

CAULFIELD PARK SPORTS CLUB INC.

CONSTITUTION AND RULES

(DRAFT ONLY)

CAULFIELD PARK BOWLING CLUB INC.

CONSTITUTION AND RULES

SECTION 1. NAMES AND OBJECTIVES

NAME

1. The name of the Club is the "Caulfield Park Sports Club Inc".

INTERPRETATION

2. (i) In these Rules, unless there be something in the subject or context inconsistent therewith, the following interpretations shall operate.
 - (a) "Club" means the above named Club consisting of the Caulfield Park Bowling Club, Caulfield Park Croquet Club, Caulfield Park Petanque Club and Caulfield Park Bridge Club.
 - (b) "Rules" means the Rules of the Club in force for the time being.
 - (c) "Board" means the Board of Management for the time being the overall Governing Body as constituted in accordance with the Rules.
 - (d) "Month" means calendar month.
 - (e) "Year" means the Club's financial year and, unless altered by the Members, shall be from the 1st April to the next 31st March.
 - (f) "Section Committee" means the Members for the time being of the

Caulfield Park Bowling Club, Caulfield Park Croquet Club, Caulfield Park Petanque Club and Caulfield Park Bridge Club as constituted in accordance with the Rules.

(g) "By-Law" means a secondary, supplementary or subordinate rule made by the Board.

2. (ii) (a) In the event of any doubt or difficulty arising as to the meaning of any Rule, By-Law or Regulation or, should any question arise as to their interpretation, the Board shall have power to pronounce a decision thereon, subject only to acceptance or reversal by a Special General Meeting called for that purpose.

(b) Throughout the Rules, unless otherwise appearing by the context, the singular shall include the plural and the plural include the singular, and the masculine shall include the feminine.

STATEMENT OF PURPOSES

3. The purposes for which the Club is established are:-

(a) To maintain and conduct a Club of a non-political character and to provide Clubhouse facilities and other conveniences for the use and recreation of the Members.

(b) To raise and borrow any monies required for the purposes of the Club upon such terms and conditions and/or on such securities as may be determined.

(c) To purchase, accept, lease, exchange, hire or otherwise acquire any real or Personal property and other rights and privileges necessary or convenient for the purpose of the Club.

(d) To construct, alter, add to or maintain all buildings and other property belonging to the Club.

(e) To sell, mortgage, improve, manage develop, lease, dispose of, turn to account or otherwise deal with all or any part of the property owned or leased by the Club, having regard at all times that the Club is prohibited from making any distributions whether in money, property or otherwise to its Members.

(f) To affiliate with relevant Associations.

(g) To incorporate under the Associations Incorporation Act 1981.

- (h) To provide and maintain its facilities from the funds of the Club.
- (i) To apply for and hold and renew a Club Licence pursuant to the Liquor Control Reform Act 1998 and any permit or authority thereunder.

SECTION 2.

MEMBERSHIP

4. The Club shall consist of the following classes of Members:-
- (a) Full members
 - (b) Restricted Members
 - (c) Junior Members
 - (d) Life Members
 - (e) Special Members

Full and Life Members shall be entitled to all the privileges of the Club, subject to Clause 7, while Special, Restricted and Junior Members shall be entitled to the privileges set out in these Rules or as the Board shall determine from time to time.

REGISTER OF MEMBERS

5. (a) The Board Secretary shall keep on the Club premises a Register of Current Members, setting forth in full the names and addresses of all Members of the Club with the date of payment by each Member of his current years subscription.
- (b) Such Register shall be open at any time to inspection by the Licensing Inspector in whose division the Club premises are situated, and any authorised member of the Victoria Police.
- (c) Every Member shall communicate in writing their address or change thereof to the

Board Secretary who shall register same. All notices e-mailed, posted or delivered to such Address shall be deemed to have been delivered. If no address be given, notices

Left at the Club premises shall be deemed to have been delivered.

- (d) Unless the Club, at Board Level, shall otherwise decide, the maximum number of Full Members of the Club shall be 400.

