

Constitution of Bargara Bowls Club Incorporated

1 INTERPRETATION

(1) In these rules—

Act means the Associations Incorporation Act 1981.

Bylaws means the bylaws of the club in force at any one time having been approved by special resolution passed by secret ballot by 75% of the voting members of the Club present at the meeting

Constitution means the constitution of the Club in force at any one time having been approved by special resolution passed by secret ballot by 75% of the voting members of the Club present at the meeting

Club means the Bargara Bowls Club Incorporated

Laws of the game means laws for the game of bowls as set by World Bowls and adopted by Bowls Australia.

present—

- (a) at a Management Committee meeting, see rule 21(6); or
- (b) at a general meeting, see rule 33(2).

National Body means Bowls Australia

Special Resolution means a resolution passed by 75% of the voting members of the Club present at the meeting by secret ballot at a general meeting or a special general called to consider the resolution

State Body means Bowls Queensland

(2) A word or expression that is not defined in these model rules, but is defined in the Act has, if the context permits, the meaning given by the Act.

(3) Section 47(1) of the Associations Incorporation Act 1981 does not apply to the Club's Constitution.

2 Name

The name of the incorporated Association is Bargara Bowls Club Incorporated.

3 Objects

The objects of the Club are—

- (a) To encourage and promote the game of Bowls;
- (b) To provide, develop and promote activities deemed appropriate and to provide good fellowship between members of the Club;
- (c) To provide the best standard of facilities for members for the social and competitive playing of the game of bowls in accordance with the Laws of the Game prescribed by the National Body governing the game of Bowls; and

(d) To encourage members of the community to participate in the Club and its activities with the aims of seeking community involvement, promotion and improvement of health and generally raising the level of physical and mental wellbeing of all members of the community.

4 Powers

- (1) The Club has the powers of an individual.
- (2) The Club may, for example—
 - (a) Enter into contracts; and
 - (b) Acquire, hold, deal with and dispose of property; and
 - (c) Make charges for services and facilities it supplies; and
 - (d) Do other things necessary or convenient to be done in carrying out its affairs.
- (3) The Club may also issue secured and unsecured notes, debentures and debenture stock for the Club.
- (4) The limits of authority for exercising Powers are set out in the Club's Bylaws. In the event of an interpretation conflict between the Powers set out in the constitution and those in the Bylaws, the conditions of the By-laws will prevail.

5 Classes of members

- (1) The membership of the Club consists of the following classes of members

<i>Ref</i>	<i>Category</i>	<i>Definition/Criteria</i>	<i>Voting Rights</i>
a.	Ordinary Member	Person over 18 who is registered to play bowls with the Club as an affiliated player	Yes
b.	Junior Member	Person under 18 who is registered to play bowls with the Club as an affiliated player.	No
c.	Social Member	Person with an interest in the game of bowls or the Club.	No
d.	Life Member	Person awarded Life membership or Member for Life of the Club	Yes
e	Non-Bowling Ordinary member	Member who has been an Ordinary Member of the Club, and is no longer able to bowl. Members can only be transferred into this class from Ordinary Member category.	Yes
f	Temporary Member	Person who is an intending member, affiliated member of another club residing temporarily in the district, affiliated bowler from another club taking part in Club activities, non-members participating in promotional, fund raising, membership drives and/or events of a similar nature	No
g	Corporate Member	Corporate supporters of the Club and their staff taking part in Club activities, promotional, fund raising, membership drives and/or events of a similar nature	No

- (2) To qualify for membership, a person must be:
 - (a) prepared to support and promote the welfare of the Club and the game of bowls;
 - (b) of good character and compatible with other members; and
 - (c) free of indebtedness to any Bowls Club, and any District Bowls Association or

StateBody and not under an order or notice of suspension or expulsion from any Bowls Club or Bowls Association.

- (3) The number of Ordinary Members and Non-Bowling Ordinary Members is unlimited. The numbers of other categories of membership shall be decided by the Management Committee

6 New membership

(1) An applicant for Ordinary and Junior membership of the Club must be proposed by a voting member of the Club (the **proposer**) and seconded by another voting member (the **seconder**).

