

**Constitution
of the
Rockingham Bowling Club (Inc)
(Est 1947)**

**Adopted 2002
Amended 22/05/05
Amended 21/05/06
Amended 20/05/07
Amended 25/05/08
Amended 24/05/09**

ROCKINGHAM BOWLING CLUB INC EXECUTIVE COMMITTEE

(10 Persons)

President
Vice - President
Secretary
Treasurer

Captain Men's Bowls
Captain Ladies Bowls

Chairperson Bar Committee
Chairperson House Committee
Chairperson Grounds Committee
Chairperson Entertainment Committee

Men's Bowls (9)	Ladies Bowls (8)	Standing Committees
Captain	Captain	
Bowls Secretary Match Committee (5) Chairman Selectors (1) Club Delegate (Appointed by Executive Committee)	Bowls Secretary Match Committee (5) Chairlady Selectors (1) Club Delegate (Appointed by Executive Committee)	Bar - Chairperson Committee Grounds - Chairperson Committee House - Chairperson Committee Entertainment- Chairperson Social

NB (1) Members of Men's and Ladies Bowls Committees may serve on Standing Committees

(2) Standing Committee members may serve on multiple Committees

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PART "A"

1. NAME

The name of the Club shall be the **ROCKINGHAM BOWLING CLUB (INC)**

2. OBJECTS

The objects of the Club shall be:

1. to foster the game of lawn bowls, carpet bowls, darts and pool and promote social and recreational fellowship amongst members;
2. to affiliate with Bowls WA. The members shall recognise and accept the Bowls WA Constitution Rules and By-laws and shall make all decisions consistent therewith. All games of lawn bowls shall be played according to the Constitution, By-laws and laws of the game currently recognised by Bowls WA;
3. the property and income of the Club shall be applied solely towards the promotion of the objects of the club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members of the Club, except in good faith in the promotion of those objects or purposes.

3. DEFINITIONS

In construing this Constitution, unless the context or such otherwise indicates or requires:

1. "The Club" means the Rockingham Bowling Club (Inc);
2. "The Club Premises" means all land and buildings and structures thereon of which the Club is the bona-fide occupier;
3. "The Committee" means the Executive Committee for the Club, duly elected for the time being in accordance with these Rules;
4. "The Secretary" means the Secretary for the time being of The Club and includes any deputy or person temporarily fulfilling the office of Secretary'
5. "The Treasurer" means the Treasurer for the time being of The Club and includes any deputy or person temporarily fulfilling the office of Treasurer;
6. "Rules" means this Constitution and Rules;
7. "The Act" means the Liquor Control Act 1988 and any amendments thereto, or any other legislation that may come into force to replace or supplement this Act shall form part of this Constitution";
8. The Associations Incorporation Act 1987, its amendments or other legislation that may come into force to replace or supplement this Act shall form part of this Constitution;
9. The Equal Opportunity Act 1984, its amendments or other legislation that may come into force to replace or supplement this Act shall form part of this Constitution.

4. PROPERTY AND INCOME

The Club shall:

1. provide and maintain bowling greens, buildings, grounds and such amenities as shall be deemed necessary from time to time for the use and accommodation of its members in accordance with the objectives of the Club;
2. provide accommodation for members and their guests upon the Club premises of which the Club is the bona-fide occupier
3. make such arrangements as may be necessary for the purchase, lease or maintenance of land on which the Club is situated;
4. as deemed necessary by a resolution at an Annual or Special General Meeting, borrow money by way of loan or over-draft or by the issue of debentures to carry out the work or activities of the Club, and to invest any surplus funds of the Club with a bank as defined by the Banking Act or recognised money institution through such Bank;
5. not be responsible for the loss or damage to any article whatsoever brought into the Club premises by members or visitors;
6. prohibit a member, without authority to injure or destroy any of the property of the Club, and any loss or damage resulting from any breach of this Rule shall be made good by such member to the satisfaction of the Committee. The Committee shall assess the amount to be paid by the member and the assessment shall be final and conclusive;

4.1 Dissolution

The Club may be dissolved or wound up by a special resolution at any General or Special Meeting called for such purpose.

4.2 Disposition of Assets

If, upon the dissolution or winding up of the Club any property or assets of the Club remains after satisfaction of all its debts and liabilities (including the costs, charges and expenses of winding up) such property assets shall not be paid or distributed amongst the members of the Club but shall be distributed:

1. to another Incorporated Club or Association having objects similar to those of the club

OR

2. for charitable or benevolent purposes which shall be determined by resolution of the members of the Club in accordance with the provisions of the Associations Incorporation's Act.

