



# **Rules –**

## **Buderim Bowls Club Inc.**

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# RULES FOR BUDERIM BOWLS CLUB INC

## 1 DEFINITIONS AND INTERPRETATION

### 1.1 Definitions

In these Rules, unless the context or subject matter otherwise require, words have the meaning given to them:

**Act** means the *Associations Incorporation Act 1981 (QLD)*, as amended, modified, or replaced from time to time.

**Auditor** means a person appointed as auditor of the Club.

**BA** means Bowls Australia Ltd.

**BQ** means Bowls Queensland Ltd.

**By-Laws** means the by-laws developed by the Club in accordance with these Rules as varied and adopted from time to time.

**Chairperson** means, as the context requires, the President or the chairperson of a subcommittee as elected or appointed in accordance with these Rules.

**Club** means the Buderim Bowls Club Incorporated.

**DBA** means District Bowls Association.

**Instantaneous Communication Device** means any device by which the processes of a meeting may be conducted between persons in different places and includes telephone, television, mobile phone, computer or any other audio and/or visual device or technology which permits instantaneous (or near as practical thereto) communication.

**Management Committee** means the committee of the Club as constituted in accordance with these Rules to be the controlling body of the Club.

**Member** means any person whose name appears in the Register as a Member of the Club.

**Model Rules** means the model rules made under the Act, as amended, modified, or replaced from time to time.

**Person** means a natural person or other body recognised by law.

**President** the person appointed or elected in accordance with these Rules to perform the functions of the president of the Club.

**Proposed Members Register** means the register maintained by the Secretary, in accordance with these Rules, which records the details of applicants for membership.

**Register** means the register maintained by the Secretary, in accordance with these Rules, which records the details of all Members.

**Rules** means those rules for the operation of the Club set forth in this document as amended, modified, or supplemented from time to time.

**Secretary** means the person appointed or elected in accordance with these Rules to perform the functions of the secretary of the Club.

**Special Resolution** means a resolution of the Club which is passed by at least seventy five percent (75%) of the votes cast by members:

- (a) of the Club present and entitled to vote on the resolution in a general meeting; or
- (b) of the Management Committee present and entitled to vote on the resolution in a

Management Committee meeting.

**Treasurer** means the person appointed or elected in accordance with these Rules to perform the functions of the treasurer of the Club.

## 1.2 Interpretation

In the interpretation of these Rules, unless the context or subject matter otherwise require:

- (a) words importing any gender include the other genders;
- (b) singular words include the plural and vice versa;
- (c) references to statutes include statutes amending, consolidating, or replacing the statutes referred to and all regulations, rules, By-Laws, and ordinances made under those statutes;
- (d) an expression used in a particular part or division of the Act that is given by that part or division a special meaning for the purpose of that part or division has, in any of these regulations that deals with the matter dealt with by that part or division, unless the contrary intention appears, the same meaning as in that part or division;
- (e) headings and the table of contents are inserted for convenience only and are to be disregarded in the interpretation of the Rules; and
- (f) a reference to dollars (\$) shall mean a reference to Australian dollars, unless otherwise expressly intended.

## 2 NAME

- 2.1 The name of the incorporated association is Buderim Bowls Club (the **Club**).

## 3 OBJECTS

- 3.1 The objects of the Club are:

- (a) to advance and promote the sport of bowls;
- (b) to provide the best possible standard of playing facilities for Members in accordance with the laws of the game prescribed by BA;
- (c) to provide, develop and promote activities that are from time to time deemed appropriate to provide good fellowship between members of the Club;
- (d) to promote and enhance the sport of bowls in the local community;
- (e) to do all other acts and things incidental or conducive to the attainment of these objects.

## 4 POWERS

- 4.1 The Club has all of the powers of an individual.

- 4.2 The Club may, subject to any provisions in the By-Laws of the Club:

- (a) enter into contracts;
- (b) acquire, hold, deal with, and dispose of property;
- (c) make charges for services and facilities it supplies;
- (d) do other things necessary or convenient in carrying out its affairs;
- (e) raise and borrow any monies, and to buy, sell or otherwise deal with any real or

personal property required for the purposes of the Club upon such terms and conditions and/or on such securities as may be determined;

- (f) issue secured and unsecured notes, debentures, and debenture stock for the Club; and
- (g) apply for, hold, and renew any licences, including liquor licences.

## **5 AFFILIATION**

The Club shall:

- (a) affiliate with BQ and accept and abide by the rules and by-laws of BQ in so far as they apply to the game 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 game of bowls;
- (c) renew its affiliation with BQ each year in accordance with the constitution of BQ and forward the annual affiliation fee direct to BQ;
- (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) appoint a delegate/s to the DBA in accordance with the rules and by-laws of the DBA;
- (f) provide to BQ and to the DBA the returns that are required by those bodies;
- (g) provide advice to BQ and to the DBA within thirty (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 these Rules;
- (h) not make, amend, or repeal a Rule or By-Law in relation to the playing of the game of bowls that conflicts with the rules and by-laws of BA, BQ or the DBA.

## **6 CLASSES OF MEMBERS**

### **6.1 Classes of membership generally**

The Club has the following classes of membership:

- (a) Ordinary Member;
- (b) Life Member;
- (c) Junior Member;
- (d) Temporary Member;
- (e) Social Member; and
- (f) Honorary Member.

### **6.2 Management Committee may create new sub-classes of Members**

The Management Committee may create such sub-classes of members and determine the rights and privileges attaching to those sub-classes subject to the requirements under rule 25.1.

### **6.3 Membership Benefits**

No member of any class of membership shall be entitled to any benefit or advantage from the Club, which is not shared equally by every member of the same class of membership.

## **6.4 Privileges of Membership**

The privileges of each class of membership, as at the date of this Constitution, are set out in Annexure A.

## **7 AUTOMATIC MEMBERSHIP**

7.1 A person who, on the day that these Rules take effect, is a member of Buderim Ladies' Bowling Club Incorporated and who, on or before a day fixed by the Management Committee, agrees in writing to become a member of the Club, must be admitted by the Management Committee:

- (a) to the equivalent class of membership of the Club as she holds in the Buderim Ladies' Bowling Club Incorporated; or
- (b) if there is no equivalent class of membership—as an Ordinary Member.

## **8 MEMBERSHIP**

### **8.1 Eligibility for membership**

- (a) To be eligible for membership a person must be:
  - (i) not less than 18 years of age (except for applicants for Junior Membership);
  - (ii) interested in playing the sport of bowls;
  - (iii) prepared to support and promote the welfare of the Club and the sport of bowls;
  - (iv) of good character and compatible with other members; and
  - (v) free of indebtedness to any bowls club, DBA, State or National bowls authority and not under an order or notice of suspension, or expulsion, from any other bowls club or DBA.
- (b) Any applicant who is a member of any club affiliated with BQ shall not be admitted as a member of the Club unless the applicant provides the Management Committee with a clearance from BQ.
- (c) Any employee or contractor engaged by the Club may be a member of the Club but is not eligible to nominate for or hold any elected office.

