB-BRANCH INCORPORATED

Mission statement

The Constitution of the above recognises the importance of a management structure having the total responsibility to administer the affairs of the combined clubs to ensure they have a sustained facility, which allows for growth and benefits in the interest of recreational activity and comradeship for Members and their friends.

The Bicheno Bowls Club 50% and the Bicheno R.S.L. Sub-Branch 50% are the custodians of the property and consider their investment is in the interest of the broad community.

The partnership may or may not be equal in terms of the work and funds each partner accepts.

Regardless of these factors and inequities a true partnership is based on negotiated advantages to all parties managed by a Managing Committee elected by the Full Members and headed by a Chairperson.

OBJECTS & PURPOSES OF THE INCORPORATED CLUB

- Provide recreation, comradeship for the Members and their friends.
- Encourage and welcome social membership from the community of Bicheno and its Districts.
- Develop unused land to benefit the community of Bicheno and its Districts seeking activity space.
- Respect the affiliation requirements of the Bicheno Bowls Club Members and the Bicheno R.S.L. Sub-Branch Members in their relationships with state and /or National Administration requirements.
- Develop and maintain good relationships with local Council, State and Federal Governments.
- Seek grant funding opportunities for the benefit of improving facilities for the Members.

BICHENO BOWLS AND R.S.L. SUB-BRANCH INCORPORATED

1. NAME

The Club shall be known as the "Bicheno Bowls and R.S.L. Sub-Branch Inc"

2. OBJECTS

The principal objects of the Club are to promote the interests of the Members of the Bicheno Bowls Club and the Bicheno R.S.L. Sub-Branch in the joint ownership of land, a Clubhouse, a bowling green and any other recreational facilities for the purpose of affording to Members and their friends all the advantages, privileges and recreational facilities of a non-political, non-sectarian club and to do all things necessary to maintain and carry on such club, including:

- (a) To purchase, hire, lease or otherwise acquire any real or personal property and to sell, demise, let, mortgage or dispose of same.
- (b) To borrow money from time to time and for such purposes to give debentures, hiring agreements, mortgages, charges or other security over the whole or any part of the property real or personal of the Club.
- (c) To invest any monies of the Club upon such conditions as may from time to time be determined by the Management Committee.
- (d) To donate any sums of money, goods or the like to any charity, fund, institution, appeal or club that the Committee of Management may consider necessary.
- (e) To apply for and obtain and review time to time a license or permit as appropriate under the Liquor and Accommodation Act 1990, its amendments and regulations.

3. APPLICATION FOR MEMBERSHIP

Any adult person shall be eligible for membership of the Club subject to these Rules hereunder. Candidates for membership, apart from nominations for Honorary Membership and Life Members, shall be nominated by one Member and seconded by another. Such nominations shall be in writing on the prescribed form (see attachment "A") and shall be lodged with the Secretary.

The names of all nominated candidates shall be posted on the Club notice board at least 14 days prior to their election. A Member may object to

nomination in writing to the Management Committee and such objections shall be treated as confidential and the Management Committee shall then accept or reject the nomination and its decision shall be final. In the event that seven or more Members sign any objection then such nomination shall be automatically rejected. Any person whose nomination has been rejected shall not be nominated again in the current financial year. All nominations for membership shall be accompanied by the necessary subscription. In the event of there being a waiting list of intending Members, the fees shall not be paid until requested by the Secretary.

Immediately upon the admission of a new Member, the Secretary shall ensure he/she has access to a copy of the Constitution & Rules of the Club.

4. CLASSES AND CONDITIONS OF MEMBERS

- (a) Social Members
- (b) Full Members
- (c) Life Members
- (d) Honorary Members
- (e) Junior Social Members (8 to 17 years)

(a) SOCIAL MEMBERS:

A Social Member is a member who has paid their social fees to either the Bicheno Bowls & R.S.L. Sub- Branch Inc, or The Bicheno Bowls Club or Bicheno R.S.L. Sub-Branch. These members are entitled to use all the facilities and have all rights, except that of being a Member of Committees or voting at any meeting. A Social Member can only use the bowling green with the permission of the Bicheno Bowls Club.