PART "B"

5. MEMBERSHIP

Members of the Club shall be elected to the following categories of membership:

Full Member
Honorary Life Member
Social Member
Junior Member
Restricted Member
Associated Member
Provisional Member
Honorary Member
Temporary Member

Temporary members will be admitted in accordance with the provisions of "The Act".

Full Member

Persons of or above the age of eighteen (18) years entitled to exercise the full privileges of the Club, excepting that where a member becomes an employee of the Club he shall not hold any office.

Honorary Life Member

Persons recommended by the Executive Committee to a General Meeting of the Club and elected by a 75% majority of the members voting at such meeting to be an Honorary Life member for long and conspicuous service to the Club, and shall enjoy all privileges of a full member. Honorary Life members shall not exceed fifteen (15) living members at one time and not more than two (2) shall be elected in one year.

Social Member

Persons of or above the age of eighteen (18) years who may enjoy the privileges of the Club but shall not be eligible:

1. to stand for any office in the Club, except on an Entertainment Committee, or vote in any ballot or at a General Meeting of the Club;
2. to propose or second any application for membership of the Club, other than Social Members;
3. to use the greens except at the specific invitation of a Club Committee.

Junior Member

Persons under the age of eighteen (18) years, who may enjoy all the privileges of the Club. Juniors under the age of twelve (12) years to be under the supervision of a parent, guardian or an adult on Club premises. Juniors shall not be eligible to:

1. stand for any office in the Club or vote in any ballot or at any General Meeting of the Club;
2. propose or second any application for membership of the Club;
3. invite guests into the Club.

Restricted Member

Persons who are not entitled to play competitive bowls but shall be entitled to use the greens at Rockingham Bowling Club for roll-ups and promotional events, subject to paying any fees applicable.

They may be elected on any standing committee other than Match and Selection, but shall not be eligible:

2. To vote at any General or Special Meeting of the Club or in any elections.
3. To propose or second any application for membership of the Club, other than Restricted Members.

Associate Member

Persons who are financial members of the Rockingham Pétanque Inc who may enjoy the privileges of the Club but shall not be eligible:

1. to play bowls, except at the special invitation of a Club Committee.
4. to hold any office in the Club, or vote at any meeting or elections of the Club.
5. To propose or second any application for membership of the Club, other than Associate Members.

Provisional Member

Persons who are currently capitated Members of another Bowling Club affiliated with Bowls WA or with a similar Association in Australia or overseas, shall be entitled to all the privileges of the Club but shall not be eligible to:

1. to stand for any office in the Club or to vote in any ballot or at any General Meeting of the Club;
2. propose or second any application for membership of the Club;
3. play in any pennant matches for the Club, represent the Club or play in Club Championships.

Honorary Member

Honorary membership may be granted without fees to the Club Patrons, The Mayor and Mayoress of the City of Rockingham or persons deputising for them, and such dignitaries and sponsors of the Club as the Executive Committee shall determine from time to time.

Temporary Member

A person who on any day is visiting the Club:-

1. as a member or official of, or a person assisting a team that is to contest a pre-arranged event in bowling or other competition that day; or
2. at the invitation of a member to engage in that sport on that day,

may for the purposes of "The Act" be taken as a person who is accorded Temporary Membership.

6. MEMBERSHIP FEES

All fees and subscriptions shall be determined at the November meeting of the Committee.

All subscriptions shall be payable annually in advance: provided that all members shall be deemed financial until the day before the Annual General Meeting in each year, for the purpose of Club elections held prior to the Annual General Meeting. Only current financial members are allowed to speak and vote at the Annual General Meeting.

6.1 Nomination and Subscriptions

New members shall pay a nomination fee as determined by the Committee in addition to the annual subscription relevant to the category of membership. Persons joining after the 31st day of October in each year, shall pay one half of the Annual subscription in addition to the prescribed nomination fee. Persons joining after the 31st day of December in each year, shall pay one quarter of the annual subscription in addition to the prescribed nomination fee.

Provided that the Committee may waive the nomination fee for a former member of the Club: where a person is transferring current membership from an affiliated Club in Australia or elsewhere the fee shall be fifty (50) percent.

6.2 Capitation and Levies

Capitation and levies as determined by Bowls WA or by a General or Special Meeting of members shall be additional to fees and subscriptions determined by the Committee.

6.3 Unfinancial Members

The Committee may by resolution remove from the register of members, the name of any member who fails to pay:

1. his annual subscription or the first moiety of his annual subscription, plus capitation fee before the 30th day of April or the second moiety before the 31st day of October;
2. any additional subscriptions, levies or fees imposed by the Club or Bowls WA within one month of the due date of payment;
3. a new member shall pay his subscription within one month of election to membership

6.4 Special Circumstances

On being satisfied that any member, through absence, illness, financial difficulties, unemployment, physical disability or other distressful circumstances, is unable to pay his full subscription, the Committee, on a recommendation of the Finance Committee, may relieve him of part of his liability but not so as to make his total liability less than ten per centum of his applicable subscription.