### **8.2 New membership**

An applicant for membership of the Club must be proposed by one (1) Member of the Club (the proposer) and seconded by another Member (the seconder). An application for membership must:

- (a) be in writing;
- (b) be signed by the applicant and the applicant's proposer and seconder;
- (c) be in the form decided by the Management Committee, from time to time;
- (d) contain the full address, occupation, and date of birth of the applicant;
- (e) contain the date of application; and
- (f) be accompanied by the requisite fee which shall be refunded if the application is rejected.

### **8.3 Admission to membership**

- (a) The Secretary shall cause the particulars of all applications for Ordinary, Junior,

Temporary or Social Membership of the Club to be entered in the order of time in which the applications are received in the Proposed Members' Register to be kept under the authority of the Secretary. Each entry shall show the full name and address of the applicant and date the application was received by the Club.

- (b) Upon the application for membership being recorded in the Proposed Member's Register, the name of each applicant must be displayed on the notice board for at least 14 days prior to the date on which the Management Committee will consider the application for membership.
- (c) The Management Committee must ensure that, as soon as possible after the person applies to become a member of the Club, and before the Management Committee considers the person's application, the person is advised:
  - (i) whether or not the Club has public liability insurance; and
  - (ii) if the Club has public liability insurance—the amount of the insurance.
- (d) The Management Committee must consider an application for membership at the next committee meeting held after:
  - (i) it receives the application for membership; and
  - (ii) it receives the appropriate membership fee for the application; and
  - (iii) the 14 day notice requirement under clause 8.3(b) has been complied with.
- (e) The Management Committee must decide at the meeting whether to accept or reject the application. If a decision of the Management Committee is made to accept the applicant as a Member, the applicant must be accepted as a Member for the class of membership applied for.
- (f) Life and Honorary membership of such categories shall be bestowed or given to people pursuant to terms set out in Annexure A details of which shall be recorded in the Register.
- (g) The Secretary must, as soon as practicable after the Management Committee decides to accept or reject an application, give the applicant a written notice of the decision.
- (h) The name, address, and date of birth of each person to whom membership of the Club is granted must be entered in the Register. The Register must also record the class of membership for each person admitted for membership.
- (i) In the event that the application for membership is rejected, the application is at an end and the applicant shall not be entitled to reapply for Club membership for twelve (12) months. No reason is required to be given for rejection of an application for membership.
- (j) Upon making application, the applicant shall furnish the membership joining fee (if any) as determined by the Management Committee.

#### **8.4 Objections**

- (a) If a written objection is received from a Member to any application for membership, the Management Committee must investigate the objection before making a decision in relation to acceptance or rejection of the applicant.

#### **8.5 Membership fees**

- (a) The Management Committee may determine the membership fees payable by any person applying for membership of the Club.
- (b) The Management Committee may determine the membership fees payable for all



classes and subclasses of membership.

#### 8.6 **Unlimited Members**

The number of Ordinary Members, Life Members and Junior Members is unlimited.

#### 8.7 **Register to be kept**

The Register shall be kept in accordance with the Act.

#### 8.8 **Membership not transferable**

- (a) Membership of the Club is not transferable by operation of law or otherwise.
- (b) All rights and privileges of membership of the Club will cease immediately upon a person ceasing to be a Member for any reason.

#### 8.9 **Membership Year**

The Membership Year will be from 1 January to 31 December.

### 9 **CESSATION OF MEMBERSHIP**

#### 9.1 **When membership ceases**

A Member shall cease to be a Member of the Club if:

- (a) the Member resigns that membership by giving notice in writing addressed to the Secretary and such resignation shall be effective from the date of the notice;
- (b) the Member dies;
- (c) the Member's membership is terminated by the Management Committee in accordance with Rules 9.3, 9.4 or 9.5.

#### 9.2 **Requirements of Members / Visitors**

- (a) The Management Committee may make By-Laws for codes of behaviour of Members.
- (b) Every Member and visitor;
  - (i) is bound and must strictly observe the Rules and By-Laws of the Club;
  - (ii) must not do anything prejudicial to the Club's interests;
  - (iii) must, at all times, when present at the Club:
    - (A) conduct themselves with propriety and decorum; and
    - (B) dress in conformity with standards set by the Management Committee.
- (c) Any Member or visitor infringing these Rules or whose conduct is, in the opinion of the President or any other member of the Management Committee, prejudicial to the interests of the Club, may be removed from the Club immediately.
- (d) Any complaints or protests regarding infringement of By-Laws or the Rules by a Member must be made in writing to the Secretary and **will be dealt with promptly in accordance with the Bylaws.**
- (e) The Member in respect of whom such complaints or protests have been lodged shall be entitled to attend **the meeting of the Management Committee or the Conduct Committee personally to state their case.**
- (f) A Junior Member entitled to attend the meeting under Rule 11.2(e) shall be entitled

to be accompanied by a parent or guardian.

### 9.3 Termination of Membership

- (a) The Management Committee may terminate the membership of a Member:-
  - (i) who has been convicted of an indictable offence;
  - (ii) does not comply with any of the provisions of these Rules or Bylaws;
  - (iii) whose membership fees are two (2) months in arrears; or
  - (iv) conducts themselves in a way considered to be injurious or prejudicial to the character or interests of the Club.
- (b) Before the Management Committee terminates a Member's membership, the committee must give the Member a full and fair opportunity to make submissions **in accordance with the Bylaws on why** the membership should not be terminated.
- (c) If, after considering all submissions made by the Member **and any report made by the Conduct Committee**, the Management Committee decides to terminate the membership, the Secretary of the Management Committee must give the Member a written notice of the decision.

### 9.4 Expulsion, Suspension and Reprimand

- (a) If a Member:-
  - (i) behaves in a manner prejudicial to the interests of the Club; or
  - (ii) fails to comply with any of the Rules or By-Laws of the Club or any statute governing the operations of the Club; or
  - (iii) commits an act or becomes involved in a practice or conduct calculated to bring discredit to the Club or to the game of bowls; or
  - (iv) commits a breach with respect to the policy covering participants' code of conduct;  
the matter shall be dealt with by the Management Committee in accordance with any By-Laws. Pending determination of any appeal **under Rule 9.5**, the appellant must be allowed all membership privileges.
- (b) Any Member who is suspended or expelled under this Rule shall, for the period of the suspension or expulsion, be ineligible to:
  - (i) play bowls in any Club, District, State or National event;
  - (ii) play bowls at any affiliated club; or
  - (iii) hold office or act as a delegate at Club, District, State or National level.

