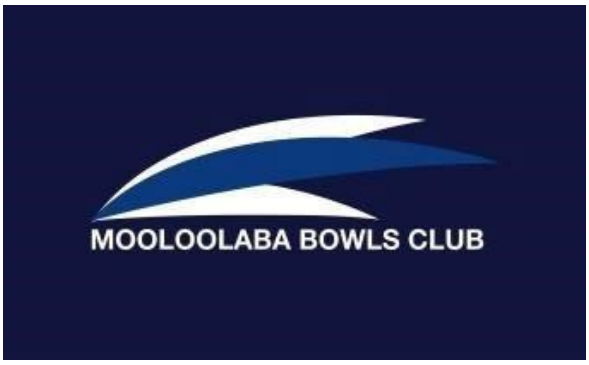


CONSTITUTION

OF

Mooloolaba Bowls Club Inc

(As amended - 28/11/2021
- 15/10/2023
- 04/09/2025)

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CONSTITUTION OF
THE MOOLOOLABA BOWLS CLUB INCORPORATED

SECTION A - THE CLUB

1. NAME

The name of the incorporated Club is the **MOOLOOLABA BOWLS CLUB Incorporated**" (hereinafter referred to as "the Club").

The Club trades under the name "**Club Mooloolaba**."

2. DEFINITIONS

The following interpretations shall operate within this Constitution:

(a) "Act" means the Associations Incorporation Act 1981as amended from time to time.

(b) "The Club" means the Mooloolaba Bowls Club.

(c) "The Constitution" means the Constitution of the Club in force for the time being.

(d) "The Board of Management" (hereinafter referred to as the "Board") means the members for the time being of the Board of the Club as constituted in accordance with this Constitution. The Board is the controlling body of the Club subject to the Act and to any direction from members at a general meeting.

(e) "Bowls Committee" means the members for the time being elected in accordance with this Constitution and its By-Laws.

(f) "Month" means calendar month.

(g) "Member" means any financial member of the Club in one of the membership categories outlined in Clause 5.

(h) "Voting member" means a Bowls Full Member, Bowls Dual Member or a Life Member as outlined in Clauses 5 and 7.

(i) "Secretary" means the person elected or appointed in writing by the Board under Clause 26A and who shall be Secretary of the Board.

(j) "WB" means the World Bowls.

(l) "BA" means Bowls Australia.

(m) "BQ" means Bowls Queensland.

(n) "DBA" means District Bowls Associations.

(o) "Annual General Meeting" may be referred to as "AGM'.

(p) "President" means the President of the Board as referred to in Clause 23.

(q) reference to any gender includes the opposite gender unless the context indicates otherwise; and

(r) singular includes the plural unless the context indicates otherwise.

3. OBJECTS OF THE CLUB

The objects of the Club are to:

(a) advance and promote the game of Bowls, and other activities as the Board of Management decides upon in the interest of club members and the general community.
(b) provide the best possible standard of facilities for members, for the social and competitive playing of the game of Bowls in accordance with the Laws of the Game as prescribed by the WBB and the By-Laws of BA and BQ.
(c) provide, develop, and promote such activities as are from time to time deemed appropriate to provide good fellowship between members of the club; and (d) promote and enhance the Game of Bowls in the local community.
(d) The Club is incorporated under the provisions of the Associations Incorporation Act 1981 (under section 24) (as amended) and will comply with the Act and its regulations.

4. POWERS OF THE CLUB

4.1 The Club has the powers of an individual.

4.2 The Club may, for example –
- (a) enter into contracts
- (b) acquire, hold, deal with and dispose of property
- (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.

SECTION B - MEMBERSHIP OF THE CLUB

5. MEMBERSHIP OF THE CLUB

5.1 The Membership of the Club consists of the following classes of members -
- (a) Bowls Full Members
- (b) Bowls Dual Members
- (c) Life Members
- (d) Junior Members
- (e) Social Members.
- (f) Social Junior Members

5.2 The membership of the Club is unlimited.

5.3 The Board may create additional classes of membership and charge such membership fees as the Board may determine from time to time.

6. ELIGIBILITY FOR MEMBERSHIP

6.1 To be eligible for membership a person must be:

(a) not less than 18 years of age except for Junior Members and Junior Social Members.
(b) interested in playing the sport of bowls, except for Social Members.
(c) prepared to support and promote the welfare of the Club and the game of bowls.
(d) of good repute and character.
(e) free of indebtedness to any Bowls Club, DBA, State or National Bowls Authority and
(f) not under an order or notice of suspension, or expulsion, from any Bowls Club or DBA.