7. LEVIES

Members shall pay such levies as may be imposed from time to time by the Club. A General or Special meeting shall have power to make a levy on the members for any special project or need, and such levy shall not exceed one third of the Ordinary Membership subscription in any year.

8. CLUB YEAR

The Club year shall commence on the 1st day of April in each year. Annual subscriptions payable in advance, are due on the 1st day of April in each year. Provided that an extension of time may be granted by the Committee on written application by a member.

9. APPLICATIONS FOR MEMBERSHIP

Applications for Full, Social, Provisional and Junior members shall be proposed and seconded by Full or Life members of the Club. However whilst they may also nominate and second applications for Restricted and Associate members, Restricted members may nominate and second Restricted members, Associate Members may nominate and second Associate Members and Social members may nominate and second Social Members. All such applications shall be in writing in a form prescribed by the Committee. Applications shall be posted on the Club Notice Board by the Secretary for a period not less than seven (7) days before election provided also that an interval of not less than two weeks shall elapse between nomination and election.

The Committee shall have the right to refuse any application for membership at its discretion without prejudice or right of the applicant to require an explanation. A majority of negative votes shall exclude the applicant from admission. The secretary shall keep a record of the names of members present and voting on that day.

10. MEMBERSHIP ROLL

A list of names and addresses of all members shall be maintained by the Secretary on the Club premises in accordance with "The Act".

11. RESIGNATION FROM MEMBERSHIP

Resignations of members of the Club are deemed to be effective from the time they are received by and duly accepted by the Committee at a formal meeting of the Committee. No member resigning from the Club or ceasing from any cause to be a member, shall be entitled or to have any claim upon any portion whatsoever of the property or funds of the Club. Provided that any debenture held shall be disbursed to him on the agreed date.

12. GUESTS

Full, Life, Provisional, Restricted, Associate and Social members may introduce guests to the Club at any time provided:

1. that his guests shall not exceed, at any one time, the maximum number as contained in the Liquor Control Act 1988, or as amended from time to time.
2. a guest shall not be supplied with liquor in the Club premises except on the invitation and in the company of a member;
3. a guest shall be supplied with liquor to be consumed only on Club premises;
4. the member introducing a guest shall be responsible for the proper conduct of his guest whilst on Club premises;
5. a member may, at his expense and with the approval of the Committee supply liquor to guests, without limitation as to number at a function held by or on behalf of that member, at the club premises;
6. any person who has been refused membership of the Club or who shall be under suspension or expulsion from the Club or any affiliated Bowling Club shall not be admitted as a guest of any member of the Club. Provided that a person refused membership of the Club, but who is a member of another Club competing in a competition at the Rockingham Bowling Club shall be accorded the same privileges as other visiting competitors.

PART "C"

13. MANAGEMENT

The management of the Club shall be vested in the Executive Committee, Men's and Ladies Bowls Committees and Standing Committees as required from time to time.

The Bar Manager, if appointed shall be seconded to the Executive Committee, however if this is a paid position, shall not be entitled to vote.

13.1 Executive Committee

The Executive Committee shall comprise of:

- President
- Vice-President
- Secretary
- Treasurer
- Chairperson of each Standing Committee

all of whom shall be elected annually by all financial Full and Honorary Life Members of the Club; and

CAPTAIN MENS BOWLS who shall be elected annually by all financial male full and honorary life members and

CAPTAIN LADIES BOWLS who shall be elected annually by all financial female full and honorary life members.

13.2 Men's Bowls Committee

The Men's Bowls Committee shall comprise of the men's Match Committee five (5), Bowls Secretary, Chairperson of Selection Committee and the delegate to Bowls WA. The Men's Match Committee, Bowls Secretary and the Selection Committee shall be elected annually by male financial full and honorary life members of the Club. The delegate shall be appointed by the Executive Committee and may hold any other position in the Club. The term of office for the delegate shall conform with election dates for appointment to Bowls WA Committees.

13.3 Ladies Bowls Committee

The Ladies Bowls Committee shall comprise of the Ladies Match Committee five (5), Bowls Secretary, Chairperson of Selection Committee and the delegate to Bowls WA. The Ladies Match Committee, Bowls Secretary and the Selection Committee shall be elected annually by all female financial full and honorary life members of the Club. The delegate shall be appointed by the Executive Committee and may hold any other position in the Club. The term of office for the delegate shall conform with election dates for appointment to WALBA Committees.

13.4 Finance Committee

The Finance Committee shall comprise of the Executive Officers of the Club, President, Vice-President, Secretary and Treasurer.