### 9.5 Appeal against Rejection or Termination of Membership

- (a) A person whose membership has been terminated, or whose application for membership has been rejected, may give the Secretary written notice of the person's intention to appeal against the decision.
- (b) A notice of intention to appeal must be given to the Secretary within 1 (one) month after the person receives written notice of the decision together with payment of the appeal fee of \$200.00.
- (c) If the Secretary receives notice of intention to appeal, the Secretary must, within 1 (one) month after the notice, call a general meeting, to decide the appeal.

- (d) The general meeting to decide an appeal must be held within three (3) months after the Secretary receives the notice of intention to appeal.
- (e) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (f) The Management Committee and the members of the Management Committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
- (g) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
- (h) If a person whose application for membership has been rejected does not appeal against the decision within one (1) month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Secretary must, as soon as practicable, refund the membership fee paid by the person.
- (i) A Member must exercise the right of appeal under this Rule, and have any appeal heard and determined by the general meeting before commencing any proceedings or becoming a party to any proceedings in a court of law.
- (j) In the event that the appeal is successful, the Management Committee shall refund the appeal fee.

## **10 REGISTER OF MEMBERS**

### **10.1 Register of Members**

- (a) The Management Committee must keep the Register.
- (b) The Register must include the following particulars for each Member;
  - (i) the full name of the Member;
  - (ii) the postal or residential address of the Member;
  - (iii) the date of admission as a Member;
  - (iv) the date of death or date of resignation of the Member;
  - (v) details about the termination or reinstatement of membership;
  - (vi) any other particulars the Management Committee or the Members at a general meeting decide.
- (c) The Register must be open for inspection by Members at all reasonable times.
- (d) A Member must contact the Secretary to arrange an inspection of the Register.
- (e) However, the Management Committee may, on the application of a Member, withhold information about the Member (other than the Member's full name) from the Register available for inspection if the Management Committee has reasonable grounds for believing the disclosure of the information would put the Member at risk of harm.

### **10.2 Prohibition on use of information on Register**

- (a) A Member of the Club must not:
  - (i) use information obtained from the Register to contact, or send material to, another member of the Club for the purpose of advertising for political,

- religious, charitable, or commercial purposes; or
  - (ii) disclose information obtained from the Register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Club for the purpose of advertising for political, religious, charitable, or commercial purposes.
- (b) Rule 10.2(a) does not apply if the use or disclosure of the information is approved by the Club.

## **11 GENERAL MEETINGS**

### **11.1 Annual general meeting**

An annual general meeting of the Club shall be held once a year. This meeting must be held within three (3) months of the end of the Financial Year of the Club.

### **11.2 Business of annual general meeting**

The business to be transacted at every annual general meeting must include all matters required by law, and if not expressly required by law, shall include the following unless the Club otherwise resolves:

- (a) electing the members of the Management Committee;
- (b) receiving the Club's financial statement, and audit report, for the last reportable financial year;
- (c) presenting the financial statement and audit report to the meeting for adoption;
- (d) appointing an auditor or an accountant for the present financial year;
- (e) appointing an Honorary Solicitor; and
- (f) **appointing a Patron or Patrons, which may consist of one Patron to represent the men's playing group and one Patron to represent the women's playing group.**

### **11.3 Special general meeting**

- (a) The Secretary must call a special general meeting by giving each Member notice of the meeting within 14 days after:
  - (i) being directed to call the meeting by the Management Committee; or
  - (ii) being given a written request signed by:
    - (A) at least two (2) members of the Management Committee; or
    - (B) at least five percent (5%) of Ordinary Members; or
  - (iii) being given a written notice of an intention to appeal against the decision of the Management Committee:
    - (A) to reject an application for membership; or
    - (B) to terminate a person's membership.
- (b) A request mentioned in Rule 11.3(a)(ii) must state:
  - (i) why the special general meeting is being called; and
  - (ii) the business to be conducted at the meeting.
- (c) A special general meeting must be held within three (3) months after the Secretary:

- (i) is directed to call the meeting by the Management Committee; or
  - (ii) is given the written request mentioned in Rule 11.3(a)(ii); or
  - (iii) is given the written notice of an intention to appeal mentioned in Rule 11.3(a)(iii).
- (d) If the Secretary is unable or unwilling to call the special meeting, the President must call the meeting.

#### **11.4 Notice of general meeting**

- (a) The Secretary may call a general meeting of the Club.
- (b) The Secretary must give at least 14 days' notice of the meeting to each Member.
- (c) If the Secretary is unable or unwilling to call the meeting, the President must call the meeting.
- (d) The Management Committee may decide the way in which the notice must be given.
- (e) However, notice of the following meetings must be given in writing:
  - (i) a meeting called to hear and decide the appeal of a person against the Management Committee's decision:
    - (A) to reject the person's application for membership of the Club; or
    - (B) to terminate the person's membership of the Club;
  - (ii) a meeting called to hear and decide a proposed Special Resolution of the Club.
- (f) A notice of a general meeting must state the business to be conducted at the meeting.
- (g) If any Member wishes to raise a matter at the meeting, it must give the Secretary written notice of its motion for inclusion on the meeting agenda at least 7 days prior to the meeting.

## **12 CONDUCT OF BUSINESS AT GENERAL MEETINGS**

### **12.1 Quorum**

- (a) The quorum for a general meeting is at least twice the number of Members elected or appointed to the Management Committee at the close of the Club's last general meeting plus one (1).
- (b) However, if all members of the Club are members of the Management Committee, the quorum is the total number of members less one (1).
- (c) No business may be conducted at a general meeting unless there is a quorum of Members when the meeting proceeds to business.

### **12.2 Procedure where no quorum**

- (a) If there is no quorum within 30 minutes after the time fixed for a general meeting called on the request of members of the Management Committee or the Club, the meeting lapses.
- (b) If there is no quorum within 30 minutes after the time fixed for a general meeting

called other than on the request of members of the Management Committee or the Club:

- (i) the meeting is to be adjourned for at least seven (7) days; and
- (ii) the Management Committee is to decide the day, time, and place of the adjourned meeting.

### **12.3 Election of Chairperson**

- (a) At each general meeting:
  - (i) the President is to preside as Chairperson; and
  - (ii) if there is no President or if the President is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the members present must elect one (1) of their number to be Chairperson of the meeting; and
  - (iii) the Chairperson must conduct the meeting in a proper and orderly way.

### **12.4 Casting vote**

The Chairperson will have a casting vote in addition to any vote the Chairperson has as a Member.

### **12.5 Adjournment of meeting**

- (a) The Chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (b) If a meeting is adjourned under Rule 12.5(a), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

### **12.6 Adjournment of thirty (30) days**

If a meeting is to be adjourned for thirty (30) days or more, notice of the adjourned meeting must be given as if it were an original meeting.