An application for Ordinary and Junior membership must be—

- (a) in writing; and
- (b) signed by the applicant and the applicant's proposer and seconder; and
- (c) in the form decided by the Management Committee.

(2) An applicant for all other categories of membership of the Club must be proposed by a voting member of the Club (the **proposer**) and decided by the Management Committee.

7 Membership fees

The membership fee for each Ordinary membership and for each other class of membership:

- (a) is the amount decided by the voting members from time to time at a general meeting; and
- (b) is payable by 31st October each year.

8 Admission and rejection of new members

(1) The Management Committee must consider an application for membership at the next committee meeting held after it receives—

- (a) the application for membership; and
- (b) the appropriate membership fee for the application.

(2) 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—

- (a) whether or not the Club has public liability insurance; and
- (b) if the Club has public liability insurance—the amount of the insurance.

(3) The Management Committee must decide at the meeting whether to accept or reject the application.

(4) If a majority of the members of the Management Committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.

(5) The Secretary of the Club 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. The Management Committee is not required to give reasons for its decision if it rejects an application for membership.

9 When membership ends

(1) A member may resign from the Club by giving a written notice of resignation to the Secretary.

(2) The resignation takes effect at—

- (a) the time the notice is received by the Secretary; or
- (b) if a later time is stated in the notice—the later time.

(3) The Management Committee may terminate a member's membership or apply suspension, verbal or written warnings and reprimands or other penalties if the member—

(a) is convicted of an indictable offence; or

(b) does not comply with any of the provisions of these rules, the Bylaws, or the rules of the State Body or a District Association; or

(c) has membership fees in arrears for at least 2 months; or

(d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Club.

(4) The Management Committee must give the member a full and fair opportunity to show why the membership should not be terminated or why penalties and/or suspension not imposed.

(5) Prior to making a final decision under this clause 9, the Management Committee may, in its sole discretion, arrange mediation and/or comply with the procedures set in the State Body's Member Protection Policy for such disciplinary action, if the Management Committee believes it would be appropriate to do so in the circumstances.

(6) If, after considering all representations made by the member, and the results of mediation(if any), the Management Committee decides to terminate the membership or suspend the membership or impose other penalties, the Secretary must give the member a written notice of the decision. The Management Committee is not obliged to provide reasons for its decision.

10 Appeal against rejection or termination of membership

(1) A person whose membership has been terminated under clause 9, other than for arrears of fees, may give the Secretary written notice of the person's intention to appeal against the decision of the Management Committee.

(2) A notice of intention to appeal must be given to the Secretary within 1 month after the person receives written notice of the decision.

(3) If the Secretary receives a notice of intention to appeal, the Secretary must, within 14 days after receiving the notice, call a general meeting of voting members to decide the appeal.

(4) A person whose membership has been terminated because the person's fees are in arrears by 2 months, see clause 9(3)(c), does not have a right of appeal against termination, but they may redress the termination by making payment of the fees within 14 days of receiving notice of the decision to terminate the membership, in which case the Management Committee may reinstate the person's membership.

(5) A person whose application for membership has been rejected must be notified of the rejection, but no reasons for rejection need be given. There is no right of appeal to a rejection of a membership application. The Secretary must, as soon as practicable, refund the membership fee paid by the person whose membership application was rejected.

11 General meeting to decide appeal

(1) The general meeting to decide an appeal must be held within 3 months after the Secretary receives the notice of intention to appeal.

(2) At the meeting, the person must be given a full and fair opportunity to show why the membership should not be terminated.

(3) Also, the Management Committee and the members of the committee who terminated the membership must be given a full and fair opportunity to show why the membership should be terminated.

- (4) An appeal must be decided by 75% of the voting members present at the meeting.
- (5) If a person whose membership has been terminated appeals against the decision, then the person's membership will be deemed to be provisionally suspended until the appeal has been decided.

12 Register of members

- (1) The Management Committee must keep a register of members of the Club.
- (2) The register must include the following particulars for each member—
 - (a) the full name of the member;
 - (b) the postal or residential address of the member;
 - (c) the email address of the member if any
 - (d) the date of admission as a member;
 - (e) the date of death or time of resignation of the member;
 - (f) details about the termination or reinstatement of membership; and
 - (g) any other particulars the Management Committee or the members at a general meeting decide.
- (3) The register must be open for inspection by members of the Club at all reasonable times.
- (4) A member must contact the Secretary to arrange an inspection of the register.
- (5) However, the Management Committee may, on the application of a member of the Club, 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.