NOMINATIONS AND ELECTION

MEMBERS

- 6.
 - (a) Any person wishing to become a Full, Restricted or Junior Member of the Club must be proposed by a voting member and seconded by another voting member on the official club Nomination Form designated for this purpose. The Nomination Form should contain the name, address, telephone number, email address and occupation of the candidate and the date of application.
 - (b) The nomination paper, when properly completed, shall be delivered to the Board Secretary who shall:-
 - (h) Place the Nomination Form on a Notice Board in the Clubhouse for exhibition for at least seven (7) days;
 - (ii) Arrange for the nominee to be interviewed by an interviewing committee appointed by the Board.
 - (iii) When Rule 6(b)(ii) have been completed, refer the nomination to the Board as soon as practicable after the expiry of the period of exhibition.
 - (c) Any objection by other Club Member(s) to the nominee becoming a Member of the Club shall be in writing to the Board Secretary for consideration by the Board stating reasons for the objection. All Members shall be elected by the Board by ballot and three adverse votes shall exclude the applicant and a record shall be kept by the Board Secretary. The decision of the Board shall be final. Any applicant for membership whose application is rejected shall be notified in writing of such rejection within 7 days of the date of the decision.
 - (d) Immediately on the election of a new Member the General Secretary shall send to

that Member notice thereof. Such notice shall include a statement of the amount to be paid by the Member within thirty (30) days after the date of the notice, for entrance fee (if any), subscription and any other amounts payable under the rules and Regulations of the Club for the time being in force. Such notice from the General Secretary shall inform such new Member that a copy of the Constitution and Rules of the Club is displayed in the Club House and that the new Member is recommended to carefully read the same as he or she shall be bound by the provisions thereof.

- (e) If a newly elected member fails to pay their subscription within the designated thirty (30) days (see Clause 6(d) above), their election shall be void unless justification of the delay can be given to the Board.
- (f) The payment of the subscription or using the Club's property shall imply a Member's acceptance of this Constitution and Rules of the Club.
- (g) Any person whose application for membership is rejected or whose election is voided under Rule 6(e) shall not again be nominated for a period of at least six (6) months from the date of the rejection or voidance of membership.

FULL MEMBERS

- 7. (a) Any person 18 years or over is eligible, to be a Full Member of the Club in accordance with these Rules and on payment of an annual subscription for Full membership.
- (b) Full Members shall have the right to vote at Annual and Special General Meetings and to hold office on the Board or Section Committee.

RESTRICTED MEMBERS

- 8. (a) Any person 18 years or over is eligible, to be a Restricted Member of the Club in Accordance with these Rules and on payment of an annual subscription for Restricted membership.
- (b) Restricted Members shall not have the right to vote at Annual and Special General Meetings or to hold office on the Board or Section Committees.
- (c) Restricted Members shall be entitled to take part in their specified sport, but are not entitled to be selected for pennant competitions in their sport or participate in any club championships.

JUNIOR MEMBERS

9. (a) Any person under the age of 18 years is eligible, to be a Junior Member of the Club In accordance with these Rules and on payment of an annual subscription for Junior Membership.
- (b) Junior Members shall not have the right to vote at Annual and Special General Meetings or to hold office on the Board or Section Committee.
- (c) On attaining the age of 18 years, Junior Members shall be ineligible to continue in such membership class but shall be eligible for election to another membership as provided in this Constitution without delay.

HONORARY LIFE MEMBERS

10. A Member may be elected as an Honorary Life Member of the Club if:
 - (a) He or she has completed at least fifteen years as an active Member of the Club.
 - (b) He or she has been nominated in confidence and in writing as an Honorary Life Member by not less than six active Members; and
 - (c) Such nomination has been approved by the Board; and
 - (d) He or she has been elected to Honorary Life Membership at a general Meeting of the Club by a simple majority of Members present voting at such meeting; and
 - (e) No more than one Honorary Life Member shall be elected in any one year And there shall be no requirement to elect any Honorary Life Member in each year.

SPECIAL MEMBERS

11. (a) The Board shall have the power to elect Special Members to the Club on such Conditions as shall be fixed by the Board.

- (b) Special Members shall not be eligible to hold office or vote at any meeting of the Club.

LIABILITY OF MEMBERS

- 12. If a Member by any breach of these Rules, or by any unlawful act, causes the Club or any Officer of the Club to pay any money, such Member shall be civilly liable to the Club or Officer for the amount so paid.

ANNUAL MEMBERSHIP AND FOREITURE OF MEMBERSHIP

- 13. (a) The Board Secretary shall give notice in writing to each member of the amount of the annual subscriptions which shall be due and payable on the 1st April in each year or by no later than the day of the Annual General Meeting of the Club or the relevant Section Committee whichever of such meetings shall be the earlier.
- (b) If any Member fails to pay their annual subscription or any other Annual dues by the 30th June each year they may cease to be a Member of the Club and may only be re-admitted as a Member when the provisions in these rules relating to election of Members have been complied with, provided that should a sufficient explanation be given to the Board, it shall have the power to restore the Member upon payment of the amount due.
- (c) Should any Member of the Club, from any cause whatever, cease to be a Member for one or more years, and is re-elected in accordance with these rules, they maybe re-admitted without the payment of back subscriptions, providing the majority of the Board consent thereto.