6.2 An employee of the Club (whether on salary, wages, contractor or contractor's staff) if they are a financial Bowls Full Member of the Club shall NOT be eligible to nominate for or hold any elected office position, or to nominate or second any other member for an elected office of the Club.

6.3 Deleted - (clearances)

7. MEMBERSHIP PRIVILEGES

7.1 Bowls Full Members:

(i) be not less than 18 years of age.
(ii) entitled to all the privileges of the Club.
(iii) entitled to loyalty benefits and member discounts.
(iv) entitled to be present, debate and vote at any General or other meetings of the Club.
(v) shall be eligible to nominate to serve on the Board (Clause 24(1)(c)).
(vi) a Member who ***declares*** for the Mooloolaba Bowls Club shall be eligible to participate in any Mooloolaba Club Championship event that progress to District and/or State level.

7.2 Bowls Dual Members:

(i) be not less than 18 years of age.
(ii) entitled to all the privileges of the Club.
(iii) entitled to loyalty benefits and member discounts.
(iv) entitled to be present, debate and vote at any General or other meetings of the Club.
(v) shall not be eligible to nominate to serve on the Board (Clause 24(1)(c)).
(vi) is a person who holds full membership of another Club affiliated with BQ, and who ***declares for a Club other than*** the Mooloolaba Bowls Club as their declared Club.
(vii) a Bowls Dual Member shall not be eligible to participate in any Mooloolaba Club Championship event that progress to District and/or State level.

7.3 Life Members:

(i) A Bowls Full Member who is nominated and seconded by two Bowls Full Members and/or Life Members on the recommendations of the Board after consultation with the Combined Bowls Committee may be elected by the Club at a General Meeting to Life Membership of the Club.

(ii) Such election shall be by special resolution of a 75% majority of the members present and entitled to vote at a General Meeting.

(iii) Life Members shall be entitled to all the privileges of Bowls Full Members but shall be exempt from the payment of the annual subscription but not any levies or other fees.

(iv) All members that hold continuous exemplary membership of the Club for 40 years shall be awarded special Life Membership.

7.4 Junior members:

(i) be under the age of 18 years.

(ii) entitled to play bowls in any State, District, National or Club competition according to the conditions for playing the event.

(iii) shall not be permitted to be sold, supplied or allowed to consume alcohol or tobacco products on Club premises, or engage in any form of gambling activities, and is allowed on Club premises for bowling and related social activities.

(iv) not eligible to be present, debate and vote at any General or other meetings of the Club or to nominate other persons to membership of the Club.

(v) on attaining 18 years of age may apply for Bowls Full membership in the manner prescribed.

7.5 Social Members:

(i) a person of good character may apply to the Club Manager to be a Social Member of the Club and pay any application fee determined by the Board.

(ii) The Board may determine the conditions and duration of Social Membership.

(iii) is not under the age of 18 Years.

(iv) shall have access to and enjoyment of entertainment, services and Club facilities.

(v) entitled to loyalty benefits and social member discounts.

(vi) not entitled to hold any office of the Club, and shall not be present or vote at meetings, nor to nominate persons for membership of the Club.

(vii) shall not be eligible to participate in any Club organised Championship event.

(viii) The Board, or Club Manager, may terminate the Social Membership of any person if the person:

- (a) fails to comply with the provisions of the Constitution, Rules or By-Laws.
- (b) conducts himself/herself in a way considered to be injurious or prejudicial to the character, interest or good standing of the Club.
- (c) for any other reasonable reason e.g. dies or resigns.

(ix) there shall be no right of appeal for this class of membership.

(x) Clause 8 (Application), Clause 9 (Admission), Clause 11 (Resignation) and Clause 12 (Termination) of the Constitution shall not apply to Social Members.

7.6 Junior Social Members:

(i) a person of good character may apply to the Club Manager to be a Junior Social Member of the Club and pay any application fee determined by the Board. Any application must have the written consent of an adult person.
(ii) The Board may determine the conditions and duration of Junior Social Membership.
(iii) be under the age of 18 years.
(iv) may be entitled to social member discounts.
(v) must be under the supervision of an adult person whilst inside the Club premises.
(vi) shall not be permitted to be sold, supplied or allowed to consume alcohol or tobacco products on Club premises, or engage in any form of gambling activities.
(vii) not eligible to be present, debate and vote at any General or other meetings of the Club or to nominate other persons to membership of the Club.
(viii) on attaining 18 years of age may apply for other Club membership in the manner prescribed.
(ix) not be entitled to hold any office of the Club, and shall not be present or vote at meetings, nor to nominate persons for membership of the Club.
(x) shall not be eligible to participate in any Club organised Championship event.
(xi) The Board, or Club Manager may terminate the Junior Social Membership of any person if the person:
  (a) fails to comply with the provisions of the Constitution, Rules or By-Laws
  (b) conducts himself/herself in a way considered to be injurious or prejudicial to the character, interest or good standing of the Club
  (c) for any other reasonable reason e.g. dies or resigns.
(xii) there shall be no right of appeal for this class of membership.
(xiii) Clause 8 (Application), Clause 9 (Admission), Clause 11 (Resignation) and Clause 12 (Termination) of the Constitution shall not apply to Junior Social Members.