(b) FULL MEMBER:

A Full Member is a Life Member or a Member who has paid membership of the Bicheno Bowls Club or Bicheno R.S.L. Sub-Branch. Only Full Members shall have full rights to membership of Committees and voting rights thereat or voting rights at a General Meeting of the Club. No Member shall take part in the activities of the Bicheno Bowls Club or the Bicheno R.S.L. Sub-Branch unless they have paid the additional membership fee of that organization.

(c) LIFE MEMBER

A Life Member shall be a Member (Full and /or Social) who has rendered special service to the Club. At an Annual General Meeting, Life Members will be elected:

- (i) On the unanimous recommendation of the Management Committee.
- (ii) A resolution being passed on simple majority at the Annual General Meeting electing the nominee as a Life Member.

A Life Member shall not be obliged to pay annual subscriptions, or any calls or levies made by the Club.

(d) **HONORARY MEMBER**

An Honorary Member shall be a World War 1 or World War 2 Veteran. To recognise the efforts of these members in founding the original Bicheno Bowls and RSL Club Inc. An Honorary Member shall not be obliged to pay annual subscriptions, or any calls or levies made by the Club.

(e) **JUNIOR SOCIAL MEMBERS:**

A Junior Social Member will be for those between the ages of 8 to 17 years. A Junior Social Member must be accompanied by a parent/guardian at all times and follow the rules stated under section (a) Social Members.

5. RESIGNATION OF MEMBERS

A Member who has paid all monies due from or payable by him/her to the Club may resign from the Club upon first giving seven days notice in writing to the Management Secretary and upon the expiration of such notice shall cease to be a Member.

6. EXPULSION OR SUSPENSION OF MEMBERS

Should any Member contravene any Rules or By-Laws of the Club or act in any manner prejudicial to the interests of the Club, or do anything which, in the opinion of the Management Committee causes disagreement to arise between Members, the offending Member or Members shall be dealt with by the Management Committee.

The Management Committee shall have the power to caution, fine, suspend, expel or cancel the membership of such Member or Members failing to attend, they shall be dealt with in their absence.

No person who has been expelled or whose membership has been cancelled shall be eligible for membership or have any right of action against the Club or any of its Members in respect of such expulsion or cancellation.

Any Member or Members dealt with under this rule will have the right to appeal to a Special General Meeting of the Club. On receipt of notice of appeal the Management Committee shall convene a Special General Meeting within 21 days. The decision of the Special General Meeting will be binding on all parties.

7. BANKING AND FINANCE

Subscriptions shall be fixed for the coming year by recommendation of the outgoing Management Committee at the Annual General Meeting. The Annual General Meeting may accept, amend or reject the recommendations. Calls and levies shall be such as may be fixed for the coming year by the incoming within two months following the Annual General Meeting. Members failing to pay their annual subscriptions or any other monies for which they may be liable by the last day of September, may at the discretion of the Management Committee, have their names removed from the list of Members and they shall cease to enjoy the privileges of the Club, or shall remain Members and still be liable for the payment of such subscription or fees.

Former Members wishing to rejoin the Club may do so in accordance with these

Rules but shall not be required to complete another nomination form. The payment of any subscription shall make the Member or intending Member bound by the Constitution and Rules and By-Laws in force for the time being. No unfinancial Member shall be entitled to vote, nominate office bearers, sign a requisition or have any voice in the affairs of the Club.

The banking accounts of the Club shall be kept with such bank or banks or other financial institution as the Management Committee may from time to time determine. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two of the position, Chair, Management Secretary, Management Treasurer, or in the absence of all such persons by such other Member or Members of the Management Committee that the Management Committee may nominate.

No cheques shall be drawn on the bank account of the Club unless the Management Committee has authorized payment of the expenditure. The Management Committee must approve all accounts against the Club. For the purpose of any of the said accounts, a petty cash account may be kept for payment of amounts not exceeding such sum as may be determined by the Management Committee from time to time.

The financial year of the Club shall be the period beginning on the first day of May in each year and ending on the last day of April the following year.

8. INCOME AND PROPERTY

The income and property of the Club shall be applied by the Management Committee solely to the promotion of its objects as set out in Clause 2 of these rules. No person shall be entitled to derive or participate in any profit, advantage or benefit from the Club other than for goods supplied or services rendered in the social course of business or employment provided in sub-clause (b), Rule 2.