ABSENCE OF MEMBER

- 14. Any Member contemplating absence for a period may on application to the Board be granted leave of absence for a period not exceeding two years, subject to the payment of a nominal amount fixed by the Board.

RESIGNATION OF MEMBERS

- 15. (a) Any Member wishing to resign from the Club shall give seven days' notice in writing to the Board Secretary, and shall pay all monies due at the date of such notice.
- (b) Any Member resigning from the Club or ceasing for any reason whatsoever to be a Member thereof, shall not have any right, title or interest in or to any property of the Club.

- (c) Any Member resigning from the Club or ceasing for any reason whatsoever to be a Member thereof, shall not have any right to reimbursement, in total or part thereof, of any annual subscription already paid up for the current year, unless agreed otherwise by the Board.

EXPULSION OF MEMBERS

- 16. (a) Every Member of the Club undertakes to abide by the Rules and By-Laws of the Club, and any refusal or neglect to do so shall render such Member liable to expulsion.
- (b) The Board shall have power to censure or fine, suspend or expel any Member for any conduct which is in its opinion unbecoming to a Member. Provided always that such Member shall be entitled to seven days' notice of the charge against them, and to be present at the hearing thereof by such Board.
- (c) Any Member expelled by the Board shall be entitled to appeal against the decision to a special Meeting of the Club called for that purpose and convened by the Board at their request.
- (d) Any Member expelled in accordance with the rules or otherwise ceasing to be a Member of the Club shall forfeit all rights to a claim on the Club or its property or funds as they would have by reason of membership.
- (e) At the expiration of any financial year in respect of which any person shall have paid his annual subscription, if the Board is of the opinion that it is undesirable in the best interests of the Club that such person should continue as a Member, it may decline to accept any further subscriptions from such person. The Board Secretary shall notify such person of this decision and he shall thereupon cease to be a Member of the Club, provided that such Member shall have the same right of appeal and on the same condition as stated in Rule 16 (c).

SECTION 3. MANAGEMENT OF MEMBERS

BOARD/SECTION COMMITTEE

- 17. (a) Board: The business and affairs of the Club shall be under the control of the Board Elected at the Annual General Meeting.
- (b) Section Committees: Caulfield Park Bowling Club, Caulfield Park Croquet Club, Caulfield Park Petanque Club and Caulfield Park Bridge Club members, shall vest control and business in Sections Committees elected by them at the Annual General Meeting of that Section.

ANNUAL GENERAL MEETING

- 18 (a) The Annual General Meeting of Members shall be held at a date and place to be fixed by the Board, but not later than the 30th day of June in each year.
- (b) Not less than fourteen (14) days' notice in writing shall be given by the Board to all voting Members advising the time and place arranged for such a meeting, E-mailing or Posting of this notice will deem that the notice has been given. A copy of the notice shall be displayed on the Notice Board inside the Clubhouse at least fourteen (14) days before the date of such meeting.
- (c) Full, and Life Members shall be entitled to nominate eligible candidates for, and vote, in the annual election of the Board.
- (d) The business to be transacted at the Annual General Meeting shall be in the following order:-
- (i) Notice convening the Meeting may be taken as read and distributed.
 - (ii) Confirmation of Minutes of previous Annual and/or Special General Meetings.
 - (iii) The Annual Report.
 - (iv) Consideration and adoption of the Annual Report.
 - (v) Presentation of the Audited Balance Sheet and Statement of Accounts.
 - (vi) Consideration and adoption of the Balance Sheet and Statement of Accounts.
 - (vii) Election of Scrutineers (if necessary).
 - (viii) Election of Office Bearers and Representatives – Board.
 - (ix) Nomination and election of an Auditor.
 - (x) Transact any other business affecting the interest and welfare of the Club, which due notice has been given according to the Rules.
 - (xi) Confirmation of the amounts of annual subscriptions and joining fees.
 - (xii) Any other General Business.
- (e) Nominations for all positions shall be in writing signed by the candidate and the proposer and seconder and be lodged with the Board Secretary not less than seven

(7) days before the date fixed for the Annual General Meeting. All retiring officers shall be eligible for re-election.