13.5 Standing Committees

Standing Committees – Bar, House, Grounds, and Social and such other as may be required from time to time to carry-out the functions of the Club, shall be elected annually by all financial full and honorary life members of the Club.

13.6 Co-opted Members

The Executive Committee shall have the power to co-opt financial full or honorary life members at any time to assist the Secretary, Treasurer, or any Committee, or a Promotions Officer to assist or further the objects of the Club. Provided such persons will not have voting rights in any Committee except when acting in the absence of the Secretary, Treasurer or a delegate.

14. BALLOT PROCEDURE

The Executive Committee shall appoint a Returning Officer who shall not be a candidate for election or a serving member of any Committee and such Returning Officer will be responsible for conducting the ballot.

Not less than seven (7) weeks prior to the Annual General Meeting of members, the Executive Committee shall call for nominations for positions on all Committees and the Club Selection Committees.

Members may nominate for more than one office.

Nominations, including members seeking re-election, shall be on a form approved by the Committee, signed by the nominee, eligible proposer and seconder, and lodged with the Secretary not less than twenty-eight (28) days prior to the date set for the Annual General Meeting. The Secretary shall initial and date the nomination and advertise such on the Club notice board for not less than seven (7) clear days after closure of nominations.

14.1 Order of Election

Any member who is not opposed for a senior position shall be excluded from the ballot for any subsequent position. The order of seniority of positions shall be:

- PRESIDENT
- VICE-PRESIDENT
- SECRETARY
- TREASURER
- CAPTAIN MENS BOWLS
- CAPTAIN LADIES BOWLS
- STANDING COMMITTEE CHAIRPERSONS
 - Bar
 - House
 - Entertainment
 - Grounds
- SECRETARY MENS BOWLS
- SECRETARY LADIES BOWLS
- MENS BOWLS COMMITTEE (5)
- LADIES BOWLS COMMITTEE (5)
- STANDING COMMITTEES
 - Bar
 - House
 - Grounds
 - Social

Selection Committees

Unless Selection Committees have been determined by a prior ballot, a ballot shall be held in conjunction with the general election.

A person elected or seeking election as a Selector shall be eligible to hold any other Executive or Committee position in the Club.

Standing Committee Members

Members of the men's and ladies bowling committees shall be entitled to serve on any Standing Committee and members may serve on more than a single Standing Committee.

14.2 General Election

If the number of nominations does not exceed the number required to be elected by the members for any position, the candidates nominated shall be declared elected at the Annual General Meeting.

If less than the required number of nominations are received for any such office, the Chairperson at the Annual General Meeting shall call for nominations, and if necessary a secret ballot shall be held. Any person so elected shall hold office for one year.

14.3 Voting Procedure

If the number of candidates nominated shall exceed the number required to be elected, a ballot shall be taken which shall be conducted in the following manner:

1. The Committee shall fix the time and closing date of the ballot of which shall be at least three (3) days prior to the date fixed for the Annual General Meeting.
2. Voting papers shall be mailed to all then financial, full and Life members eligible in accordance with Clause 13, not less than fourteen (14) days prior to the closing of the ballot.
3. The Club shall provide a ballot box which shall be locked by the Returning Officer and placed in the Club to receive the ballot at the time of mailing the ballot papers to members.
4. Ballot papers shall show separately the surnames and given names of the candidates nominated for each office in respect of which an election is necessary.

The Secretary shall supply the Returning Officer with a current register of members eligible to vote in an election, together with a list of members given a postal vote.

The order in which names of the candidates nominated for each office appear on the ballot paper shall be in accordance with a draw conducted by the Returning Officer in the presence of those candidates wishing and able to be present at the draw.

All ballots shall be decided on a 'first past the post' voting system.

1. All votes shall be recorded by marking on the paper a tick opposite the name of each candidate of their choice up to the number of candidates to be elected.
2. All votes shall be counted as primary votes of equal rank. The candidate receiving the highest number of votes shall be the first successful candidate. The candidate receiving the second highest number of votes shall be the next successful candidate and so on, according to the number of candidates to be elected.
3. If two or more candidates receive the same number of votes, the Returning Officer shall determine by lot the successful candidate or candidates.
4. If a candidate is successful in more than one ballot, that candidate shall be deemed the successful candidate for the higher or highest of such positions.
5. In the counting of votes for any lower position a successful candidate for a higher position shall be the first to be eliminated from the ballot for the lower position. In this circumstance the candidate receiving the next highest number of votes shall be elected in place of that excluded candidate. This process shall be repeated until the vacancies are filled.

The Returning Officer shall deliver to the Annual General Meeting, a report on the conduct and result of the ballot and shall then post the results of each election on the Club notice board.