8. APPLICATION FOR MEMBERSHIP

8.1 Application Process:

(a) Every applicant for Bowls Full Member, Bowls Dual Member or Junior Member of the Club must be proposed by one (1) Bowls Full Member or Life Member of the Club and seconded by another such member. In making such application the applicant shall be deemed to be bound by this Constitution.

(b) The application must be:
  (i) made in writing
  (ii) signed by the applicant and the applicant's proposer and seconder; and
  (iii) be in such form as the Board from time to time prescribes

8.2 Life members, Bowls Full Members, Bowls Dual Members, Junior Members, Social Members and Junior Social Members will be granted membership in accordance with the Rules of this Constitution.

9. ADMISSION and REJECTION OF NEW MEMBERS

(a) The Board must consider an application for Bowls Full, Bowls Dual or Junior membership at the next meeting held after it receives an application for membership and the prescribed nomination fee.

(b) The Board must decide at the meeting whether to accept or reject or defer the application.

(c) Nominations must be displayed on the Notice Board 14 days prior to consideration by the Board.

(d) A member may lodge an objection in writing to the Board to the granting of membership to a nominee providing it is received before the expiration of 14 days mandatory display of the nomination on the Notice Board

(e) If the majority of the members of the Board 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.

(f) The Secretary must, as soon as practicable after the Board meeting, give the applicant a written notice of the decision to either accept or reject their application.

(g) There is no right of appeal against rejection of membership.

10. REGISTER OF MEMBERS

(a) The Board must keep a register of members of the Club

(b) The register must include the following particulars for each member-

  (a) the full name of the member
  (b) the postal and residential address of the member
  (c) the date of admission as a member
  (d) the date of death or resignation of the member
  (e) details about the termination, reinstatement, or suspension of membership
  (f) any details relevant to the Club

(c) The register must be open for inspection by members of the Club at all reasonable times.

(d) A member must contact the Secretary to arrange an inspection of the register.

(e) However, the Board may, on the application of the member of the Club, withhold information about the member (other than the member's full name) from the register available for inspection if the Board has reasonable grounds for believing that the disclosure of the information would put the member at risk of harm.

(f) A member or employee of the Club must not use or disclose information obtained from the Register of Members unless authorised by the Board.

11. RESIGNATION OF MEMBERSHIP

(a) A resignation from membership (other than a Social Member) shall not be valid unless it is writing and has been received and acknowledged by the Secretary. Where a date of resignation is not stipulated by the member, the resignation becomes effective from the date it is acknowledged by the Secretary.

(b) The Secretary shall acknowledge in writing the receipt of such resignation.

(c) Resignation from the Club shall not relieve any person from the payment of any membership fees, or other monies due or payable by that person at the time of the resignation of membership.

(d) The resignation of any member shall involve the automatic forfeiture of all membership rights.

12. TERMINATION OF MEMBERS

(a) The Board may terminate a member's membership if the member-

(i) is convicted of an indictable offence; or

(ii) does not comply with any provisions of the Constitution, Rules and By-Laws; or

(iii) has membership fees in arrears for at least one (1) month; or

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

(v) details about the termination, reinstatement, or suspension of membership

(vi) any details relevant to the Club.

(b) Before the Board terminates a member's membership, he or she must be given a full and fair opportunity to show why his/her membership should not be terminated.

(c) After considering all representations made by the member, the Secretary of the Board must give the member a written notice of the decision.

(d) There is a right of appeal against termination of membership to an Appeals Tribunal. The Board shall determine the process for appeal and advise the member of their appeal rights.

(e) All discipline and complaints against termination of membership not dealt with by the Board under this clause will be dealt with under the Club's Disciplinary By-Laws.

13. ACCEPTANCE OF RULES BY MEMBERS

All members on admission shall be deemed to have agreed to be bound by the Constitution, Rules and By-Laws of the Club for the time being in force.

14. Clause deleted

SECTION C - GOVERNANCE OF THE CLUB

15. ANNUAL GENERAL MEETING

(a) The Annual General Meeting must be held within six (6) months after the end of the Club's reportable financial year on a date decided by the Board of Management.