- (f) In the event of a sufficient number of Members not being nominated for election on The Board, the vacancies may, be filled up at the Annual General Meeting then being held, provided that a motion to do so is carried by a majority of those present. In the event that such a motion is not carried by the requisite majority, then such vacancies shall be filled by the Board as provided for in Rules 23.

SPECIAL GENERAL MEETING

- 19. (a) A Special General Meeting shall be convened by the Chairman or the Board Secretary upon receiving a requisition in writing to the effect from five (5) Members Of the Board or from not less than thirty (30) Members of the Club whose subscriptions are not in arrears. The date of holding such Meeting shall be fixed by the Board and shall be held not less than fourteen (14) and not more than twenty-eight (28) clear days from the time of receiving the requisition provided always that such requisition shall state clearly the object of such Special General Meeting, and no matters shall be discussed except those stated in the written requisition.
- (b) On receipt of any requisition requesting the holding of a Special General Meeting, the Chairman or the Honorary Secretary shall post the same on the Notice Board of the Club and give at least seven (7) days notice to every voting Member.
- (c) A special General Meeting shall be held whenever determined by the Board, of which notice shall be given to all voting Members by E-mailing or posting a notice thereof on the Notice Board of the Club, giving each voting Member seven (7) clear days' Notice before the date fixed for holding such Meeting. Such notice shall clearly set out the nature of the Meeting and the proposals to be submitted to the voting Members.

VOTING

- 20. (a) At the Annual General Meeting or a Special General Meeting of the Members, the Election of all officers shall be announced after voting has been counted by scrutineers appointed by the Board.

The method of voting shall be by crossing out the name or names of the Member of Members nominated not desired and leaving the correct number of Members to fill the vacant offices. The positions of nominated Members on each Ballot paper shall be selected by ballot by two members in the presence of an Executive Member of the Board. Ballot papers on which there are a greater or lesser number of names than there are persons to be elected shall be informal. If two or more candidates receive an equal number of votes the Chairman shall have a second or casting vote.

- (b) All questions for decisions by the Members at an Annual or Special General Meeting

shall be proposed and seconded, and the result thereof determined by a show of hands unless a ballot is requested by at least ten Members.

Subject to the provisions of Rules 49 and 50 hereof all voting other than by special resolution shall be by simple majority. When the votes are equal, the Chairman shall have a second or casting vote.

When a ballot is taken at the Meeting at least two scrutineers shall be appointed to conduct the ballot. Voting details of the ballot, apart from the result, shall not be made public. The Board shall appoint one or more Returning Officers not later than 7 days prior to the date of any Annual or Special General Meeting.

(c) At any General Meeting or Special General Meeting only those Members who are financial at the Meeting and are personally present shall be entitled to vote, except those Members, financial at the time of an Annual General Meeting but unable to attend such Meeting, may cast an absentee vote for election of officers in writing signed by that Member, and lodged with the Honorary Secretary at least 24 hours or not more than seven (7) days prior to such Meeting.

To be eligible to cast an absentee vote, proof must be provided to the Honorary Secretary that the Member will be overseas, interstate or unable to attend for medical reasons (supported by a doctor's certificate).

(d) Voting by proxy shall not be allowed.

(e) At any Annual General or Special General Meeting, or unless a ballot is demanded by at least ten Members, a declaration by the Chairman for the time being that resolution has been carried by a particular majority or lost or not carried by a particular majority and an entry to that effect in the Minute Book of the Club shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution.

(f) All resolutions passed at the Annual General Meeting or at any Special General Meeting shall be conclusive and binding on all Members whether they shall have been present at such meeting or not.

QUORUM

21. (a) At all Annual or Special General Meetings of the Members of the Club, 40 Full and Life Members shall form a Quorum.
- (b) At all Annual or Special General Meetings of the Members of the Club, should a Quorum not be present within thirty (30) minutes of the specified time for the commencement of the Annual or Special General Meeting, then such meeting if convened upon the requisition of the Members, shall be dissolved. In any other case it shall stand adjourned to such day as the Board determine, and if at such

adjourned Meeting, other than an adjourned Annual General Meeting, a quorum of Members is not present, it shall lapse. In the case of an adjourned Annual General Meeting, the Members present at such meeting shall form a quorum.

No notice in writing of an adjourned Annual General Meeting need be given to the Members, but notice thereof shall be posted on the Club's Notice Board.