### **12.7 Adjournment of less than thirty (30) days**

A notice of meeting is not required to be given for an adjourned meeting where the adjournment is for less than thirty (30) days.

### **12.8 Procedure at general meeting**

- (a) A Member may take part and vote in a general meeting in person, by proxy, by attorney or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (b) A Member who participates in a meeting as mentioned in Rule 12.8(a) is taken to be present at the meeting.

### **12.9 Which Members may vote**

Only those Members who belong to a class of Members who are entitled to vote at a general meeting will be entitled to vote or participate in a circulating resolution.

### **12.10 Voting**

- (a) At a general meeting, each question, matter, or resolution, other than a Special

Resolution, must be decided by a majority of votes of the Members present.

- (b) Each Member present and eligible to vote is entitled to one (1) vote only and, if the votes are equal, the Chairperson has a casting vote as well as a primary vote.
- (c) The method of voting is to be decided by the Management Committee.
- (d) However, if at least twenty percent (20%) of the Members present demand a secret ballot, voting must be by secret ballot.
- (e) If a secret ballot is held, the Chairperson must appoint two (2) Members to conduct the secret ballot in the way the Chairperson decides.
- (f) The result of a secret ballot as declared by the Chairperson is taken to be a resolution of the meeting at which the ballot was held.

#### **12.11 No voting unless fees fully paid**

A Member will be entitled to vote at any general meeting only if all fees and levies and other amounts presently payable by the Member have first been paid.

#### **12.12 Rights of third parties to attend meetings**

Even if they are not Members, the following persons have the right to attend any general meeting and if requested by the Management Committee, to speak at such meeting:

- (a) external consultants with expert knowledge in a relevant field; or
- (b) any other person invited by the Management Committee.

#### **12.13 Minutes**

- (a) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions, and other proceedings of each general meeting are entered in a minute book.
- (b) To ensure the accuracy of the minutes:
  - (i) the minutes of each general meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next general meeting, verifying their accuracy; and
  - (ii) the minutes of each annual general meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next meeting of the Club that is a general meeting or annual general meeting, verifying their accuracy.
- (c) If asked by a Member, the Secretary must, within 28 days after the request is made:
  - (i) make the minute book for a particular general meeting available for inspection by the Member at a mutually agreed time and place; and
  - (ii) give the Member copies of the minutes of the meeting.
- (d) The Club may require the Member to pay the reasonable costs of providing copies of the minutes.

### **13 VOTING BY PROXY**

#### **13.1 Proxy voting**

- (a) **A Member may appoint another Member at a general meeting of the Club to attend and vote on their behalf as their proxy vote.**

- (b) **The proxy form must be in writing, either electronically or in hard copy** and shall be substantially in the form approved by the Management Committee and shall be lodged **with the Secretary** no later than 48 hours prior to the general meeting at which the proxy will be used.
- (c) **The proxy form must be signed** by the appointing member and is taken to confer authority to demand or join in demanding a secret ballot.
- (d) **A proxy may be cancelled by the Member giving written notice to the Secretary at any time until the meeting is declared open.**
- (e) The proxy must vote as instructed by **the appointing member** and those instructions must be recorded on the proxy **form**.
- (f) Proxies are not counted for the purpose of determining whether or not a quorum is present at a meeting.
- (g) **Unless the Secretary has received written notice of any of the matters listed below before the start of or resumption of the meeting at which the proxy votes, the votes cast by the proxy will be valid even if before the proxy votes:**
  - (i) **the appointing member dies;**
  - (ii) **the appointing member is mentally incapacitated; or**
  - (iii) **the appointing member revokes the proxy's appointment.**

## **14 SECRETARY**

### **14.1 Appointment or election of Secretary**

- (a) The Secretary must be an adult residing in Queensland, or in another State but not more than 65km from the Queensland border, who is:
  - (i) a Member elected by the Club as secretary; or
  - (ii) any of the following persons appointed by the Management Committee as Secretary:
    - (A) a member of the Club's Management Committee; or
    - (B) another member of the Club.
- (b) If a vacancy happens in the office of Secretary, the members of the Management Committee must ensure a Secretary is appointed or elected for the Club within one (1) month after the vacancy happens.
- (c) If the Management Committee appoints a person mentioned in Rule 14.1(a)(ii)(B) as Secretary, other than to fill a casual vacancy on the Management Committee, the person does not become a member of the Management Committee.
- (d) However, if the Management Committee appoints a person mentioned in Rule 14.1(a)(ii)(B) as Secretary to fill a casual vacancy on the Management Committee, the person becomes a member of the Management Committee.
- (e) In this Rule:
  - (i) casual vacancy, on a Management Committee, means a vacancy that happens when an elected member of the Management Committee resigns, dies, or otherwise stops holding office.

### **14.2 Removal of secretary**



- (a) The Management Committee of the Club may at any time remove a person appointed by the Management Committee as the Secretary.
- (b) If the Management Committee removes a Secretary who is a person mentioned in Rule 14.1(a)(ii)(A), the person remains a member of the Management Committee.
- (c) If the Management Committee removes a Secretary who is a person mentioned in Rule 14.1(a)(ii)(B) and who has been appointed to a casual vacancy on the Management Committee under Rule 14.1(d), the person remains a member of the Management Committee.

### 14.3 **Functions of secretary**

The Secretary's functions include, but are not limited to:

- (a) calling meetings of the Club, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the President of the Club; and
- (b) keeping minutes of each meeting; and
- (c) keeping copies of all correspondence and other documents relating to the Club; and
- (d) maintaining the Register.

## 15 **MANAGEMENT COMMITTEE**

### 15.1 **Membership of Management Committee**

- (a) The Management Committee of the Club consists of a:
  - President
  - Vice President
  - Treasurer
  - Secretary
  - Provedore
  - **Men's Captain**
  - **Women's Captain**
  - Games Director - Men,
  - Games Director - Women
  - Greens Director
  - **One Committee member**
  - and any other additional members the Club members elect at a general meeting.
- (b) A member of the Management Committee must be a member of the Club.
- (c) At each annual general meeting of the Club, the members of the Management Committee must retire from office, but are eligible, on nomination, for re-election.
- (d) A member of the Club may be appointed to a casual vacancy on the Management Committee under Rule 15.4.