9. AUDITOR

An auditor, who shall be a register company auditor, shall be appointed at each Annual General Meeting and he/she shall not hold any other office in the Club. The auditor shall:

- (a) Have the power at all times to examine the books and documents of the Club.
- (b) Examine the accounts of the Club at least once in each financial year.
- (c) Certify as to the correctness of the accounts of the Club and report thereon to the Members present at the Annual General Meeting.
- (d) An Auditor may be removed from office only by special resolution at a Special or Annual General Meeting of Members.

10. COMMITTEE OF MANAGEMENT

A Committee of Management constituted as provided in Rules 11 & 12 herein shall manage the affairs of the Club. This Committee shall in addition to the

control and management of the business and affairs of the Club:

- (a) subject to these Rules, exercise all such powers and functions as may be exercised by the Club, other than those powers and functions that are required by these Rules to be exercised by General Meetings of the Club and:
- (b) subject to the Act and these Rules, have the power to perform all such acts and things as appear to the Committee to be essential for the proper management and business affairs of the Club.

11. EXECUTIVE OFFICERS OF THE CLUB

- a) Chairperson
- b) Two Presidents, as appointed by the two subsidiary bodies, being the Presidents or their representatives.
- c) Management Secretary
- d) Management Treasurer

all of whom shall be properly constituted Full Members of the Club.

Each officer of the Club shall hold office until the Annual General Meeting next after the date of his/her election, but is eligible for re-election.

In the event of a casual vacancy in any office mentioned in the Rule the Committee may appoint a Member of the Club to fill the vacancy and the Member so appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of appointment.

The office of Chairperson shall be limited to five consecutive years by any one person or extended by election only at an Annual General Meeting.

Either of the two Presidents shall act, on a rotational basis, in the place of the Chair when the latter is not available and his/her actions in office shall be governed by the conditions laid down for that of Chair.

12. MANAGEMENT COMMITTEE

The Committee shall consist of the executive officers of the Club as mentioned in Rule 11 herein plus four (4) Full Members, or other number of Full Members as the Club in general meetings shall determine, one of whom shall be appointed from the Bicheno RSL Sub-Branch, one of whom shall be appointed from the Bicheno Bowls Club and two to be elected at the Annual General Meeting of Members each year.

Each Member of the Management Committee shall, subject to these rules, hold office until the Annual General Meeting next after the day of his/her election, but shall be eligible for re-election.

In the event of a casual vacancy occurring in the office of a Social Committee person, the Committee may appoint a Full Member of the Club to fill the vacancy and the Member so appointed shall hold office, subject to these Rules,

until the conclusion of the Annual General Meeting next following the date of the appointment.

13. NOMINATIONS FOR MANAGEMENT COMMITTEE

Presidents: One President will be nominated by each of the Bicheno Bowls Club and the Bicheno R.S.L. Sub-Branch.

Two Committee: One Member will be nominated by each of the Bicheno Bowls Club and the Bicheno R.S.L. Sub-Branch.

Chair, Management Secretary, Management Treasurer and Two Committee:

- (a) Shall be in writing upon the approved form (attachment B) signed by any combination of two Full Financial Members or Life Members, the nominee shall also sign as accepting the nomination.
- (b) Nomination shall be lodged with the Management Secretary not later than seven days prior to the Annual General Meeting and they shall be posted on the Clubs' notice board for that period.
- (c) If insufficient numbers of nominations are received nominations may be called from the floor at the Annual General Meeting. If insufficient nominations still remain then the Management Committee may fill the vacancy at a subsequent meeting of the Management Committee
- (d) If the number of nominations received exceed the number required a ballot shall be taken and in a form decided by the Annual General Meeting.

The Chair shall call for two scrutineers/electoral officers to conduct the ballot count; the votes and report the results. If any number candidates receive an equal vote the Chairperson shall have a second or casting vote or may refer the names of such candidates back to the meeting for a further ballot.