SECTION 4 MANAGEMENT BY OFFICERS – BOARD OF DIRECTORS

BOARD

- 22 (a) The Members shall vest the control and business of the Club in a Board elected by them at the Annual General Meeting. Such Board shall consist of the officers as hereinafter provided and shall hold office until their successors are elected.
- (b) The Officers of the Board, who shall be elected at the Annual General Meeting, shall be as follows:-
- (i) Chairman
 - (ii) Deputy Chairman
 - (iii) Board Secretary
 - (iv) Board Treasurer
 - (v) Two (2) elected Board Members
 - (vi) The President of the Bowls section
 - (vii) The President of the Croquet Section
 - (viii) President of the Petanque Section,
 - (x) President of the Bridge Section.

In addition to the above the Immediate Past Chairman shall continue to be a Member of the Board at the expiration of the term of Office as Chairman , for a further one year term.

- (c) To be eligible for a position on the Board, Members must be a paid up Full or Life Member, and be a Member of the Club for at least 12 months.
- (d) The Board shall meet preferably monthly, or as required, for transaction of the business of the Club and Minutes of all resolutions and proceedings of the Board shall be recorded in a book to be provided for that purpose. The Chairman and/or Board Secretary shall where necessary, or when requested by three Members of the Board, convene a Special Meeting of the Board.

At these Meetings when the votes are equal, the Chairman shall have a second or casting vote.
- (e) The Board Secretary shall give at least two (2) days' notice of all Special Board Meetings to all Members of the Board.
- (f) The Chairman, Deputy Chairman, or in their absence, one of the Board shall preside at all Board Meetings.
- (g) Should any Member of the Board fail to attend for three consecutive Board Meetings without leave, or apology delivered at or prior to the Meetings, such Member shall thereupon cease to be a Member of the Board.
- (h) The Board may, from time to time, delegate any of their functions to such Section Committees or Sub-Committees, consisting of Members of the Club as they think to appoint and may recall or revoke any such delegation or appointment. Any such Committee shall, in the exercise of the functions so delegated, conform to any regulation that may be prescribed by the Board and shall be subject and subordinate to such Board.
- (i) If at any time the President of any section is unable to attend a Meeting of the Board of Directors, he or she may nominate a member of their respective Committee to be their proxy at such Meetings and the proxy shall be entitled to the same voice and rights of the absentee President.
- (j) No Member shall be eligible for election to more than two (2) positions either on the Board or on the relevant Section Committee.

VACANCIES

- 23. For the purpose of this constitution, the Office of an Officer of the Club or of a Member as representative on the Board becomes vacant if the Office or Member:-
 - (a) Ceases to be a Member of the Club;

- (b) Becomes an insolvent under administration within the meaning of the Companies Code of the Bankruptcy Act;
- (c) Resigns his office by notice in writing given to the General Secretary and such Resignation is accepted by the Board.
- (d) Becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the Law relating to mental health; or
- (e) For more than three (3) months is absent without permission of the Board from Board Meetings held during that period;

The Board shall have power, should a vacancy occur in their number to fill such vacancy for the unexpired term, from the Members of the Club qualified to accept office.

REMOVAL OF A MEMBER OF THE BOARD

24. The Membership of the Club at an Annual or Special General Meeting may by resolution remove any Member of the Board before the expiration of his term of office and appoint another Member in his stead to hold office until the expiration of the term of the first mentioned Member.

POWERS AND FUNCTIONS OF THE BOARD

25. The Board shall have power to:-
- (a) Elect sub-Committees, fill vacancies, make appointments, and do all such acts and things that it deems advisable for carrying out and managing the business and affairs of the Club. All sub-Committees are persons appointed for special purposes by it shall be subject to and subordinate to the Board. All financial matters will be the responsibility of the Board of Directors.
 - (b) On the authority of the Annual General Meeting or of a Special General Meeting of the Club, to impose levies on the Members.
 - (c) To deal with resignations of Members, which must be submitted in writing as provided in Rule 16 hereof.
 - (d) To interpret the Constitution and Rules of the Club, the interpretations of the Board being final.
 - (e) To carry out all resolutions passed at an Annual or Special General Meeting of the Club.
 - (f) To enforce discipline by censure, fines, suspension, or expulsion of Members for

any misconduct or wilful infringement of the Constitution and Rules of the Club.