13 Prohibition on use of information on register of members

- (1) A member of the Club must not—
 - (a) use information obtained from the register of members of the Club to contact, or send material to, another member of the Club for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - (b) disclose information obtained from the register to someone else, knowing that the information could possibly 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.

14 Appointment or election of Secretary

- (1) The Secretary must be an individual residing in Queensland, or in another State but not more than 65km from the Queensland border, who is—
 - (a) a voting member of the Club elected by the Club as Secretary; or
 - (b) any of the following persons appointed by the Management Committee as Secretary—
 - (i) a member of the Club's Management Committee;
 - (ii) another voting member of the Club;
- (2) 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 1 month after the vacancy happens.
- (3) If the Management Committee appoints a person mentioned in subrule (1)(b)(ii) as Secretary to fill a casual vacancy on the Management Committee, the person becomes a member of the Management Committee.
- (4) In this rule— **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.

15 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 Chairman 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 of members of the Club.

16 Membership of Management Committee

(1) The Management Committee of the Club comprises a Chairman, Secretary, Treasurer, Ladies Bowls President, Mens Bowls President, and two Executive Committee Members, elected by voting members of the Club at a general meeting.

(2) 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.

(3) A voting member of the Club may be appointed to a casual vacancy on the Management Committee under rule 19

(4) A maximum of two family members may serve on the Management Committee at one time.

(5) Elections of Chairperson, Executive Committee Members & the 2 Presidents who hold office for a period of 3 consecutive 1 year terms is not eligible for re-election until the AGM which follows the AGM at which the maximum period was completed.

All other positions (Secretary and Treasurer) there are no maximum number of consecutive terms for which a committee member may hold office.

(6) The duties and limits of authority of the Management Committee are set out in the Bylaws.

17 Electing the Management Committee

(1) A member of the Management Committee may only be elected as follows—

(a) any 2 voting members of the Club may nominate another voting member (the **candidate**) to serve as a member of the Management Committee;

(b) the nomination must be—

(i) in writing; and

(ii) signed by the candidate and the members who nominated him or her; and

(iii) given to the Secretary at least 14 days before the Annual General Meeting at which the election is to be held;

(c) each member of the Club present and eligible to vote at the Annual General Meeting may vote for 1 candidate for each vacant position on the Management Committee; and

(d) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.

(2) A person may be a candidate only if the person—

(a) is an financial voting member of the Club; and

(b) is not ineligible to be elected as a member under section 61A of the Act.

(3) 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 14 days immediately preceding the Annual General Meeting.

(4) If required by the Management Committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

- (5) The Management Committee must ensure that, before a candidate is elected as a member of the Management Committee, the candidate is advised—
- (a) whether or not the Club has public liability insurance; and
 - (b) if the Club has public liability insurance—the amount of the insurance.

18 Resignation, removal or vacation of office of Management Committee member

- (1) A member of the Management Committee may resign from the committee by giving written notice of resignation to the Secretary.
- (2) The resignation takes effect at—
- (a) the time the notice is received by the Secretary; or
 - (b) if a later time is stated in the notice—the later time.
- (3) A member may be removed from office at a general meeting of the Club by special resolution if 75% the members present and eligible to vote at the meeting vote in favour of removing the member.
- (4) 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.
- (5) A member has no right of appeal against his or her removal from office under this rule.
- (6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

19 Vacancies on Management Committee

- (1) If a casual vacancy happens on the Management Committee, the continuing members of the Management Committee may appoint another voting member of the Club to fill the vacancy until the next Annual General Meeting.
- (2) The continuing members of the Management Committee may act despite a casual vacancy on the Management Committee.
- (3) However, if the number of committee members is less than the number fixed under rule 22(1) as a quorum of the Management Committee, the continuing members may act only to—
- (a) increase the number of Management Committee members to the number required for a quorum; or
 - (b) call a general meeting of the Club.