(b) The business of the Annual General Meeting must include -

(a) confirmation of the Minutes of the previous Annual General Meeting
(b) confirmation of Minutes, not previously confirmed, of any Special General meetings or General Meetings at which a Special Resolution was passed
(c) presentation, consideration and adoption of the Annual Report
(d) presentation, consideration and adoption of the financial statement and Auditors report for the previous reportable financial year
(e) election of the Board of Management
(f) appointment of Auditor
(g) election of Life Members as per Clause 7.3; and
(h) to transact any general business of which written notice has been given to the Board no less than 7 days prior to the Annual General Meeting.

(c) Notices-

A notice advising members of the date of the Annual General Meeting shall be issued at least thirty (30) days prior to the proposed meeting and in a manner determined by the Board. A copy of the Notice shall be displayed on the Club's website and an advisory e-mail sent to members where a member's e- mail address is held by the Club.

(d) Each Bowls Full Member, Bowls Dual Member and Life Member must be given at least fourteen (14) days notice electronically and/or in a manner determined by the Board, the date of the Annual General Meeting and Agenda for the meeting. Electronic advice to a member's registered e-mail address will be deemed to have been received.

(e) An omission to give notice of an AGM to an eligible member will not invalidate the meeting or the proceedings of that meeting.

16. GENERAL MEETINGS

(a) The Secretary may call a general meeting of Bowls Full Members, Bowls Dual Members and Life Members of the Club, clearly stating the business to be conducted at the meeting.
(b) The Secretary must give at least fourteen (14) days' notice of the meeting to members.
(c) If the Secretary is unable to call the meeting, the President must call the meeting.
(d) The Board may decide the way in which the notice is to be given.
(e) An omission to give notice of a meeting to an eligible member will not invalidate that meeting or the proceedings of that meeting.

17. SPECIAL GENERAL MEETING

(a) The Secretary must call a special general meeting by giving Bowls Full Members, Bowls Dual Members and Life members of the Club a notice of meeting within fourteen (14) days after –

(a) being directed to call the meeting by the Board

(b) being given a written request signed by at least 20% of Bowls Full Members, Bowls Dual Members and Life Members of the Club on the date when the request is signed

(b) The notice of meeting must state –

(a) why the special general meeting is being called; and

(b) the business to be conducted at the meeting

If the Secretary is unable to call the special general meeting, the President must call the meeting.

(c) The Board may decide the way in which the notice is to be given.

(d) An omission to give a notice of meeting to an eligible member will not invalidate that meeting or the proceedings of that meeting.

(e) A Special General Meeting must be held within two (2) months after the Secretary has been directed/requested to do so under Rule 17(a).

18. SPECIAL RESOLUTION

(a) A Special Resolution must be passed by an affirmative vote of 75% of the members who are present and entitled to a vote at a general meeting

(b) Matters that must be decided by a Special Resolution are -

(a) a change of name for the Incorporated Club

(b) a change to the Constitution of the Incorporated Club

(c) the decision to wind up the Incorporated Club

(d) Life Membership of the Club.

19. PROCEDURE FOR GENERAL MEETINGS

At each general meeting -

(a) the President is to preside; and

(b) 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 of their number to be chairperson of the meeting; and

(c) the chairperson must conduct the meeting in a proper and orderly way.

20. VOTING AT A GENERAL MEETING

(a) At a general meeting, each question, matter, or resolution must be decided by the majority of votes of members present and eligible to vote, other than for a Special Resolution which requires 75% of the vote.

(b) Each member present and eligible to vote is entitled to one (1) vote only and, if votes are equal, the status quo will remain.

(c) 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.

(d) The method of voting is to be decided by the Board.

(e) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.

(f) If a secret ballot is held, the chairperson must appoint two (2) members to conduct the secret ballot in the way the chairperson decides.

(g) The result of the secret ballot as declared by the chairperson is taken to be the resolution of the meeting at which the ballot was held.

21. QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING

(a) The quorum for a general meeting is at least double the number of members elected/appointed to the Board, plus one.

(b) No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.

(c) If there is no quorum within 30 minutes after the time fixed for a general meeting called at the request of members of the Board the meeting lapses.

(d) If there is no quorum within 30 minutes after the time fixed for a general meeting called other than at the request of members of the Board

(e) the meeting is to be adjourned for at least 7 days; and

(f) the Board shall decide the day, time and place of the adjourned meeting.

(g) 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.

(h) If the meeting is adjourned under clause 21(e) only the business left unfinished at the meeting at which the adjournment took place may be conducted at an adjourned meeting.

(i) The Secretary is not required to give members notice of an adjournment or the business to be discussed at an adjourned meeting unless a meeting is adjourned for at least 30 days.