## 15.2 Electing the Management Committee

- (a) A member of the Management Committee may only be elected as follows:
  - (i) Any two (2) Members may nominate another Member (the candidate) to serve as a member of the Management Committee;
  - (ii) the nomination must be:
    - (A) in writing; and
    - (B) signed by the candidate and the Members who nominated him or her; and
    - (C) given to the Secretary at least 14 days before the annual general meeting at which the election is to be held;
  - (iii) each Member present and eligible to vote at the annual general meeting may vote for one (1) candidate for each vacant position on the Management Committee;
  - (iv) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- (b) A person may be a candidate only if the person:
  - (i) is an adult; and
  - (ii) is not ineligible to be elected as a member under section 61A of the Act.
- (c) A list of the candidates' names in alphabetical order, with the names of the Members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the Club for at least seven (7) days immediately preceding the annual general meeting.
- (d) If required by the Management Committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.
- (e) 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.
- (f) The Management Committee must ensure that, before a candidate is elected as a member of the Management Committee, the candidate is advised:
  - (i) whether or not the Club has public liability insurance; and
  - (ii) if the Club has public liability insurance—the amount of the insurance.

## 15.3 Resignation, removal, or vacation of office of Management Committee member

- (a) A member of the Management Committee may resign from the committee by giving written notice of resignation to the Secretary.
- (b) The resignation takes effect at:
  - (i) the time the notice is received by the Secretary; or
  - (ii) if a later time is stated in the notice—the later time.
- (c) A member may be removed from office at a general meeting of the Club if a majority of the Members present and eligible to vote at the meeting vote in favour of removing the member.
- (d) Before a vote of Members is taken about removing the member from office, the

member must be given a full and fair opportunity to show cause why he or she should not be removed from office.

- (e) A member has no right of appeal against the member's removal from office under this rule.
- (f) A member immediately vacates the office of member:
  - (i) in the circumstances mentioned in section 64(2) of the Act; and
  - (ii) if the member is absent from three (3) consecutive meetings without leave from the Management Committee.

#### **15.4 Vacancies on Management Committee**

- (a) If a casual vacancy happens on the Management Committee, the continuing members of the Committee may appoint another Member of the Club to fill the vacancy until the next annual general meeting.
- (b) The continuing members of the Management Committee may act despite a casual vacancy on the Management Committee.
- (c) However, if the number of committee members is less than the number fixed under Rule 17.4(a) as a quorum of the Management Committee, the continuing members may act only to:
  - (i) increase the number of Management Committee members to the number required for a quorum; or
  - (ii) call a general meeting of the Club.

#### **15.5 Powers and duties of the Management Committee**

- (a) Subject to these Rules or a resolution of the members of the Club carried at a general meeting, the Management Committee has the general control and management of the administration of the affairs, property, and funds of the Club.
- (b) The Management Committee has authority to interpret the meaning of these Rules and any matter relating to the Club on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.
- (c) The Management Committee may exercise the powers of the Club:
  - (i) to borrow, raise or secure the payment of amounts in a way the Members decide; and
  - (ii) to secure the amounts mentioned in paragraph (i) or the payment or performance of any debt, liability, contract, guarantee, or other engagement incurred or to be entered into by the Club in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Club's property, both present and future; and
  - (iii) to purchase, redeem or pay off any securities issued; and
  - (iv) to borrow amounts from Members and pay interest on the amounts borrowed; and
  - (v) to mortgage or charge the whole or part of its property; and
  - (vi) to issue debentures and other securities, whether outright or as security for any debt, liability, or obligation of the Club; and
  - (vii) to provide and pay off any securities issued; and

- (viii) to invest in a way the members of the Club may from time to time decide.
- (d) For Rule 15.5(c)(iv), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by:
  - (i) the financial institution for the Club; or
  - (ii) if there is more than one (1) financial institution for the Club—the financial institution nominated by the Management Committee.

#### 15.6 Acts not affected by defects or disqualifications

- (a) An act performed by the Management Committee, a subcommittee or a person acting as a member of the Management Committee is taken to have been validly performed.
- (b) Rule 15.6(a) applies even if the act was performed when:
  - (i) there was a defect in the appointment of a member of the Management Committee, subcommittee or person acting as a member of the Management Committee; or
  - (ii) a Management Committee member, subcommittee member or person acting as a member of the Management Committee was disqualified from being a member.

#### 15.7 By-Laws

- (a) The Management Committee may make, amend, or repeal By-Laws, for the internal management of the Club, such By-Laws may relate to:
  - (i) the management of the Club and its affairs;
  - (ii) the duties of any officers or employee of the Club;
  - (iii) the conduct of business by the Management Committee and any subcommittee;
  - (iv) the method of holding elections of the Management Committee;
  - (v) the conduct of Members and guests of Members, **and procedures for investigating and dealing with allegations of misconduct by Members;**
  - (vi) the privileges to be enjoyed by each class or sub-class of Member;
  - (vii) the relationship between Members and club employees;
  - (viii) Codes of conduct for Members; and
  - (ix) any of the matters or things within the power or under control of the Management Committee.
- (b) No By-Law may be inconsistent with the Rules or with the provisions of the Act, and any By-Law in relation to any subcommittee responsible for the management of a tax-deductible fund must not be inconsistent with the conditions of such tax deductibility.
- (c) A By-Law may be set aside by a vote of Members at a general meeting of the Club.

### 16 SUBCOMMITTEES

#### 16.1 Power to establish subcommittees

- (a) The Management Committee may appoint a subcommittee consisting of Members considered appropriate by the Management Committee to help with the conduct of the Club's operations.
- (b) A member of the subcommittee who is not a member of the Management Committee is not entitled to vote at a Management Committee meeting.
- (c) If the Chairperson is not present within ten (10) minutes after the time fixed for a meeting, the members present may choose one (1) of their number to be chairperson of the meeting.
- (d) A subcommittee may meet and adjourn as it considers appropriate.
- (e) A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

## **17 MEETINGS OF THE MANAGEMENT COMMITTEE**

### **17.1 Regulation of meeting**

- (a) Subject to this Rule, the Management Committee may meet and conduct its proceedings as it considers appropriate.
- (b) The Management Committee must meet at least once every two (2) months to exercise its functions.
- (c) The Management Committee must decide how a meeting is to be called.
- (d) The Management Committee may hold meetings or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen. A committee member who participates in the meeting as mentioned in this Rule is taken to be present at the meeting.
- (e) The President is to preside as Chairperson at a Management Committee meeting.
- (f) If there is no President or if the President is not present within ten (10) minutes after the time fixed for a Management Committee meeting, the members may choose one (1) of their number to preside as chairperson at the meeting.

### **17.2 Notice of meeting**

Notice of every meeting of the Management Committee shall be sent to each member of the Management Committee at least three (3) days before such meeting is due to be held unless urgent circumstances require shorter notice. The notice shall state in general terms all business to be considered at such meeting.

### **17.3 Decisions by majority**

- (a) Subject to the Rules, questions arising at any meeting of the Management Committee shall be decided by a majority of votes. A determination by a majority of the members of the Management Committee present shall, for all purposes, be deemed to be a determination of the Management Committee.
- (b) In case of an equality of votes, the Chairperson of the meeting shall have not only a deliberative vote but also a casting vote.