14.4 Informal Votes

Ballot papers which:

1. show more candidates marked as voted for than the number permitted;
2. are defaced or mutilated as to prevent the intentions of the voter being ascertained;
3. do not clearly reveal the identity of the voter on the outer envelope of a postal vote as instructed on the ballot paper;
4. carry any mark or means of identification of the voter on the ballot paper;
5. have more than one ballot paper in a single ballot paper envelope

shall be deemed informal.

The Returning Officer may rule as he thinks fit on any other matter, but -
a ballot paper shall not be deemed informal only on account of a voter having used a mark other than a tick to indicate his vote so long as his intention is clear.

14.5 Scrutineers

A candidate may nominate in writing to the Returning Officer a scrutineer to represent him at the ballot. The scrutineer shall be a financial Full or a Life member of the club and shall not be a candidate for election.

1. a scrutineer may be present throughout the ballot and may query the inclusion or exclusion of any vote in the count but the Returning Officer shall have final determination of any votes so queried;
2. a scrutineer shall not place or remove any mark on a ballot paper;
3. a scrutineer shall not interfere with or attempt to influence any member at the time such member is casting their vote.

14.6 Casual Vacancies

The Executive Committee shall fill any vacancy occurring on any Committee or Selection Committee by appointment of a person eligible to nominate for and hold that office as defined by the Constitution and By-Laws

A person so appointed shall hold office until the next Annual General Meeting at which time the position will become vacant.

15. AUDITOR

At the Annual General Meeting of members an Auditor shall be appointed and such Auditor will be responsible to audit the books of account of the Club, and certify to the correctness of the Annual statement of receipts and expenditure and Balance Sheets of the Club.

16. HONORARIUM

All members of the Executive Committee, Standing and Bowls Committees shall act in an honorary capacity, provided that the Executive Committee may, from time to time, grant an honorarium to the Club Secretary, Treasurer and Auditor, or to any other member, for services rendered to the Club.

17. MEETINGS OF EXECUTIVE COMMITTEE

1. The Executive Committee shall meet at least monthly at such place and on such dates as shall be decided by the Committee from time to time.

The Secretary shall call meetings of the Committee when instructed to do so by the President, or by any three members of the Committee. The Secretary shall be solely responsible for the proper advice to all members of the Committee not less than 48 hours before the time set for such meeting.

2. At all meetings of the Committee, a majority of the members of the Committee shall form a quorum. If there be no quorum present within 30 minutes of the time scheduled for commencement of the meeting, the meeting will stand adjourned for one week at the same hour. If at such adjourned meeting no quorum be present, those present not being less than five (5) shall have the power to transact the business of such meeting.
3. Any member of the Committee who is absent from three (3) consecutive meetings without leave of the Committee, may forfeit his office.
4. The President shall preside at all meetings of the Committee. In his absence the Vice-President shall preside but if neither be in attendance, the meeting shall elect a chairperson. The chairperson may exercise a casting vote.
5. A member of the Committee, who has any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in contemplation of, the member shall as soon as he becomes aware of his interest, disclose the nature and extent of his interest to the Committee. Every disclosure shall be recorded in the minutes of the meeting at which it is made. The member shall not take part in any deliberations or decision of the Committee with respect to the contract.
6. The Secretary shall record the minutes of all resolutions and proceedings of the Committee in a book maintained for the purpose.
7. Any vacancy occurring in the Committee through resignation, expulsion or any other cause may be filled by the Committee without reference to the previous ballot.
8. No member shall hold two executive positions.

18. POWERS OF EXECUTIVE COMMITTEE

The Committee shall have the power to:

1. frame By-laws for the management of the Club, consistent with these Rules. Such By-laws shall be binding on all members until repealed or amended by the Committee, or by a general meeting of members. Such By-laws may impose penalties for any breach of these Rules. The Committee shall have full power to elect members within the terms of these Rules, and to alter, amend, or rescind such By-laws as occasion may require, and such By-laws shall be equally as binding as, but shall not be opposed to, the Rules. A certified copy of all such By-laws shall be posted in the Clubhouse by the Secretary.
2. fill any vacancy on the Executive Committee or any other Committee of the Club;
3. refuse to admit any person to membership of the Club without assigning any reason for doing so;
4. limit the number of members of the various categories of membership;
5. re-elect without nomination fee ex-members seeking membership;

6. strike levies from members, in accordance with limitations provided within these Rules, to meet extraordinary expenditure of the Club and same shall be payable on request;
7. delegate any portion of their powers to any special sub-committee not otherwise provided in these Rules;
8. appoint an Assistant Secretary, Assistant Treasurer, Convenor, Sponsorship Officer or a Promotions Office to carry out such duties as they may determine;
9. pay an honorarium for faithful and diligent service performed by any member of the Club;
10. establish and control all matters of conduct, policy, finance, promotion, publicity and planning relative to sporting and cultural activities within the Club and adjudicate on all matters impinging on the objects of the Club;
11. hear and determine charges of misconduct lodged against any member under these rules, and to impose penalties accordingly.
12. engage and terminate employees of the club.
13. to remove a member from a position on the Executive Committee or Standing Committee.