(j) 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.

22. MINUTES OF GENERAL MEETINGS

(a) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered into an official record.

(b) To ensure the accuracy of the minutes, the minutes of each general meeting must be verified by the President of the meeting, or the chairperson of the next meeting.

(c) Access to these records shall be limited to financial Bowls Full Members, Bowls Dual Members and Life Members of the Club.

SECTION D - MANAGEMENT OF THE CLUB

23. THE BOARD

(1) The affairs of the Club will be under the control of the Board of Management (The Board).

(2) The Board will consist of –

(a) President
(b) Vice-President
(c) Finance Director
(d) Secretary
(e) Greens Director
(f) Director (O)
(g) Director (E)

(3) All positions shall be honorary and elected.

(4) A member elected to the Board must apply for a Blue Card if not already a holder of a Blue Card.

(5) The term of office for a Board member is 2 years in accordance with Clause 23A.

(6) A retiring member of the Board may nominate for election to any position on the Board.

(7) The Board will manage and control the day-to-day activities of the Club between General meetings in accordance with the Constitution and By-Laws.

23A ROTATION OF POSITIONS ON THE BOARD

(1) The 2-year rotation will be implemented and managed in accordance with the following table:

Odd Year Positions (O)	Even Year Positions (E)
President	Vice-President
Finance Director	Secretary
Greens Director	Director (E)
Director (O)	

(2) At AGMs under these Rules -

(a) in Even years, all Board Members in Even Year positions shall retire from office and elections will be held for a 2-year term.

(b) in Odd years, all Board Members in Odd Year Positions shall retire from office and elections will be held for a 2-year term.

(c) in any year, any position on the Board is vacated in the first year of a 2-year term (whether filled as a casual vacancy by the Board or not) shall be declared vacant at the next AGM and an election held for the remaining 1 year of the 2-year term.

(3) should the Club decide to increase or reduce the number of Board, the table shall be adjusted so there is a difference of no more than 1 between the number elected in odd and even years.

(4) a retiring Board member may nominate for election to any position on the Board.

(5) a retiring Board member shall retain office until the dissolution of the meeting at which their successor is elected.

(6) should a vacancy on the Board occur, and a Board member is appointed to the Board, this position must be declared vacant at the next AGM.

23B ELECTION OR APPOINTMENT OF SECRETARY

(1) The Secretary must be an adult person residing in Queensland who is -

(a) a member of the Club elected by the members as Secretary; or
(b) if a vacancy happens, any of the following persons appointed by the Board as Secretary -
(1) a member of the Club's Board.
(2) a Full Bowls Member or Life Member of the Club.

(2) If a vacancy happens in the office of Secretary, the members of the Board must ensure a Secretary is appointed or elected for the Club within 1 month after the vacancy happens.

(3) If the Board appoints a person mentioned in sub-clause 23B.1(b)(2) as Secretary to a casual vacancy on the Board, the person becomes a member of the Board.

(4) In this rule a **casual vacancy** on the Board, means a vacancy that happens when an elected member of the Board resigns, dies or otherwise stops holding office.

24. NOMINATIONS

(1) To be eligible to serve on the Board a candidate must -
(a) be an adult.
(b) not be ineligible to be elected as a member of the Board under Section 61A of the Act.
(c) be a financial Bowls Full Member or Life Member of the Club

(d) not be an employee of the Club, or under a management agreement with the Club.

(e) not be an office-bearer or employee of any other Bowls Club.

(2) Nominations shall be called at least 28 days prior to the AGM.

(3) Elections to a position on the Board shall be for a term of 2 years in accordance with Rule 23A.

(4) Candidates for election must be nominated in writing on the prescribed form by 2 financial Bowls Full Members or Life Members of the Club.

(5) The nomination form must bear the signature of the nominee showing his/her consent to the nomination.

(6) Each nomination should be accompanied by a summary of the administration experience of the candidate.

(7) The nomination must be delivered to the Secretary at least 14 days prior to the AGM at which the election is to be held.

(8) A list of the candidate's names in alphabetical order, with the names of the members who nominated each candidate, must be posted on the Club Notice Board for at least 10 days immediately preceding the AGM.

(9) The Board must ensure that prior to the election taking place each candidate is advised whether the Club has public liability insurance, and if so, the amount of the insurance.