20 Functions of Management Committee

- (1) Subject to these rules and the Bylaws or a special resolution of the voting 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.
- (2) 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 -
- (a) At all times the Management Committee must abide by the rules and limits of authority set out in the Club's Bylaws
 - (b) any interpretation must have regard to the Act, including any regulation made under the Act.

Note—

The Act prevails if the Clubs rules are inconsistent with the Act—see section 1B of the Act.

- (3) The Management Committee, within the authority limits set by the Bylaws, may exercise the powers of the Club—
- (a) to borrow, raise or secure the payment of amounts in a way the members of the Club decide; and

- (b) to secure the amounts mentioned in paragraph (a) 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 Clubs property, both present and future; and
 - (c) to purchase, redeem or pay off any securities issued; and
 - (d) to borrow amounts from members and pay interest on the amounts borrowed; and
 - (e) to mortgage or charge the whole or part of its property; and
 - (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Club; and
 - (g) to provide and pay off any securities issued; and
 - (h) to invest in a way the members of the Club may from time to time decide.
- (4) For subrule (3)(d), 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—
- (a) the financial institution for the Club; or
 - (b) if there is more than one financial institution for the Club—the financial institution nominated by the Management Committee.

21 Meetings of Management Committee

- (1) Subject to this rule, the Management Committee may meet and conduct its proceedings as it considers appropriate.
- (2) The Management Committee must meet at least once every calendar month to exercise its functions.
- (3) The Management Committee must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the Management Committee.
- (5) 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.
- (6) A committee member who participates in the meeting as mentioned in subrule (5) is taken to be present at the meeting.
- (7) A question arising at a committee meeting is to be decided by a majority vote of members of the committee present at the meeting and, if the votes are equal, the Chairman will have a casting vote, in addition to the Chairman's original vote..
- (8) A member of the Management Committee must not vote on a question about a contract or proposed contract with the Club if the member has an interest in the contract or proposed contract and, if the member does vote, the members vote must not be counted.
- (9) The Chairman is to preside as chairperson at a Management Committee meeting.
- (10) If the Chairman is not present within 10 minutes after the time fixed for a Management Committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.

22 Quorum for, and adjournment of, Management Committee meeting

- (1) At a Management Committee meeting, more than 50% of the members elected to the committee as at the close of the last general meeting of the members form a quorum.
- (2) 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.

- (3) 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—
 - (a) the meeting is to be adjourned for at least 1 day; and
 - (b) the members of the Management Committee who are present are to decide the day, time and place of the adjourned meeting.
- (4) If, at an adjourned meeting mentioned in subrule (3), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

23 Special meeting of Management Committee

- (1) If the Secretary receives a written request signed by at least 33% of the 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.
- (2) If the Secretary is unable or unwilling to call the special meeting, the chairman must call the meeting.
- (3) A request for a special meeting must state—
 - (a) why the special meeting is called; and
 - (b) the business to be conducted at the meeting.
- (4) A notice of a special meeting must state—
 - (a) the day, time and place of the meeting; and
 - (b) the business to be conducted at the meeting.
- (5) 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.

24 Minutes of Management Committee meetings

- (1) 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.
- (2) To ensure the accuracy of the minutes, the minutes of each Management Committee meeting must be stamped with the Club stamp and signed by the chairperson of the meeting, or the chairperson of the next Management Committee meeting, verifying their accuracy.
- (3) The chairperson signing the minutes must sign every page,
- (4) The minutes must be page numbered.

25 Appointment of subcommittees

- (1) The Management Committee may appoint a subcommittee consisting of members of the Club considered appropriate by the committee to help with the conduct of the Clubs operations.
- (2) A member of the subcommittee who is not a member of the Management Committee is not entitled to vote at a Management Committee meeting.
- (3) A subcommittee may elect a chairperson of its meetings.
- (4) If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.
- (5) A subcommittee may meet and adjourn as it considers appropriate.
- (6) 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 chairman of the subcommittee will have a casting vote, in addition to the chairman's original vote
- (7) Each subcommittee must conform to the requirements and guidelines set by the Management Committee.