19. RESIGNATION OF EXECUTIVE COMMITTEE

In the event of the resignation of the Executive Committee, the management of the affairs of the Club shall be vested in the President, Vice President, Secretary and Treasurer who shall be competent to exercise all powers vested in the Executive Committee, until the holding of a Special General Meeting convened for the purpose of electing their successors; which Special General Meeting shall be held within twenty one (21) days after receipt of such resignation.

20. STANDING COMMITTEES

1. All Standing Committees shall be subordinate to the Executive Committee, subject to its control, and report to the Executive Committee through its Chairperson. Reports to be in writing.

The President and Secretary shall be ex-officio members of all Standing Committees and notified of all intended meetings. They shall not have a vote in Standing Committees but may advise on policy and procedure

The Chairperson of each Standing Committee shall be responsible for the conduct of their Committee and to carry out the duties detailed for that Committee in the Club By-laws.

Each Standing Committee shall meet at least monthly.

2. The Chairperson of a Standing Committee shall be responsible to accept any criticism of paid staff within his role of duties and shall exercise the utmost discretion in any action deemed necessary. All other Committee persons (and all other members of the club) shall refer any criticism to the appropriate Chairperson who if the matter is serious shall refer it to the Club President

21. DUTIES OF OFFICERS

THE PRESIDENT shall preside at all meetings of the Club and of the Committee. In his absence the Vice President shall preside. If none of the aforementioned officers be present, the meeting shall elect a Chairperson. At all General Meetings of the Club and all meetings of the Committee, the President, or in his absence the presiding Chairperson shall have a deliberate vote and a casting vote where necessary to retain the status quo, and shall decide on the voices or by a show of hands as the presiding Chairperson thinks fit, but any member may demand a division or a secret ballot.

THE SECRETARY of the Club, unless otherwise excused, shall attend all meetings of the Club, keep a correct record of all proceedings in a book provided for that purpose, keep a record of all names and addresses of members of the Club and do such clerical work as may be necessary for the observance of the Rules and By-laws of the Club. He shall be authorised to receive any monies on behalf of the Club and to assure that they are brought to account in the Club books and deposited to the credit of the Club bank account. He shall convene all meetings of the Club and of the Committee in accordance with these rules; attend to all correspondence and carry-out the normal duties of the office of Secretary as required by the Committee.

THE TREASURER shall be responsible for all monies paid to the Club and shall ensure that all such monies are paid into the bank account of the Club. He shall keep correct accounts and books showing the financial affairs of the Club and the particulars usually shown in books of account of a like nature. At the Annual General Meeting of the Club he shall present an audited statement of receipts and expenditure of the Club for the past year and a balance sheet.

PART "D"

22. INTERPRETATION OF THE RULES

1. The Committee shall decide all questions of interpretation of these Rules and such decision shall be binding, unless at a General Meeting such decision shall, by a three quarters majority of members then present, be disagreed with.
2. Unless a contrary intention appears, words importing the singular number include the plural and *vice-versa*, and words importing the masculine gender include the feminine and neuter gender in accordance with the Constitution Rules and By-laws of Bowls WA.
3. In the event of any ambiguity, the powers vested in the Committee shall be construed so as to widen and not restrict the powers of the Committee.
4. Every member is bound by and shall submit to the Rules and By-laws of the Club.

23. AMENDMENT OF RULES

No rule shall be amended or repealed, nor shall any new rule be made, except on the vote of a 75 per centum of the members present at the Annual General Meeting or a Special General Meeting called for the purpose.

Notice of any proposed amendment, repeal or addition must be given by notice in writing to the Secretary. Such notice shall be posted in the Club premises for not less than ten (10) days before the date appointed for the holding of such meeting for any proposal to so amend, repeal, or add to, the Rules.

As soon as is practicable after the making of any proposal for a change to the Constitution or rules of the Club, the Secretary shall provide to the Director of Liquor Licensing, certified particulars of the change proposed and that effect is not given to the change without prior approval of the Director of Liquor Licensing.

Within one month of the passing of a Special Resolution altering the constitution of the Club, particulars of the alteration shall be lodged with the Commissioner of Corporate Affairs and Bowls WA. No effect will be given to the change until this has been applied with.