14. VACATION OF OFFICE

The Office of an Executive Office or a Committee Member shall be vacant if the person

- (a) Is deceased
- (b) Becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his creditors, makes any assignment of his/her estate for their benefit.
- (c) Becomes of unsound mind.
- (d) Resigns his/her office by writing under his/her hand addressed to the Committee.
- (e) Ceases to take residence in this state of Tasmania.

- (f) Fails to attend three consecutive meetings of the Committee without leave being granted by the Committee.
- (g) Ceases to be a Member.
- (h) Fails to pay all subscriptions due by him/her within twenty eight days of receiving written notice from the Management Secretary advising that he/she has ceased to be a financial Member.

15. DUTIES AND POWER OF THE MANAGEMENT COMMITTEE

The Management Committee shall meet at least once in each month at such place and times as the Management Committee shall determine, or when the Chair or four Members of the Management Committee shall make special request for a meeting of the Management Committee.

The Management Committee may implement any objects of the Club and it may make decisions upon and carry out all matters of normal Management except those matters required to be determined by the Members at an Annual General Meeting or Special General Meeting. The Committee shall nominate a Member to hold the liquor license or liquor permit for the Club and that person shall control the normal requirements under the Liquor and Accommodation Act 1990 as amended, to regulations and conditions there under.

The Management Committee shall have the power to make By-Laws. They may appoint from Full and/or Life Members of the Club Sub-Committees. Sub-Committee shall consist of not more than three Members and they shall at all times be subordinate to the Management Committee.

Should any matter of an urgent nature arise requiring immediate attention, and a quorum of the Management Committee cannot be convened, the Chair Management Secretary and one other Member of the Management Committee shall act as an executive body to take whatever action that may be considered necessary and they shall report their actions to the next meeting of the Management Committee

At any meeting of the Management Committee four Members shall form a quorum and no business is to be transacted unless a quorum is present. Notwithstanding this, at all times every endeavour should be made to contact all Members of the Management Committee.

All proceedings of the Management Committee are to be recorded in a special minute book to be kept by the General Secretary. The first item at each meeting of the Management Committee will be to confirm minutes of the previous meeting.

If a Member of the Management Committee be absent from three consecutive meetings without sending an apology satisfactory to the other members thereof, he/she shall forfeit their position on the Management Committee.

The Management Committee may fill any such vacancy that may occur at its discretion.

In order to facilitate the open and transparent management process, and at the discretion of the Chair, Observers may be invited to attend Management Committee meetings subject to the following conditions:

- (a) a maximum of two Observers is permitted at any one Management Committee meeting;
- (b) Observers are to be either Social, Full or Life Members in accordance with Rule 4;
- (c) Observers are required to remain silent throughout the meeting unless specifically called upon by the Chair to participate in discussion;
- (d) Observers have no voting rights whatsoever nor may they introduce any topic for debate;
- (e) If at any time the Committee decides to discuss any item(s) of business "in camera", Observers will be required to leave the meeting until discussion of the item(s) has concluded.

Notwithstanding the conditions stated above pertaining to Observers, the Chair may invite a Visitor, that is any person Member or non Member, to participate in discussions with the Management Committee in order to provide information and advice on a specific topic. Visitors have no voting rights whatsoever.

16. DUTIES OF THE CHAIRPERSON

- a) Chair Management Committee meetings, Special meetings and Annual General Meeting.
- b) To be eligible to hold position as the Chair, the Member cannot be a current executive Member of either the Bicheno Bowls Club or R.S.L. Sub-Branch Committees.
- c) Represents the Bicheno Bowls and RSL Sub-Branch Incorporated and provide a major contact/public relations role for Government, local Government and community groups.
- d) Take a leadership and guidance role in the management of administration, financial and human resource matters of the incorporated body.
- e) Have an understanding of the roles and functions of volunteers within the incorporated body.
- f) Oversee the implementation of the Constitution and any By-Laws of the incorporated body; also ensuring relevant legislation is met.

- g) Chair reports directly to the Management Committee.
- h) Oversee the maintenance and production of timely reporting to the Management Committee.