### **17.4 Quorum**

- (a) At a Management Committee meeting, more than fifty percent (50%) of the

members elected to the Management Committee as at the close of the last general meeting of the members form a quorum.

- (b) If there is no quorum within 30 minutes after the time fixed for a Management Committee meeting called on the request of members of the Committee, the meeting lapses.
- (c) If there is no quorum within 30 minutes after the time fixed for a Management Committee meeting called other than on the request of the members of the Committee:
  - (i) the meeting is to be adjourned for at least one (1) day; and
  - (ii) the members of the Management Committee who are present are to decide the day, time, and place of the adjourned meeting.
- (d) If, at an adjourned meeting mentioned in Rule 17.4(c) there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

#### **17.5 Management Committee to continue to act**

- (a) If a vacancy within the Management Committee occurs, the remaining members on the Management Committee may continue to act.
- (b) If the number of remaining members is insufficient to constitute a quorum, the Management Committee may act only for the purpose of increasing the number of members to that required to constitute a quorum or to convene a general meeting.

#### **17.6 Validity of acts of Management Committee**

All acts done by any meeting of the Management Committee or by any person acting as a member of the committee will be valid even though it subsequently becomes known:

- (a) that there was some defect in the election of a person to be a member of the Management Committee; or
- (b) that a person elected was disqualified.

#### **17.7 Resolution in writing**

- (a) The Management Committee may pass a resolution without a Management Committee meeting being held, if all the members entitled to vote on the resolution sign a document containing a statement which effectively becomes a vote on the resolution set out in the document.
- (b) Separate copies of a document may be used for signing by the members of the Management Committee if the wording of the resolution and the statement is identical in each copy.
- (c) The resolution is finalised when the last member of the Management Committee signs.

#### **17.8 Electronic communication**

- (a) For the purposes of these Rules, the contemporaneous linking together by Instantaneous Communication Device of a number of members of the Management Committee or Executive Committee being not less than the quorum (whether or not any one or more of the members is out of Australia), shall be deemed to constitute a meeting of the relevant committee duly convened and held with persons actually present, so long as:

- (i) all the members being entitled to receive notice of the meeting shall receive notice of such a meeting and such notice may be given by any means authorised by these Rules;
  - (ii) each of the members taking part in the meeting by Instantaneous Communication Device must be able to hear the Chairperson and each of the other members taking part during the meeting; and
  - (iii) at the commencement of the meeting, each member must acknowledge his or her presence to all the other members taking part.
- (b) A member may not leave the meeting by disconnecting his or her Instantaneous Communication Device unless he or she has previously obtained the express consent of the Chairperson of the meeting.
  - (c) A meeting by Instantaneous Communication Device shall not be invalidated by any voluntary or involuntary disconnection of a participant, provided that sufficient members are still able to hear each other to constitute a quorum.
  - (d) A minute of the proceedings at a meeting by Instantaneous Communication Device shall be prepared by the Secretary or such duly appointed person and shall be evidence of the proceedings and of the observance of all necessary formalities if certified as a correct minute by the Chairman of the meeting unless it is proved otherwise.

#### **17.9 Special meeting of Management Committee**

- (a) If the Secretary receives a written request signed by at least three (3) members of the Management Committee, the Secretary must call a special meeting of the committee by giving each member of the committee notice of the meeting within 14 days after the Secretary receives the request.
- (b) If the Secretary is unable or unwilling to call the special meeting, the President must call the meeting.
- (c) A request for a special meeting must state:
  - (i) why the special meeting is called; and
  - (ii) the business to be conducted at the meeting.
- (d) A notice of a special meeting must state:
  - (i) the day, time, and place of the meeting; and
  - (ii) the business to be conducted at the meeting.
- (e) A special meeting of the Management Committee must be held within 14 days after notice of the meeting is given to the members of the Management Committee.

#### **17.10 Minutes of Management Committee meetings**

- (a) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions, and other proceedings of each Management Committee meeting are entered in a minute book.
- (b) To ensure the accuracy of the minutes, the minutes of each Management Committee meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next Management Committee Meeting, verifying their accuracy.

#### **17.11 Executive Committee**

- (a) The Executive Committee of the Club consists of the President, Secretary, Treasurer and Vice President.
- (b) A quorum of the Executive Committee shall be present if there are 3 members at the relevant meeting, including in accordance with the methods permitted under Rule 17.8.
- (c) 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.
- (d) Between meetings of the Management Committee, the Executive Committee shall not incur expenditure in excess of the amount prescribed in the By-Laws, nor deal with the property of the Club.
- (e) All business transacted by the Executive Committee shall be ratified and approved by the Management Committee at the next Management Committee meeting.
- (f) Specifically, the Executive Committee will respond urgently when there is any suggestion that a serious breach of the Club constitution has occurred.

## **18 CHAIRPERSON**

### **18.1 Appointment of Chairperson**

The President shall act as Chairperson. The President may nominate an alternative person to act in the role of Chairperson during times that the President is unavailable to attend at the relevant meetings.

### **18.2 Chairperson's membership of subcommittees.**

The Chairperson is an ex-officio member of all subcommittees from time to time created by the Management Committee and shall be notified of the time and place of all meetings of subcommittees unless the Chairperson or the Management Committee otherwise directs.

## **19 PERSONAL INTEREST**

### **19.1 Notice requirements**

- (a) A member of the Management Committee that has a personal interest in a matter being considered at a Management Committee meeting must disclose the personal interest:
  - (i) to the Management Committee as soon as the member becomes aware of the interest; and
  - (ii) at the next general meeting of the Club.
- (b) Subject to Rule 19.2, the member with the personal interest must not:
  - (i) be present at the Management Committee meeting which is considering the matter which the member has a personal interest in; or
  - (ii) vote on the matter which the member has a personal interest in.

### **19.2 Personal interest not material**

- (a) Provided that:



- (i) the member has declared the nature of their interest in accordance with Rule 19.1(a); and
- (ii) the Management Committee agrees that the personal interest is not material,

the Management Committee may pass a resolution that:

- (iii) specifies the member and their interest in the matter; and
- (iv) states that the Management Committee members voting for the resolution are satisfied that the interest is not material and should not disqualify the member from considering or voting on the matter,

then such member, in respect of the matter it has a personal interest, may:

- (v) vote; and
- (vi) be counted in a quorum.

### **19.3 Sufficient disclosure**

A general notice that a member of the Management Committee is a director or member of any specified company or firm and is to be regarded as interested in all subsequent transactions with such company or firm shall be sufficient disclosure under these Rules in relation to any arrangement related to such company or firm.

## **20 SIGNING ON BEHALF OF THE CLUB**

### **20.1 Without common seal**

The Club may execute a document without using a common seal if the document is signed by a member of the Management Committee and countersigned by:

- (a) the Secretary; or
- (b) another member of the Management Committee; or
- (c) another person authorised by the Management Committee.