24. ANNUAL GENERAL MEETING

1. The Annual General Meeting of the Club shall be held in the month of May, unless otherwise ordered by the Committee. Notice of same shall be in writing to all members posted to their last known address, not less than seven (7) days prior to the meeting, and posted on the notice board of the Club not less than fourteen (14) days before the meeting.
2. Twenty (20) percent of Full and Life members of the Club as at the final capitation to the Associations shall form a quorum, and if a quorum is not present within thirty minutes of the appointed time for the meeting, it shall stand adjourned for seven (7) days, and if at such adjourned meeting there is no quorum, those present shall be competent to discharge the business.

25. CONDUCT OF THE ANNUAL GENERAL MEETING

The President shall preside. In his absence the Vice President shall preside. In the absence of the aforementioned, the meeting shall elect a Chairperson from the members present. The Chairperson shall have power to exercise a casting vote.

1. Reading and confirmation of the minutes of the last Annual General Meeting and of any Special Meetings held since the preceding Annual General Meeting.
2. Receiving the President's Report and receiving and discussing the Annual Balance Sheet and accounts and reports of the Treasurer and Auditor.
3. Declaration of the ballot and election of the Committee.
4. Election of the Club patron(s).
5. Election of the Club Auditor.
6. Special business of which notice of motion has been given at least 20 days prior to the Annual General Meeting
7. General business

26. SPECIAL GENERAL MEETING

The Secretary shall call a Special General Meeting when so instructed by a resolution of the Committee or on receipt of a requisition by not less than twenty (20) financial Full and Life members of the Club at the date of receipt of such requisition.

Special Meetings shall be advertised by posting a notice on the Club Notice board not less than fourteen (14) days prior to the meeting, specifying the business to be transacted and no other business shall be dealt with at such meeting. Twenty (20) percent of all Financial Full and Life members at the date prior to such meeting shall form a quorum and if no quorum be present thirty (30) minutes after the appointed meeting time, the meeting shall lapse.

PART "E"

27. MISCONDUCT

1. The President, Executive Committee or Approved Manager in receiving a complaint of a members behaviour which is considered a serious breach of the Liquor Act or acceptable member behaviour or where police involvement is required, may suspend a member for a period of time until disciplinary action under Rule 29 can be taken.
2. The Committee shall exercise full power to reprimand, suspend, expel or impose penalties on any member of the Club who shall, in the sole and absolute judgement of the Committee, have been guilty, either in or out of the Club premises, of any act, practice, conduct, matter or thing calculated to bring discredit on, or in any manner prejudice the reputation of the Club, or calculated in any manner to impair or affect the enjoyment of the Club premises by members thereof, or to cause any ill-feeling or friction between or among members.
3. Any dispute between members may be referred by either disputant in writing to the Committee whose decision there-on, subject to these Rules, shall finally settle the manner.
4. The complainant, with his complaint, shall deposit with the Secretary or a member of the Finance Committee, a sum equivalent to 25 percent of the Full membership subscription and if the Committee consider the complaint frivolous, they may order the amount forfeited to the funds of the Club.

All complaints shall be made in writing through the Secretary, or a member of the Finance Committee, stating the explicit nature of the offence of which the member is accused, and the names of any members witness to the complaint. The Secretary, or a member of the Finance Committee, shall submit them to the Committee if he himself is unable to satisfy the complaint.

28. PENALTIES

The Committee shall have due regard to the circumstances of the charge, when affixing any penalty under these Rules.

Penalties available are:

1. the maximum monetary penalty for any breach of these Rules or By-laws of the Club shall not exceed the annual subscription for Full Members, but in addition an offending member shall pay the cost of repair or replacement for Club property damaged through his actions.
2. a period of suspension from membership for any period not exceeding twelve (12) months.
3. where the charge proven is of gross misconduct and a fine or suspension shall in the opinion of a two-thirds majority of the Committee hearing the charge be inadequate or inappropriate they may call on the member to resign.

If the member refuses or neglects to do so within ten (10) days, they may declare the person expelled from the Club or suspended for the maximum period.

The Committee shall take due account of the effect of expulsion on a member who may desire to join an affiliated club in the future.

4. If applicable the Committee may remove a member from a position on the Executive or a Standing Committee.
5. all monetary penalties shall be paid within fourteen (14) days of notice being served on the member. If he should refuse or neglect to meet such payment he shall stand suspended from membership until the payment be made in full.