17. DUTIES OF THE MANAGEMENT SECRETARY

- (a) The Management Secretary shall be responsible for calling all meetings when required and to ensure that full and accurate records of all general meetings and Management Committee meetings are properly recorded in the minute book.
- (b) Keep a register, which shall contain the names and addresses of all Members, including Social Members, Full Members, Life Members and Honorary Members for the time being of the Club and showing the class of membership in each case.
- (c) Conduct all correspondence in connection with the general business of the Club.
- (d) Submit to the Management Committee at a meeting held prior to the Annual General Meeting a draft of the Annual Report to be presented to the Annual General Meeting.
- (e) Be a Public Officer of the Club unless otherwise determined by the Management Committee.
- (f) Be responsible for the custody of the books, documents etc of the Club in a safe cabinet at the office of the Club.

18. DUTIES OF THE MANAGEMENT TREASURER

- (a) The Management Treasurer shall receive all monies due to the Club and deposit the same into the bank account or account determined by the Management Committee. Pay all accounts due by the Club and passed for payment by the Management Committee, and keep all the books necessary to show the correct financial position of the Club.
- (b) The Management Treasurer shall report the Club's financial position to all meetings of the Management Committee.
- (c) Prepare and submit to the Annual General Meeting of Members a complete and detailed statement of revenue and expenditure together with a balance sheet for such financial year of the Club. Such statements to carry a certification of correctness by the Club's auditor.
- (d) Keep the accounting books, records of receipts and expenditure and other financial records of the Club at the office of the Club.

19. ANNUAL GENERAL MEETING

The Club shall hold and Annual General Meeting at a place and on a day in the

month of May in each year, or as may be determined by the Management Committee. The Annual General Meeting shall be specified as such in the notice convening it and shall be in addition to any other general meetings that may be held in the same year.

The social business of the annual general meeting shall be:-

- (a) To confirm the minutes of the last preceding Annual General Meeting and any Special General Meetings held since that meeting.
- (b) To receive from the Management Committee, auditor and servants of the Club reports reviewing the activities of the Club during the previous financial year and a statement of accounts and a balance sheet in respect of that year.
- (c) To elect Executive Officers and Members of the Management Committee and invest them for the ensuing year.
- (d) To appoint auditor at such remuneration as the Management Committee determine.
- (e) To appoint a Patron of the Club for the ensuing year.
- (f) To decide any general business of the Club submitted in accordance with these rules.

20. SPECIAL GENERAL MEETINGS

The Management Committee may, whenever it thinks fit and shall be upon the receipt of a written requisition, call a Special General Meeting of Members. Such requisition shall be signed by not less than ten Full Members and it shall set out the objects for which the meeting is called.

A Special General Meeting of Members shall deal only with the business for which it is called.

If the Management Committee fails to convene a requested meeting within thirty days after receipt of the requisition, the requisitionists may convene such meeting.

21. NOTICE OF GENERAL MEETING

A notice of a General meeting shall specify the place, day and time for the holding of the meeting and the nature of the business to be transacted thereat and the notices of the motion to be submitted by Members in the following manner:

- (a) The Management Secretary shall cause notice of a General Meeting to be posted on the notice board of the Club for fourteen consecutive days prior to the date of such meeting.
- (b) The Management Secretary shall, not less than fourteen days prior to the day specified for the meeting, notify each eligible Full Member of the

place, day and time of the meeting and of the nature of the business to be transacted thereat.

- (c) A notice may be served by or on behalf of the Club upon any Member either personally or by sending through the post in a prepaid letter addressed to the Member at the address shown in the Register of Members.

22. QUORUM

- (a) At all Annual and Special General Meetings of Members of the Club twelve Members present shall constitute a quorum. If, after thirty minutes from the time appointed for the calling of the meeting no quorum be present, the meeting shall stand adjourned, but not longer than twenty one days, to a time to be fixed by those present, those then present shall deemed to be a quorum and they shall proceed to conduct the business according to the notice paper and all business properly transacted shall be valid.
- (b) The procedure at meetings of any Sub-Committee appointed by the Management Committee or the Members in general meetings shall be as close as is practical to the procedure at meetings of the Management Committee and the quorum shall be not less than half the number of persons appointed to such Sub-Committee.

23. VOTING

At all meetings of Members of the Club each Full Member present shall be entitled to one vote on each subject and upon an equal number of votes being cast on an matter, the Chairperson shall have a second or casting vote at his/her discretion Voting shall be on voices or by a show of hands or a ballot may be called for by at least five Members present.