25. ELECTION OF THE BOARD

(1) Board members will be elected annually at the AGM of the Club in accordance with Clause 23A

(2) Each eligible member of the Club present and eligible to vote at the AGM may vote or 1 candidate for each vacant position on the Board. If there is more than 1 candidate for any vacant position, a secret ballot shall be held. The Board will appoint a Returning Officer and 2 Scrutineers to conduct the secret ballot

(3) The Returning Officer will advise the chairperson of the meeting of the result of the Scrutineers count and the chairperson will announce the successful candidate/s to the meeting

(4) Ballot papers will be destroyed by the Returning Officer on the authority of a motion passed at the meeting at which the election was held. The Returning Officer and Scrutineers are to maintain confidentiality

(5) If no suitable nomination is received to a vacant position on the Board, the Board will have the power to appoint an eligible person to that position only until the next AGM

(6) Any candidate nominated for a vacant position on the Board shall be entitled to attend the AGM and shall be entitled to address the meeting for a period of time as agreed by the Board.

26. FUNCTION OF THE BOARD

(a) Subject to these Rules or a resolution of the members of the Club carried at a general meeting, the Board has the general control and management of the administration of the affairs, property and funds of the Club.

(b) Any powers of the Club specified in Clause 4 are limited to expenditure up to but not exceeding $250,000 on any one project, with expenditure beyond $250,000 required to be approved by a General Meeting of the Club.

27. RESIGNATION OF OFFICE BY A BOARD MEMBER

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

(b) 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.

28. REMOVAL OF A BOARD MEMBER FROM OFFICE

(a) A member of the Board may be removed from office by Ordinary Resolution at a general meeting of Bowls Full Members, Bowls Dual Members and Life Members present and eligible to vote.

(b) Before a vote of members is taken about removing a Board member from office, such member must be given a full and fair opportunity to show cause why he or she should not be removed from office.

(c) There is no right of appeal under this Rule.

29. VACATION OF OFFICE BY A BOARD MEMBER

A member shall immediately vacate the office of a Board member in the circumstances mentioned in Section 64.2 of the Act, e.g. if the member becomes bankrupt; or is convicted of an indictable offence.

30. VACANCIES ON THE BOARD

(a) If a casual vacancy occurs on the Board, the continuing members of the Board may appoint another eligible member of the Club to fill the vacancy until the next annual general meeting.

(b) The continuing members of the Board may act despite a casual vacancy on the Board.

(c) However, if the number of Board members is less than the number fixed under these Rules as a quorum of Board members the continuing members may act only to increase the number of Board members to the number require for a quorum; or call a general meeting of the Club.

31. MEETING OF THE BOARD

(a) The Board may meet and conduct its proceedings as it considers appropriate.
(b) The Board must meet at least once every month to exercise its functions.
(c) The Board must decide how a meeting is to be called.
(d) The Secretary must give at least 7 days' notice in writing of the meeting to Board members.
(e) The Board may hold meetings or permit a Board 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.
(f) A Board member who participates in the meeting as mentioned in sub-rule 31(e) is taken to be present at the meeting.
(g) A question arising at a Board meeting is to be decided by a majority vote of members of the Board present at the meeting and, if the votes are equal, the status quo remains.

(h) A member of the Board 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; or if there is any conflict of interest in any matter under discussion. If the member does vote, his/her vote must not be counted.

(i) If there is any dispute as to whether a conflict exists and whether a person has a right to vote on a question as set out in sub-clause (h) above, the matter shall be determined by the chairperson whose view is final.
(j) The President is to preside at a Board meeting.
(k) If there is no President or if the President is not present within ten (10) minutes fixed for the Board meeting, the members may choose one of their number to preside as chairperson at the meeting.

32. QUORUM FOR, AND ADJOURNMENT OF BOARD MEETING

(a) At a Board meeting, more than 50% of the members elected to the Board at the close of the last general meeting, or appointed in accordance with these Rules, forms a quorum.

(b) If there is no quorum within 30 minutes after the time fixed for a Board meeting called on the request of members of the Board, the meeting lapses.

(c) If there is no quorum within 30 minutes after the time fixed for a Board meeting called other than at the request of members of the Board –

(a) the meeting is to be adjourned for a least a day; and

(b) the members of the Board who are present are to decide the day, time and place of the adjourned meeting

(d) If, at an adjourned meeting mentioned in sub-rule 32(c) there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

33. SPECIAL MEETING OF THE BOARD

(a) If the Secretary receives a written request signed by at least 33% of the members of the Board, the Secretary must call a special meeting of the Board by giving each member a notice of the meeting within 14 days after the request is received.

(b) If the Secretary is unable to call a special meeting, the President must call the meeting.

(c) A request for a special meeting must state –

(a) why the special meeting is called

(b) the business to be conducted at the meeting

(d) 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

A special meeting of the Board must be held within fourteen (14) days after the notice of meeting is given to the members of the Board.

34. MINUTES OF BOARD MEETINGS

(a) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Board meeting are entered into an official record.