- (g) To manage the Club's finances, to cause correct accounts and books to be kept, showing the financial affairs of the Club, and the particulars usually shown in the books of accounts of a like nature. It shall authorise all expenditure including any expenditure passed at an Annual or Special General Meeting, and direct the method of dealing with monies received for or on behalf of the Club.
- (h) To control all paid staff with right to employ, supervise and terminate the employment of such staff.
- (i) To oversee all major modification of Club premises (including plans, specifications, tenders and permits).
- (j) To enter into lease arrangements as approved by Members.
- (k) To promote the Club.
- (l) To manage the assets of the Club.
- (m) To hold and administer the Club Liquor Licence.
- (n) To appoint a Public Officer from one of its Members who shall be responsible for the duties of a Public Officer as specified pursuant to the provisions of the Incorporation of Association Act 1981, as amended.
- (o) To authorise the use of the Club's Common Seal.
- (p) To supervise the hiring of the Club's premises.
- (q) To make By-Laws not inconsistent with this Constitution for the efficient working of the Club, and to alter, amend or rescind same as occasion may require. All By-Laws shall be entered by the Board Secretary in a book to be kept for the purpose, and be available for inspection by the Members.
- (r) To recommend membership and other fees.
- (s) To apply for, hold and renew a Club Licence pursuant to the Liquor Control Reform Act 1998 or any amendment thereto, and any Permit or Authority thereunder.
- (t) To apply to the Liquor Control Commission or its equivalent and the Raffles and Bingo Permit Board or its equivalent, for a permit to conduct the game of Bingo, Raffles and Lucky Envelopes in Accordance with the "Lotteries Gaming and Betting (Raffles and Bingo) Act 1977 or any amendment thereto.

- (u) To deal with other matters which may arise or which are not specifically provided for in the Constitution of the Club.

SUB-COMMITTEES AND APPOINTEES

GREENS DIRECTOR

- 26. (a) The Board shall have power to appoint a Greens Director who shall have full control and supervision of the Greens including the power to prevent play at any time subject to the advice of the Greenkeeper and in accordance with the laws of the sport. Notice displayed by the Greens Director at the Clubhouse shall be sufficient.
- (b) The Greens Director shall form a Greens Committee which shall be empowered to assist the Greens Director in the exercise of his duty to maintain the Greens in optimum condition and use.
- (c) In the absence of the Greens Director, a Member of the Greens Committee, if present, or otherwise the Manager of the days event, shall be delegated the authority of the Greens Director.
- (d) The Greenkeeper will be engaged by and directly responsible to the Board or their representative who shall direct the Greenkeeper in his duties.
- (e) The Greens Director shall report to the Board at each meeting on the conditions of the greens and on any other matters relevant to the greens and greens equipment.
- (g) The direction of play on the lawn bowling greens, days and times of day when play is permitted for the various classes of member shall be approved and posted on the Notice Board by the Greenkeeper.
- (h) The Croquet lawns will be maintained by the Greenkeeper in accordance with his contract and directed by a Board representative.

DUTIES OF OFFICERS OF THE BOARD

27. Chairman

The duties of the Chairman shall be to preside at Board and Annual or Special General Meetings, to regulate and keep order at all proceedings and to carry into effect the Constitution and By-Laws of the Club.

28. Board Secretary

The duties of the Board Secretary shall be:-

- (a) To attend all meetings of the Board and Annual or Special General Meetings of the Club, and record minutes of all meetings in a book to be kept for that purpose.
- (b) To conduct all correspondence in connection with the general business of the Club.
- (c) To prepare for submission to the Annual General Meeting of the Club the report of the Board on the activities of the Club during the year.
- (d) To keep a Register of the Members at the Clubhouse, setting forth the name in full, address, E-mail address and telephone number of each Member of the Club.
- (e) Except as otherwise provided in this Constitution, to keep in custody or under control all the books, documents and securities of the Club.
- (f) In any other respects, to carry out those duties usually associated with the office of Board Secretary.

29. Board Treasurer

The Duties of the Board Treasurer shall be:-

- (a) To receive all monies belonging to the funds of the Club, and within reasonable time, to deposit or arrange for the deposit of such monies with the Club's bankers.
- (b) To pay all accounts as authorised by the Board.
- (c) To keep correct accounts of all monies received and expended.
- (d) To prepare and submit financial statements to each Annual Meeting.
- (e) To produce a statement of cash transactions and of the financial position of the Club, Including the Bank balance at each ordinary Meeting of the Board.
- (f) To prepare and submit financial statements and returns as required by regulatory authorities.
- (g) To keep proper books of accounts which shall be open for the inspection of the Board at any time.
- (h) To produce a budget for each current year as soon as practical and to report on it every 2 months.

QUORUM

30. (a) At any Meeting of the board four (4) Members thereof shall form a quorum.
- (b) All decisions of the Board of Directors or any sub-committee thereof shall be proposed and seconded and the result thereof determined by a show of hands unless a ballot be requested by at least three (3) Members.