6. the Committee may extend such period for payment without further penalty at their discretion.
7. The name of a member suspended or expelled shall be advised to Bowls WA

29. PROCEDURE FOR A CHARGE OF MISCONDUCT

1. If the Committee decides to proceed with a charge of misconduct, seven (7) clear days notice of the hearing must be given to the member accused.
2. The Secretary shall deliver to, or forward by registered post, a notice to the accused member and the complainant at the postal address registered at the Club. The notice would specify the nature of the charge and request attendance at the hearing by the Committee. On the application of either party the Secretary shall send a notice to any other member to appear and give evidence provided such application is made three (3) days before the date of the hearing. Should any party or witness be unable to attend the hearing, the Committee may at their sole discretion, on application of either party, adjourn the hearing for not more than seven (7) days, at which time they shall take evidence and decide the case, the same as if all parties were present.
3. If, after hearing of the evidence, the Committee shall find the charge proven by a majority decision they shall impose an appropriate penalty.

The Secretary shall forthwith deliver to or post a notice to the member at the postal address registered at the club, advising him of the penalty.

4. If the penalty is expulsion the name of the member shall be erased from the list of membership forthwith. The member shall be liable for all monies due by him at the date of expulsion. No person shall be entitled to take action or proceedings against the Club for or in respect of any suspension or expulsion as decided and shall conform to the decision of the Committee.

30. APPEAL

Two levels of appeal shall be available to members found guilty by the Committee of an offence against these Rules. Each notice of appeal shall be directed to the Secretary in writing giving details of the grounds for the appeal and the tier of appeal sought. It shall be accompanied by the required sum of money which shall be refunded if the appeal is upheld. An appeal shall be received by the Secretary within seven (7) days of the Committee decision.

1. Where a member has been fined or removed from a Committee he may have his appeal determined by the President, Vice President, Secretary or in the absence of any of these officers by members of the Committee selected by the most senior officer available. The appellant shall lodge a sum of money equivalent to twenty (20) percent of the Annual subscription for Full members with his appeal and such will be refunded if the appeal is returned to the Committee for re-hearing of the charge.
2. Where a member is suspended, asked to resign or expelled he may have his appeal determined by a Special General Meeting of members where a majority of two-thirds will be required to over-turn the decision of the Committee. A sum of money equivalent to forty (40) percent of the Annual subscription for Full members shall accompany such appeal and shall be returned to the appellant if his appeal is upheld.
3. Until the hearing of any appeal, the decision of the Committee shall have full effect but the appellant shall have the right to attend the meeting applicable.

PART "F"

31. COMMON SEAL

The Club shall have a Common Seal to be kept in the custody of the Secretary and shall be used only on the authority of the Committee and every use of the Common Seal shall be recorded in the minute book.

The affixing of the Common Seal shall be witnessed by any two of the President, Vice President and Secretary.

32. TRUSTEES

The President and Vice President shall be ex-officio trustees of the Club; and all property of the club shall be vested in their trust for and on behalf of the members for the time being.

33. CLUB LICENSE

On any application to the Director of Liquor Licensing for a Club License of the Club and whilst the Club shall continue to hold such Club License, these Rules shall be interpreted in all things as being subject to the provisions of the act and such provisions shall be deemed to be included in and form part of these Rules.

34. BANK

The funds of the Club shall be placed in such Bank or approved financial institution as the Committee may from time to time determine to the credit of the Rockingham Bowling Club (Inc) and shall be operated upon by any two of the President, Vice President, Secretary, Treasurer and Approved Manager.

35. EMPLOYEES

The Committee shall be responsible for engaging and terminating all employees of the Club and shall do so within the following guide lines:

1. No person under the age of eighteen (18) years shall be employed in the sale or delivery of liquor.
2. The hours worked shall not exceed those set down in the industrial awards, governing employees engaged in similar work.
3. Employees shall be paid not less than the rates laid down under current relevant Western Australian State or Federal Awards.
4. No payment or part payment of any Secretary, Manager or other officer or employee of the Club shall be made by way of commission or allowance from or upon the receipts of the Club for liquor supplied.

36. INDEMNITY

The President, Vice President, Secretary, Treasurer, Delegate and members of the Committee shall from time to time and at all times be saved harm and kept indemnified from and against all costs, charges, losses, damage and expenses which they or any of them sustain, incur or put to in or about the execution and discharge of their respective trusts and offices or in or about any action suit or proceeding at law or in equity in which they or any of them shall or may be plaintiffs or defendants, provided always that the amount of such costs, charges, damages or expenses for which indemnity is intended to be hereby provided, shall immediately it shall have been sustained or incurred, be paid from the funds of the Club and that none of the other officers of the Club shall be answerable or accountable for the others or any of them or any other person or persons whosoever, but for his own acts, deeds and defaults alone.

37. INSPECTION OF RECORDS ETC. OF THE CLUB

a Member may at any reasonable time inspect without charge the books, documents, records and securities of the club.

The foregoing rules were adopted at a General Meeting of the Members of the Rockingham Bowling Club on the 24th May 2009.

President: C. Domney

Secretary: A. Gibbs