(8) Each subcommittee must have at least one of the Management Committeemembers on the subcommittee.

26 Acts not affected by defects or disqualifications

(1) 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.

(2) Subrule (1) applies even if the act was performed when—

(a) 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

(b) a Management Committee member, subcommittee member or person acting as a member of the Management Committee was disqualified from being a member.

27 Resolutions of Management Committee without meeting

(1) A written resolution signed by each member of the Management Committee is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.

(2) A resolution mentioned in subrule (1) may consist of several documents in like form, each signed by 1 or more members of the Management Committee.

28 Annual general meeting

The annual general meeting must be held within 3 months after the end date of the Club's financial year (30th of June) each year.

29 Half yearly general meetings

A half yearly general meeting must be held—

(a) At least once each year; and

(b) Within 6 to 9 months after the end date of the Club's financial year (30th of June).

30 Business to be conducted at annual general meeting of level 1 incorporated Clubs and particular level 2 and 3 incorporated Clubs

(1) The Club is a level 1 incorporated Club under the Act.

(2) The following business must be conducted at each annual general meeting of the Club—

(a) receiving the Club's financial statement, and audit report, for the last reportable financial year;

(b) presenting the financial statement and audit report to the meeting for adoption;

(c) electing members of the Management Committee;

(d) for a level 1 incorporated Club—appointing an auditor for the present financial year;

(e) presenting any other reports that the Bylaws may require.

31 Notice of general meeting

(1) The Secretary may call a general meeting of the Club.

(2) The Secretary must give at least 14 days notice of the meeting to each member of the Club.

(3) If the Secretary is unable or unwilling to call the meeting, the chairman must call the meeting.

(4) A notice of any general meeting or special general meeting must be in writing and mailed or emailed to each voting member. The notice of meeting must state the

business to be conducted at the meeting and provide complete details of all proposed special and general resolutions of the Club

32 Quorum for, and adjournment of, general meeting

- (1) The quorum for a general meeting is at least twice the number of members of the Management Committee set in clause 16(1) plus 1.
- (2) However, if all voting members of the Club are members of the Management Committee, the quorum is the total number of members less 1.
- (3) No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.
- (4) 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.
- (5) 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—
 - (a) the meeting is to be adjourned for at least 7 days; and
 - (b) the Management Committee is to decide the day, time and place of the adjourned meeting.
- (6) 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.
- (7) If a meeting is adjourned under subrule (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (8) The Secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- (9) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

33 Procedure at general meeting

- (1) A voting member may take part and vote in a general meeting in person, or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (2) A member who participates in a meeting as mentioned in subrule (1) is taken to be present at the meeting.
- (3) Proxy voting is not permitted.
- (4) At each general meeting—
 - (a) the chairman is to preside as chairperson; and
 - (b) if the chairman is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the voting members present must elect 1 of their number to be chairperson of the meeting; and
 - (c) the chairperson must conduct the meeting in a proper and orderly way.

34 Voting at general meeting

- (1) At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the voting members present.
- (2) Each member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.
- (3) A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.
- (4) The method of voting is to be decided by the Management Committee.

- (5) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.
- (6) If a secret ballot is held, the chairperson must appoint two members to conduct the secret ballot in the way the chairperson decides.
- (7) 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.
- (8) For election of the Management Committee, where more than one nomination is received for any position, a secret ballot will be held to decide the result.
- (9) All special resolutions require secret ballot with 75% voting members' approval in order to pass. Special Resolutions are required to change the Constitution and/or the Bylaws
- (10) Where the Bylaws stipulate other circumstances that require a special resolution to give the Management Committee authority to proceed. These require secret ballot with 75% members' approval in order to pass