INDEMNITY OF OFFICERS

31. If the Board Secretary or the Board Treasurer in their office as such has paid or is Liable to pay money for any act, default or omission of any other person, such money Shall be refunded to them by the Club or paid by the Club.

RESIGNATION

32. No Officer of the Club shall be deemed to have resigned their office until their resignation in writing shall have been accepted by the Board/Section Committee.

VOTING

33. All questions for decision making at Meetings of the Board/Section Committee or any Sub-Committee thereof shall be proposed and seconded and the result thereof determined by a show of hands, unless a ballot be requested by at least three Members, At all these Meetings when the votes are equal, the Chairman of the Meeting shall have a seconded or casing vote.

SECTION 5 FINANCIAL

FUNDS

34. The funds of the Club shall be derived from entry fees, annual subscriptions, Green fees, donations and such other sources as the Board determines.

BANKING ACCOUNT

35. (a) The Banking Account of the Club shall be kept with such Bank as shall from time to time be appointed by the Board and all monies banked therein.
- (b) All cheques drawn on the Account shall be signed by any two Members of the Board, provided that should any of these Offices be absent through illness or other cause and a substitute or acting appointment be made by the Board, then such

person shall be empowered to sign cheques on the Club's Bank Account in like manner.

36. (a) Correct accounts and books shall be kept showing the financial affairs of the Club and the particulars usually shown in books of account of a like nature.
- (b) No expenditure apart from normal running costs for the proper conduct of the Club shall be entered into without consent of the Board and all accounts against the Club shall be passed by the Board before payment is made.

SUBSCRIPTIONS

37. The Annual Subscriptions for the various categories of Members shall be such amount as may be fixed from time to time by the Board. When so fixed, such subscription shall be deemed to be the Annual Subscription pursuant to this rule. The Annual Subscription year for Full, Life, Social and Junior Members commences on the 1st April each year and ends on the 31st March each year.

BORROWING POWERS

38. If at any time the Club in an Annual General Meeting or Special General Meeting shall pass a resolution authorising the Board to borrow money, the Board shall thereupon be empowered for the purpose of the Club to borrow such amount of money, either at one time or from time to time, and at such security as shall be specified in such resolution and thereupon the Board shall make all dispositions of the Club property, or any part thereof, and enter into such agreements in relation thereto as loans and interest. All Members of the Club shall be bound by the decision of the Meeting.

CONTROL OVER PROPERTY

39. (a) The previous sanction of an Annual General or Special General Meeting of the Club shall be required to authorise the Board to:-
- (i) Negotiate a loan;
 - (ii) Issue debentures;
 - (iii) Give any security over any property of the Club, sell or purchase of any realty;
 - (iv) Lease of any land or buildings the property of the Club for any term exceeding three years; and

- (v) Undertake any other measures in any way extending the liabilities of the Club beyond the assets and estimated revenue of the Club.
- (b) Subject to Clause 47(a), the property of the Club shall be subject to the control and disposition of the Board.
- (c) The order in writing of a quorum of those assembled at these Meetings, and signed by the President of the day and attested by the Board Secretary, shall be obligatory upon and a justification to the Board as to anything thereby directed and shall vindicate anything done or purported to be done by them in pursuance of such direction and no person not being a Member of the Club shall be entitled to inquire into the regularity of such direction beyond the verification of the signature of the General Secretary.

AUDIT

40. (a) One (1) auditor shall be appointed at each Annual General Meeting. Such Auditor shall not be an office bearer of the Club, and the Auditor shall where possible be a Member of the Australian Society of Certified Practising Accountants or the Institute of Chartered Accountants.
- (b) Nominations for such office shall be taken on the day of the Annual General Meeting in each year.
- (c) The Auditor shall have power at all times to examine the books and documents of the Club and shall also, as soon as convenient after the close of the financial year, in each year audit a Statement of Receipts and Expenditure and Balance Sheets setting forth the financial business of the Club since the end of the preceding financial year. The Statements of the financial status of the Club shall be prepared by the General Treasurer and any report of the Auditor shall be submitted to the Annual General Meeting.

APPLICATION OF PROFIT

41. The Club is a non-profit Club. The profit and other income of the Club shall be applied to the promotion of the purposes for which the Members of the Club are associated together and no payment of any dividends or distribution of profits of income to or amongst the Members of the Club shall be made, provided that nothing herein contained shall prevent the payment by way of honorarium or refund of expenses of any Officer of the Club for services rendered to the Club.