### **20.2 Common seal**

The Club may use a common seal. If the seal is affixed to a document, and the document is signed by a member of the Management Committee and countersigned by:

- (a) the Secretary; or
- (b) another member of the Management Committee; or
- (c) another person authorised by the Management Committee.

## **21 ACCOUNTS**

### **21.1 General financial matters**

- (a) The Financial Year of the Club shall end on 31 December of each year.
- (b) On behalf of the Management Committee, the Treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.
- (c) The income and property of the Club must be used solely in promoting the Club's objects and exercising the Club's powers.
- (d) The Club shall not be carried on for the purpose of profit or gain to its individual

members and no distributions, whether in money or property, or otherwise, shall be made to Members with the exception of honoraria approved by the Club, or voted at an AGM in appreciation of services.

#### **21.2 Proper records to be kept**

- (a) The Management Committee must ensure that proper accounting and other records are kept.
- (b) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Club.
- (c) The Management Committee must ensure the safe custody of books, documents, instruments of title and securities of the Club.

#### **21.3 Annual financial reporting to Members**

- (a) The Club must report to the Members for a financial year by either:
  - (i) providing the Members with copies of:
    - (A) the financial report for the year; and
    - (B) the Management Committee's report for the year; and
    - (C) the Auditor's report on the financial report; or
  - (ii) providing Members with a concise annual report that complies with the Act.
- (b) Annual financial reports will be made available prior to the start of the annual general meeting.

#### **21.4 General bank account**

- (a) The Management Committee shall cause a bank account to be opened in the name of the Club with such bank as the Management Committee selects, into which all moneys received shall be paid as soon as possible after receipt.
- (b) The Management Committee shall be responsible for ensuring that all receipts and payments are processed as required by the Act and good management practices but may, subject to the approval of the Club's Auditor, adopt such methods of receipts, payments, and practices as it sees fit.
- (c) The Management Committee shall authorise any member of the Management Committee, or other person nominated by the Management Committee, to sign promissory notes, drafts, bills of exchange and other negotiable instruments and to sign all receipts for money paid to the Club.
- (d) All expenditure must be approved or ratified at a Management Committee meeting.

#### **21.5 Cheques**

The Management Committee may set limits for expenditure which are required to be paid by cheque from time to time. If payment by cheque is required, the procedure for signing and issuing the cheque set out in the Model Rules will apply.

#### **21.6 Accounts in relation to tax deductible funds**

The Club and any subcommittee of the Club must conduct all and any accounts in relation to tax deductible funds in accordance with the conditions of such tax deductibility and must keep the Auditor of such funds aware of all and any particular obligations in relation to such funds.

### **21.7 Annual Subscriptions**

- (a) An initial joining fee and an annual subscription shall be payable by all Members.
- (b) The annual subscription for each class of membership shall be determined by the Management Committee and will be payable in advance.
- (c) Any person taking up membership after the commencement of the financial year shall pay their fees (including subscription, affiliation, and capitation fees, if applicable) from the date of acceptance as a Member to the end of the Club's financial year, calculated on a pro rata basis.
- (d) If a Member fails to pay any fees, by the due date they shall be deemed to be non-financial.

### **21.8 Levy**

The Club may at any time strike a special per capita levy on all Members at an annual or special meeting. No levy shall be valid unless it is passed by Special Resolution. Members shall be notified of such levy in accordance with these Rules. Any Member who fails to pay the levy within two (2) months from the meeting at which it was struck shall be deemed non-financial.

### **21.9 Non-Financial members**

- (a) Any Member who becomes non-financial shall be deprived of all privileges of membership of the Club, including:
  - (i) the right to hold office;
  - (ii) the right to speak or vote at any meetings of the Management Committee or at any general meeting;
  - (iii) the right to nominate any person for office or be nominated for office; and
  - (iv) the right to enter and play in Club matches or social play.
- (b) All privileges shall be restored to a Member upon the payment of all monies due and owing to the Club.

### **21.10 Authority of Members**

The Management Committee shall not without a resolution having been passed by Special Resolution:

- (a) spend, or commit expenditure of Club funds on any one (1) item or project, in excess of \$20,000;
- (b) dispose of any individual asset of the Club, subject to that item's written down value in the Club's asset register at the date of disposal, in excess of \$20,000.

## **22 AUDIT**

### **22.1 Audits generally**

The Club must appoint a properly qualified Auditor, who shall report and otherwise discharge his or her duties as Auditor of the Club in accordance with the Act and as required by law.

### **22.2 Audits in relation to tax deductible funds**

In addition to all and any duties of the Auditor set out in clause 23.1 the Auditor shall also separately audit and report on any tax-deductible fund in accordance with the

particular conditions and requirements of such a fund.

## **23 NOTICES**

### **23.1 Form of notice**

A notice is to be given by the Club to the intended recipient by:

- (a) advertising on the notice boards of the Club and placing an advertisement in the public notices of a local newspaper circulating in the Buderim area; or
- (b) sending it by post to the intended recipient's registered address; or
- (c) sending it by email to the intended recipient's email address as provided to the Club; or
- (d) by any other means authorised by law.

### **23.2 Notice by post**

Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, prepaying, and posting a letter containing the notice, whether the notice forms part of or is accompanied by other material. In the case of a notice of a meeting, service shall be deemed to be effected on the day after the date of its posting. In any other case, service shall be deemed to be effected at the time at which the letter would be delivered in the ordinary course of post.

### **23.3 Notice by email**

Where a notice is sent by email, service of the notice shall be deemed to be effected when notification that the email has been delivered is received from the recipient's email server.

### **23.4 Manner of notice**

Notice of every general meeting shall be given in any manner authorised in these Rules to every Member eligible to attend, whether or not eligible to vote at general meetings; and whose name and address are recorded in the Register.

## **24 INDEMNITY**

### **24.1 Interpretation**

In this clause 24:

**proceedings** means any proceedings, whether civil or criminal, being proceedings in which it is alleged that the person has done or omitted to do some act in their capacity as a member of the Management Committee or the Club (including proceedings alleging that they were guilty of negligence, default, breach of trust or breach of duty in relation to the Club)

### **24.2 Scope of indemnity**

In the event of any proceedings being taken against a Member 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 so proceeded against in respect of 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.

## **25 ALTERATION OF RULES**

### **25.1 Method of altering Rules**

This Constitution may be altered, rescinded, or repealed and a new constitution may be adopted by Special Resolution.

### **25.2 Alterations to comply with the Act**

- (a) Any alteration to the Rules must comply with the Act.
- (b) The Secretary must, within three (3) months of the passing of the Special Resolution to change the Rules, complete and lodge a rule amendment form with the Office of Fair Trading and ensure that the relevant fee is paid.
- (c) An amendment, repeal or addition to the Rules is valid only if it is registered by the chief executive in accordance with section 49 of the Act.