35 Special general meeting

- (1) The Secretary must call a special general meeting by giving each voting member of the Club notice of the meeting within 14 days after—
 - (a) being directed to call the meeting by the Management Committee; or
 - (b) being given a written request signed by—
 - (i) at least 33% of the number of members of the Management Committee when the request is signed; or
 - (ii) at least the number of voting members of the Club equal to double the number of members on the Management Committee when the request is signed plus 1; or
 - (c) being given a written notice of an intention to appeal under clause 10(2) against the decision of the Management Committee to terminate a person's membership.
- (2) A request mentioned in subrule (1)(b) must state—
 - (a) why the special general meeting is being called; and
 - (b) the business to be conducted at the meeting.
- (3) A special general meeting must be held within 6 weeks after the Secretary—
 - (a) is directed to call the meeting by the Management Committee; or
 - (b) is given the written request mentioned in subrule (1)(b); or
 - (c) is given the written notice of an intention to appeal mentioned in subrule (1)(c).
- (4) If the Secretary is unable or unwilling to call the special general meeting, the chairman must call the meeting.
- (5) A notice of special general meeting must be in writing and mailed or emailed to each voting member. The notice of meeting must state the business to be conducted at the meeting and provide complete details of all proposed special resolutions of the Club.

36 Minutes of general meetings

- (1) 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 file.
- (2) To ensure the accuracy of the minutes—
 - (a) 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
 - (b) 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 or half yearly general meeting, verifying their accuracy.

(c) to ensure the accuracy of the minutes, every page of the minutes must be stamped with the Club stamp.

(d) the chairperson signing the minutes must sign every page,

(e) the minutes must be page numbered.

(3) If asked by a member of the Club, the Secretary must, within 28 days after the request is made—

(a) make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place; and

(b) give the member copies of the minutes of the meeting.

(4) The Club may require the member to pay the reasonable costs of providing copies of the minutes.

37 Bylaws

(1) The voting members may make, amend or repeal Bylaws, not inconsistent with these rules.

(2) A Bylaw may be set aside by a vote of members at a general meeting of the Club.

(3) All alterations or amendments to the Bylaws can only be undertaken by special resolution requiring secret ballot of voting members present at the meeting with at least 75% approval.

38 Alteration of constitution

(1) Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting. The vote must be by secret ballot requiring at least 75% approval of the voting members present at the meeting.

(2) However an amendment, repeal or addition is valid only if it is registered by the chief executive of the Office of Fair Trading.

39 Common seal

(1) The Management Committee must ensure the Club has a common seal.

(2) The common seal must be—

(a) kept securely by the Management Committee; and

(b) used only under the authority of the Management Committee.

(3) Each instrument to which the seal is attached must be signed by a member of the Management Committee and countersigned by—

(a) the Secretary; or

(b) another member of the Management Committee

40 Funds and accounts

(1) The funds of the Club must be kept in an account/s in the name of the Club in a financial institution decided by the Management Committee.

(2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Club.

(3) All amounts must be deposited in the financial institution cheque account as soon as practicable after receipt.

(4) A payment by the Club of \$100 or more must be made by cheque or electronic funds transfer.

(5) If a payment of \$100 or more is made by cheque, the cheque must be signed by any 2 members of the Management Committee, with at least one signature being from the Chairman, Secretary or Treasurer.

If a payment of \$100 or more is made by electronic funds transfer, the voucher authorising the payment must be signed by any 2 members of the Management

Committee, with at least one signature being from the Chairman, Secretary or Treasurer.

(6) When two members of one family serve on the Management Committee at one time, only one shall be an authorised signatory to the account.

(7) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.

(8) A petty cash account must be kept on the imprest system, and the Management Committee must decide the amount of petty cash to be kept in the account.

(9) All expenditure must be approved or ratified at a Management Committee meeting, held the month after payment is made.

41 General financial matters

(1) 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.

(2) The income and property of the Club must be used solely in promoting the Club's objects and exercising the Club's powers.

(3) The requirements for financial statements, budgets and forecasts are set out in the Club's Bylaws.

42 Documents

The Management Committee must ensure the safe custody of books, documents, instruments of title and securities of the Club.

43 Financial year

The end date of the Club's financial year is 30th June in each year.

44 Distribution of surplus assets to another entity

(1) This rule applies if the Club—

- (a) is wound-up under part 10 of the Act; and
- (b) has surplus assets.

(2) The surplus assets must not be distributed among the members of the Club.

(3) The surplus assets must be given to another entity—

- (a) having objects similar to the Club's objects; and
- (b) the rules of which prohibit the distribution of the entity's income and assets to its members.

(4) In this rule— **surplus assets** see section 92(3) of the Act.