All votes are to be given personally. Proxy votes are to arrive into the Secretary's hands prior to the Annual General Meeting and must be signed sealed and marked "Proxy Vote" by the Member. These will then be opened at the counting of votes at the Annual General Meeting.

24. OBLIGATION OF MEMBERS

- (a) Every Member of the Club undertakes to comply with the Rules and By-Laws and any refusal to do so shall render such Member liable to be dealt with under Rule 6 of these Rules.
- (b) If a Member by any breach of the Rules, or by any unlawful act, causes the Club, to pay any money, such Member shall be civilly liable to the Club or to such officer for the amount paid.
- (c) In the event of the Club being wound up:
 - (i) Every Social Member, Full Member and Life Member of the Club and
 - (ii) Every Social Member, Full Member and Life Member who, within the

period of twelve months immediately preceding the commencement of the winding up, was a Member of the Club, for payment of the debt or liabilities of the Club and for the costs charges and expenses of the winding up and for the adjustment of the rights of the contributors among themselves, such sum, not exceeding the amount of the current annual subscription as may be required, but a former Social Member, Full Member or Life Member is not liable so to contribute in respect of any debt or liability of the Club contracted after he has ceased to be a Member.

25. INDEMNITY

Any Member of the Club, who by authority of a general meeting or of the Management Committee, may accept or incur any liability on behalf of the Club, shall be indemnified by the Club against personal loss in respect of such liability.

26. ALTERATION TO RULES

These Rules shall not be altered or repealed or any new Rules made except by special resolution at an Annual General Meeting of the Club called for the purpose, provided that, in either cases, the requisite notice has been given in accordance with these Rules. A special resolution is a motion that has been approved by a minimum of twelve financial Members present at such meeting.

27. INTERPRETATION OF RULES

The decision by the Management Committee on the construction or interpretation of any Rule or By-law shall be conclusive and binding on all Members unless and until same shall be overruled by an annual or special general meeting of Members.

28. SEAL OF THE CLUB

- (a) The Seal of the Club shall be in the form of a rubber stamp inscribed with the name of the Club encircling the word "Seal".
- (b) The Seal of the Club shall not be affixed to any instrument except by authority of the Management Committee and the affixing thereof shall be attested by the signatures either of two Members of the Management Committee or of one Member of the Management Committee and the Public Officer of the Club. The Seal shall remain in the custody of the Public Officer.

29. DISSOLUTION

The Members assembled at a special general meeting called for the purpose may dissolve the Club and wind up its affairs, or it may alter the name of the Club. It may decide the disposition of the Clubs assets, if any, provided only, that at least a three fourths majority of the then financial Members present are in favour of such dissolution, winding up its affairs or alteration to the name.

30. LICENSING REGULATIONS

The Club shall comply with the provisions of the Liquor and Accommodation

Act 1990 as amended, to Regulations and Conditions hereunder.

31. COMMENCEMENT AND INAUGURATION OF THESE RULES

These Rules shall come into force (date): 6th Day of March Two Thousand and Five.

Appendix A

BICHENO BOWLS & RSL SUB-BRANCH INC.

APPLICATION FOR MEMBERSHIP

NAME: _____ DATE: _____

ADDRESS: _____ POSTCODE: _____

OCCUPATION: _____ PHONE NO: _____

We, the undersigned, being financial members of the Club, hereby nominate the person mentioned above to be approved for membership.

NOMINATOR: _____ SECONDED: _____

Please PRINT name: _____

I AGREE TO ABIDE BY THE RULES OF THE ABOVE CLUB:

SIGNATURE OF NOMINEE: _____

Please PRINT name: _____

Date Received: _____ MEMBERSHIP FEE REC'D: _____

Date APPROVED: _____

Appendix B

BICHENO BOWLS & RSL SUB-BRANCH INC.

NOMINATION FORM

Committee of Management

We, the undersigned, being financial members of the Club, hereby nominate the person mentioned below to be approved for the position of:

.....

NAME:

ADDRESS:.....

CONTACT PHONE: _____

SIGNATURE OF NOMINEE: _____

NOMINATOR: _____ SECONDED:.....

Please PRINT name: _____

Date Received: _____