### **25.3 Model Rules**

Section 47(1) of the Act does not apply to the rules of the Club.

## **26 AMALGAMATION**

### **26.1 Amalgamation generally**

In furtherance of the objectives of the Club, the Club may amalgamate with any one (1) or more organisations having objectives similar to those of the Club and which shall prohibit the distribution of its income and property amongst its members and which is a fund, authority, or institution which is exempt from income tax under Section 50-45 of the *Income Tax Assessment Act 1997* (Cth).

### **26.2 Amalgamation if there is a tax-deductible fund**

Notwithstanding the general provision set out in clause 26.1 if the Club conducts any funds which are tax-deductible, procedures must be put in place and notifications given to ensure that the conditions of such tax deductibility are not breached upon amalgamation.

## **27 WINDING UP**

The Club may be wound up by a resolution passed by Special Resolution passed at a special general meeting called for that purpose.

## **28 DISTRIBUTION OF SURPLUS PROPERTY**

If after winding up or dissolution of the Club, any property remains after payment of all its debts and liabilities, that property must not be paid to or distributed among the Members. Any remaining property must be given or transferred to one (1) or more funds, authorities or institutions selected by the Members at or before the dissolution of the Club, having objectives similar to the Club and prohibiting the distribution of its or their income and property among its members.

## **29 BUSINESS NAMES**

The Club may operate other businesses other than at the principal place of business of the Club and such other businesses may be operated under names other than the name of the Club as determined by the Management Committee.

## **30 DEALING WITH THE MEDIA**

The only persons permitted to give interviews or make media statements on behalf of the Club shall be the President or such other person as may be authorised by the Management Committee. This Rule does not preclude non-controversial interviews or statements specifically regarding the playing of the game of bowls or results thereof.

## **ANNEXURE A – CLASSIFICATION AND PRIVILEGES OF MEMBERSHIP**

### **Ordinary Members**

- (a) Must not be less than 18 years of age.
- (b) Has registered with BQ, Buderim Bowls Club Inc as his/her Home Club.
- (c) Must be prepared to support and promote the welfare of the Club and the game of bowls;
- (d) Must be of good repute and character.
- (e) Must be free of indebtedness to any bowls Club, DBA or State bowls Authority.
- (f) Must not be under an order of notice of suspension or expulsion from any bowls Club or bowls Association.
- (g) Shall be entitled to all privileges of the Club and shall be entitled to vote at General Meetings of the Club unless otherwise stated in these Rules.
- (h) Is eligible to enter all Club Championships and represent Buderim Bowls Club Inc in District Sides and Champion of Club Champions events.
- (i) Shall be eligible to be elected as a member of the Management Committee, subject to any other eligibility requirements within the Rules.

### **Life Members**

- (a) Members at an AGM may elect an Ordinary Member as a Life Member in honour of services rendered by him or her to the Club.
- (b) The Management Committee shall create a subcommittee to include Life Members to review nominations for Life Membership and to make nominations for the benefit of the Management Committee.
- (c) The Management Committee shall consider at such meeting of the Management Committee as time shall require preceding the General Meeting of the Club each such nomination. The Management Committee may select one (1) nominee (by 75% majority) and if the nominee agrees in writing to become a Life Member, his or her name shall be submitted to the next General Meeting provided however that the Management Committee shall not be required to approve or submit to the Club any nominees in their absolute discretion.
- (d) Any nominee shall be declared elected only by Special Resolution of the Club. Upon election the name of the person elected shall be entered into a register of Life Members.
- (e) Nominations shall be made no later than 90 days prior to the General Meeting.
- (f) No more than one (1) new Honorary Life Member shall be elected in any one (1) calendar year.
- (g) Life Members shall be entitled to all privileges of Ordinary Members and shall be exempt from the payment of annual subscriptions, capitation fees and any levies.

### **Junior Members**

- (a) Persons under the age of 18 years may apply for Junior Membership of the Club.
- (b) Has registered with BQ, Buderim Bowls Club Inc as his/her Home Club.
- (c) Must be prepared to support and promote the welfare of the Club and the game of bowls.

- (d) Must be of good repute and character.
- (e) Must be free of indebtedness to any bowls Club, DBA or State bowls Authority.
- (f) Must not be under an order of notice of suspension or expulsion from any bowls Club or bowls Association.
- (g) They shall not be entitled to:
  - (i) vote;
  - (ii) nominate members for office;
  - (iii) nominate other persons to membership of the Club.
- (h) Junior Members shall be entitled to play bowls in any State, District or Club competition according to the conditions laid down for the playing of the event.
- (i) On attaining the age of 18 years their membership will automatically be transferred to that of an Ordinary Member.
- (j) They shall not be allowed, under any circumstances, to be served to obtain or to consume liquor from, or on the Club premises, or engage in any form of gambling on the premises.

### **Temporary Members**

- (a) Do not normally reside within the district where the Club is established.
- (b) Must not be less than 18 years of age.
- (c) Has registered with BQ.
- (d) Must be prepared to support and promote the welfare of the Club and the game of bowls.
- (e) Must be of good repute and character.
- (f) Must be free of indebtedness to any bowls Club, DBA or State bowls Authority.
- (g) Must not be under an order of notice of suspension or expulsion from any bowls Club or bowls Association.
- (h) Membership will not exceed a three (3) month period but may be renewed at the discretion of the Management Committee.
- (k) They shall not be entitled to:
  - (i) vote;
  - (ii) nominate members for office;
  - (iii) nominate other persons to membership of the Club;
  - (iv) participate in games, other than social games of the Club.

### **Social Membership**

- (a) Must not be less than 18 years of age.
- (b) Must be prepared to support and promote the welfare of the Club.
- (c) Must be of good repute and character.
- (d) Must be free of indebtedness to any bowls Club, DBA or State bowls Authority.
- (e) Must not be under an order of notice of suspension or expulsion from any bowls Club or bowls Association.



- (f) They shall not be entitled to:
  - (i) vote;
  - (ii) nominate members for office;
  - (iii) nominate other persons to membership of the Club;
  - (iv) participate in games, other than social, barefoot and/or corporate games of the Club to which they are invited.

**Honorary Members**

- (a) The Management Committee may grant Honorary Membership to any person who has rendered service to the Club or from whom the Club has or will derive benefit.
- (b) They shall not be entitled to:
  - (i) vote;
  - (ii) nominate members for office;
  - (iii) nominate other persons to membership of the Club; or
  - (iv) use the greens or participate in any bowls event, excepting those events where they are invited to play.
- (c) Honorary Members shall be exempt from the payment of annual subscriptions, capitation fees and levies to the Club.
- (d) This membership shall lapse from year to year.