SECTION 6 GENERAL

COMMON SEAL

42. (a) The Club shall adopt a common seal which shall be kept in the custody of the General Secretary.
- (b) The seal shall not be affixed to any instrument except by the authority of the Board and the affixing of the seal shall be attested by the Officers authorised to sign cheques.

HONORARY SOLICITOR

43. There may be an Honorary Solicitor to the Club, who may be appointed by the Board upon such terms and for such period as such Board shall direct.

COLOURS OF THE CLUB

44. The colours of the Club are red, gold and blue and have been approved by the Association.

SUPPLY OF LIQUOR

45. (a) As provided for in Rule 9(e) hereof no liquor shall be sold or supplied to any persons under 18 years of age.
- (b) No liquor shall be sold or supplied for consumption elsewhere than on the Club premises unless such liquor is removed from the premises of the Club by the Member purchasing same. The provisions of the Liquor Control Reform Act 1998 shall be complied with at all times.

DAMAGE TO PROPERTY

46. Unless approved by the Board, no Member shall remove from the Clubhouse, or deface or injure, any article being the property of the Club. Members removing, breaking or damaging any article or property of the Club, shall pay for same at a price fixed by the Board.

DISPUTES, SUGGESTIONS, COMPLAINTS

47. (a) All suggestions and complaints must be made in writing to the Board Secretary, who shall bring the same before the Board at the next Meeting.
- (b) Should any dispute or disagreement arise between Members on the Club premises, the same may be referred in writing to the Board by either party. The Board shall have power to deal with same and censure, fine, suspend or expel such Member or Members as it shall see fit. Until such fine has been paid by the Member, or the period of suspension has expired, the Member, subject to such fine or suspension, shall not be entitled to exercise any of the privileges of the Club.

NON-COMPLIANCE WITH THE RULES

48. Non-compliance with the Constitution shall not render any proceedings void unless the Members at a General meeting so direct.

CLUB HOUSE OPEN

49. The Club House shall be open to Members for such times, and on such conditions, as may be decided by the Board from time to time.

DISSOLUTION OF THE CLUB

50. (a) Subject to the Associations Incorporation Act 1981 as amended, the Club may be Wound up voluntarily if the Club so resolves by a resolution passed by a majority of not less than three-fourths of such Members of the Club as being entitled under this Constitution to vote in a person at a Special General meeting of which not less than twenty-one (21) clear days notice specifying the intention to propose the resolution as a special resolution has been given to all the Members of the Club in the manner provided in these rules.
- (b) Upon the passing of such special resolution, the Board shall thereupon or at such future date as shall be specified in the resolution proceed to sell and realise any property and assets of the Club and out of the net proceeds of such sale and realisation to discharge and satisfy all the liabilities of the Club.
- (c) In the event of the Club being wound up, whether voluntarily or otherwise, the net proceeds of the sale and realisation of the Club's property and assets after payment of the debts and liabilities of the Club and of all the costs, charges and expenses properly payable in connection with such sale and realisation, shall be divided amongst and between any organisation(s) in Australia which has similar objectives and which is exempt from income tax, as the Board in their absolute discretion may decide. No Member of the Club shall be entitled to share in or receive any benefit from such assets.

ALTERATIONS TO RULES – STATEMENT OF PURPOSES

51. (a) No rule or purpose shall be adopted nor any existing rule or purpose altered or replaced by special resolution except at a Special General Meeting called for that purpose and of which is not less than twenty-one (21) clear days' notice specifying the intention to propose such resolution as a special resolution has been given to all the Members of the Club in the manner provided in these rules and then only upon three-fourths of such Members of the Club as being entitled under these rules to vote in person and present at the meeting vote in favour thereof.

- (b) While and so long as the Club is licensed under the Liquor Control Reform Act 1998, the General Secretary of the Club shall within one month from the making of any amendment or alteration in the Constitution of the Club forward to the Secretary of the Liquor Control Commission or its equivalent a certified copy of every such amendment or alteration.
- (c) A copy of the proposed new Rule, alteration or repeal, as aforesaid, shall be delivered to the Board Secretary at least thirty (30) days before such meeting, and shall be inserted in the Notice convening the Meeting at which such proposed new Rule, alteration, or repeal is to be brought and notice thereof shall be posted on the Notice Board of the Club twenty-one (21) clear days before such Meeting.
- (d) Proposed alterations to the Constitution and/or the Statement of Purposes contained therein under Rule 3 shall be referred to the Club's lenders (if any); the Club's lessors, the Associations, and to the Registrar of incorporated Associations, in accordance with the provisions of the Associations Incorporation Act 1981 as amended.