(b) Access to these records shall be limited to financial Bowls Full Members, Bowls Dual Members and Life Members of the Club.

(c) To ensure the accuracy of the minutes, the minutes of each Board meeting must be verified by the President of the meeting, or the President of the next Board meeting.

(d) Prior to providing access to records as set out in clause 34(b), the Board may redact content which is confidential or commercial in confidence.

35. RESOLUTIONS OF THE BOARD WITHOUT A MEETING

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

(b) A resolution mentioned in sub-rule 35(a) may consist of several documents in like form each signed by one (1) or more members of the Board.

(c) If such resolution is to be passed all members of the Board must agree, or a meeting must be held.

36. APPOINTMENT and MEETINGS OF SUB-COMMITTEES

(a) The Board may appoint sub-committees, consisting of members of the Club who are considered appropriate by the Board, to help with the Club's operations.

(b) An officer-bearer of another Bowls Club is not eligible for appointment to a sub-committee.

(c) A sub-committee shall elect a Chairperson. In the event of this not being done within 14 days of appointment of the sub-committee, the Board may appoint a Chairperson.

(d) 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.

(e) A sub-committee may meet and adjourn as it considers appropriate

(f) A question arising at a sub-committee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the status quo remains.

(g) Sub-Committees must report to the Board monthly, or as required by the Board.

(h) The authority of a sub-committee to make a decision shall be strictly in accordance with the delegation of authority given in writing by the Board.

37. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATION

(a) An act performed by the Board, a sub-committee or a person acting as a member of the Board is taken to have been validly performed.

(b) Sub-rule 37(a) applies even if the act was performed when –

(a) there is a defect in the appointment of a member of the Board, sub-committee or a person acting as a member of the Board; or

(b) a Board member, sub-committee member or a person acting as a member of the Board was disqualified from being a member.

38. INDEMNITY

(a) In the event of any proceedings being taken against a member or members of the Board or members of any Committee in respect of any matter, or thing done by them in the proper performance of their duties or by the direction or with the authority of the Club, the Club shall indemnify such member or members of the Board so proceeded against in respect of their costs of damages and other sum which they may be compelled to pay in the course of or as a result of such proceedings. All members on the Board of Management of the Club, respective Committee members, coaches and umpires, are to be specifically nominated for an appropriate indemnity insurance policy under this rule.

(b) The Board of Management may to the fullest extent permitted by law:

(a) purchase and maintain insurance; or

(b) pay or agree to pay a premium of insurance for any persons to whom this rule applies against all liability incurred by the person for negligence and/or for reasonable costs and expenses incurred in defending claims or proceedings, whether civil or criminal whatever their outcome.

(c) Nothing shall prevent the Club making “without prejudice” ex gratia payments as considered appropriate when an employee, volunteer, committee, sub-committee or member has suffered a loss.

39. FINANCIAL YEAR

The end of the Club’s financial year is the 30 JUNE in each year.

40. SUBSCRIPTION and FEES

Annual Subscriptions:

(a) A nomination fee and annual subscription fee shall be payable by all Bowls Full Members, Bowls Dual Members and Junior Members in accordance with this Constitution.

(b) The annual subscription fee for Bowls Full Members and Junior Members shall include BA, BQ and District Association affiliation fees

(c) The annual subscription shall be due and payable by the first day of the commencement of a new financial year and shall apply for that financial year.

(d) Any person granted Bowls Full Membership subsequent to the commencement of the bowling year, shall pay pro-rata subscription fees which will include BA, BQ and DBA affiliation fees (if applicable), from the date of their acceptance as a member.

(e) If any member fails to pay their annual subscription within 2 months of the due date in sub-section (c), the Board shall terminate the membership of any unfinancial member.

(f) Any person unable to pay their annual subscription by the due date may make a request to the Board for an extension of time. However, until full payment of fees is made, Rules pertaining to un-financial members will apply.

41. UNFINANCIAL MEMBERS

A member who becomes unfinancial shall be deprived of all privileges of membership of the Club, including -

(a) the right to hold office
(b) the right to attend any meetings of the Board or any general meetings of the Club
(c) the right to speak or vote on any issue relevant to the Club
(d) the right to play bowls in Club controlled events or social play
(e) all privileges shall be restored to an un-financial member upon payment of subscriptions and fees to the Club.

42. FUNDS and ACCOUNTS

(a) The funds of the Club must be kept in an account in the name of the Club and in a financial institution decided by the Board

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

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

(d) All payments of $500 or more must be paid by the Corporate Credit card, cheque or electric fund transfer. A cheque must be signed by any two (2) of the following -

  (a) President
  (b) Vice-President
  (c) Finance Director
  (d) Secretary
  (e) Anyone (1) of three (3) other members of the Board who have been authorised by the Board to sign cheques issued by the Club

(e) For practical purposes, the Board is authorised to allow nominated staff members to sign Gaming Machine, TAB and Keno cheques as a supplementary signatory.

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

(g) A petty cash account must be kept. The Board shall decide on the amount kept in the account.

(h) All expenditure must be approved and ratified at a Board meeting.

43. GENERAL FINANCIAL MATTERS

(a) On behalf of the Board, the Finance Director must, as soon as practicable after the end date of each financial year, ensure a financial statement for the Club's last reportable financial year is prepared.

(b) The Board shall cause the annual financial statement to be audited by the auditor as appointed by the members at a general meeting.

(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 Board may at any time, by resolution at a general meeting of the Club, strike a Special Levy on all Bowls Full Members, Bowls Dual Members and Life Members. Such levy shall be payable only if it has been passed by 75% of the members present and entitled to vote at the general meeting.

44. DOCUMENTS

The Board of Management must ensure the safe custody of books, documents, instruments of title, electronic and intellectual property, and securities of the Club.

45. DISSOLUTION

The Club may, subject to the provisions of the Associations Incorporation Act 1981 be dissolved by resolution of the members at a Special General Meeting. The meeting may be convened by a notice delivered or posted to every financial Bowls Full Member, Bowls Dual Member and Life Member 28 clear days before the date of the Special General Meeting. The resolution proposed in connection with the voluntary dissolution shall not be deemed to have been carried unless passed by 75% of those financial members present and entitled to vote at the Special General Meeting.

46. DISTRIBUTION OF SURPLUS ASSETS

(a) This rule applies if the Club is –

  (a) wound-up under part 10 of the Act

  (b) has surplus assets

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

(c) The surplus assets must be given to another entity -

(a) having objects similar to the Club's assets; and

(b) the rules of which prohibit the distribution of the entity's income and assets to its members

(d) In this rule - surplus assets - see Section 92 (3) of the Act.

47. AFFILIATION

The Club must -

(a) affiliate with Bowls Queensland and accept and abide by the rules and by-laws as far as they apply to the sport of bowls

(b) be a member of the District Bowls Associations and accept and abide by the rules and by-laws of the District Bowls Associations as far as they apply to the sport of bowls.

(c) renew its affiliation with Bowls Queensland each year in accordance with the Constitution of Bowls Queensland and forward the annual affiliation fees direct to Bowls Queensland Bowls Queensland will notify the District Associations of payment

(d) renew its membership with the District Associations each year in accordance with the Rules of the District Associations and pay annual subscription fees to the District Associations

(e) elect delegate(s) to the District Associations in accordance with the rules and by-laws of the District Associations and Bowls Queensland

(f) provide advice to Bowls Queensland and to the District Associations within fourteen (14) days of any event which would affect the status of the Club's affiliation with Bowls Queensland, the legal status of the Club, and/or any changes or amendments to the club's constitution

(g) 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 Bowls Australia Inc., Bowls Queensland or the District Bowls Associations.

48. ALTERATION OF RULES

Subject to the provisions of the Associations Incorporation Act 1981, or all other relevant Acts, these Clauses may be amended, rescinded or added to from time to time by a special resolution carried by three quarters (75%) of voting members at any General Meeting, however an amendment, repeal or addition is valid only if registered by the chief executive of the Office of Fair Trading.

49. INTERPRETATION OF RULES

The Board has the authority to interpret the meaning of these Rules and any matter relating to the Club on which these Rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

50. ALERATION TO BY-LAWS

(a) The Board may, in consultation with the Combined Bowls Committee, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Club.

(b) Any changes to the By-Laws by the Board shall be displayed on the Club notice boards and the Club website no later than seven (7) days following the change.

(c) A change to by-laws by the Board may be set aside by a vote of members at a general meeting of the Club.

51. POLICIES

The Board may develop, rescind and enact Policies not in conflict with the Mooloolaba Bowls Club Inc. Constitution and By-Laws.

52. AUTHENTICATION AND EXECUTION OF DOCUMENTS

(amended 15/10/2023, 04/09/25)

The Association may execute a document without using a common seal if 2 Board members of the President, Vice-President, Secretary or Finance Director sign the document, or another authorised member of the Board, or other person authorised by the Board.

53. ACTIVITIES MUST BE LAWFUL

The Club must comply with all lawful requirements of the Commonwealth, State and Local Governments and Statutory Authorities which have jurisdiction over the activities of the Club.

54. GREEN FEES

All Green Fees will be set by the Board.