Company By-laws

of

Turramurra Bowling Club Limited

Ratified – 10th July, 2023

ACN: 000 106 936
ABN: 68 000 106 936

A Company Limited by Guarantee
and not having a Share Capital

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1.0 PRELIMINARY

1.1 General

1.1.1 These By-laws are made by the Board of Turramurra Bowling Club Limited pursuant to the power conferred upon the Board by Clause §52 of the Company Constitution of the Club.

1.2 Definitions

1.2.1 In these By-laws, the following expressions are used and defined below:

1.2.1.1 "**the Club**" or "**the Company**" mean, the registered Club known as "Turramurra Bowling Club Limited";

1.2.1.2 "**TBCL**" means, "Turramurra Bowling Club Limited";

1.2.1.3 "**TMBC**" means, "Turramurra Men's Bowling Club";

1.2.1.4 "**TWBC**" means, "Turramurra Women's Bowling Club"; and,

1.2.1.5 "**TB&MC**" means, "Turramurra Bowls & Membership Committee".

1.3 Interpretation

1.3.1 These By-laws are to be read subject to the Constitution of the Club and in the event of any inconsistency the Constitution shall prevail;

1.3.2 The decision of the Board on the meaning or interpretation of any By-law, Regulation or Rule shall be conclusive and binding on all Members of the Club, unless and until such decision shall be overruled at a General Meeting. Such nullification shall not invalidate any act done on the basis of the Board's decision prior to such an overruling; and,

1.3.3 Any heading attached to these By-laws and Rules shall not affect the construction thereof.

1.4 Amendments

1.4.1 The Board may amend, rescind, or add to these By-laws and Regulations at any time and any such variation shall come into force and be fully operative upon the posting of an appropriate notice on the official Club Noticeboard. These By-laws are binding on each Member of the Club in the same manner as if each Member had subscribed their name thereto.

2.0 BOARD OF DIRECTORS

2.1 Constitution

2.1.1 The Board of Directors is as defined in Clause §35 of the Constitution.

2.2 Election Procedure

2.2.1 The election of the Board shall be conducted by ballot using the ranked preferential system. The balloting shall be conducted by electronic means and take place in the following manner.

2.3 Nomination Procedure

2.3.1 The General-Manager shall cause to be published and issued nomination forms (electronically and printed) for intending candidates for positions on the Board;
2.3.2 Nominations are to be addressed to the General-Manager;
2.3.3 Nominations shall be open from the 28th day prior to the AGM, and shall be included in the Notice to Members;
2.3.4 Upon the receipt of a nomination, the General-Manager shall check each nomination to ensure that it complies with the provisions of the Constitution and that the person nominated is eligible to stand for a position on the Board;
2.3.5 Nominations shall close at 1700Hrs on the 14th day prior to the AGM, in line with the Clause §41.d of the Constitution;
2.3.6 Following the closure of the nominaiton period, the General-Manager shall in due course, declare notice of the Nominations Returns and issue Part A Nominations Returns Notice to Members (electronically and on the Noticeboard).

2.4 Balloting Procedure

2.4.1 The Board shall appoint a Returning Officer (by default to be the General-Manager, unless otherwise determined by the Board prior to the close of nominations) to the to take charge of the ballot for the Board;
2.4.2 The Returning Officer may engage an external party(s) to facilitate the electronic hosting of the balloting process, at a cost previously accepted by the Board;
2.4.3 The responsibilities of the Returning Officer are to:
2.4.3.1 Supervise the issue of ballot papers;
2.4.3.2 Ensure the integrity of ballot papers returned;
2.4.3.3 Examine the ballot papers and count the votes after the ballot is closed; and,
2.4.3.4 Report the result of the ballot to the Annual General Meeting.
2.4.4 In addition to the forgoing the Returning Officer shall in "Part B of the Nominations Returns notice" in section 2.3.6 of this document declare that any candidate who is unopposed is elected.
2.4.5 The Returning Officer shall, at least 7-days before the Annual General Meeting of the Club, cause to be delivered to each Member entitled to vote, access to the electronic ballot form (provisions permit for notice to be sent to Memebrs in advance of this timeframe in order to allow issues with technologies or post);
2.4.6 The balloting process shall be commence at 1200hrs on the 6th day prior to the AGM;

2.4.7 The balloting process will cease until the cut-off outlined in section 2.4.9.2 of this document;
2.4.8 The ballot form shall list the names of all duly nominated candidates for each position on the Board in order of a supervised draw for positions;
2.4.9 A Member shall record their vote by accessing their secure voting portal and,

2.4.9.1 By ranking (by number or listing) the names of the candidates for whom they wish to vote in order of preference and in accordance with instructions set out on the ballot form;

2.4.9.2 By submitting the ballot form by no later than 1700hrs on the second day prior to the Annual General Meeting (conditional to the AGM being held on a Sunday. If the meeting is held on another day, then the close of balloting shall be be as follows: for an AGM held on a Tuesday through Saturday, polls will close at 1700Hrs on the day prior to the AGM; Sould the AGM be held on a Monday, balloting will close at 1700Hrs on the third day prior to the AGM).

2.4.9.3 Failure to comply with the foregoing shall render the vote invalid.

2.4.10 Where a candidate stands for more than one position and is elected to the most senior of those positions (as outlined by Clause §35.a & §35.b of the constitution), they shall cease to be a candidate for any other position on the Board. This is to be factored into the results before preferences are issues;

2.4.11 The decision of the Returning Officer as to the formality or informality of any vote shall be final;

2.4.12 Where for a particular position or for the last of a number of the same position, two or more candidates have gained an equal number of votes, the Returning Officer shall draw lots at the AGM to determine which candidate shall be declared elected to that position;

2.4.13 Each Member shall be provided a personalised and secure instrument for accessing the ballot portal;

2.4.14 For Members wishing to cast their ballot on Club premise, this can be arranged with the Returning Officer (and/or General-Manager if different).

2.5 Executive Committee

2.5.1 An Executive Committee of the Club shall be the Emergency Board as defined by Clause §55 of the Constitution. A meeting of the Board may take place by means of teleconferencing or other electronic means in accordance with Clause §56 of the Constitution.

2.6 Treasurer

2.6.1 The Treasurer 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 to meet the requirements stated in Clauses §82, §83, §84, §85, §86 and §87 of the Constitution;

2.6.2 The Treasurer shall:

2.6.2.1 Cause to be paid into a bank or other institution as the Board may from time to time direct, to the credit of the Club, all moneys received;

2.6.2.2 Submit to the Board at each monthly meeting, a summary of the income and expenditure of the Club; and,

2.6.2.3 Provide to the Board at each monthly meeting a listing, for confirmation, of cheques drawn.

2.7 General-Manager

2.7.1 The General-Manager, appointed by the Board in accordance with Clause §89 of the Constitution, shall be responsible for the proper conduct of the Club in conformity with its Constitution and By-laws and with proper regard to the requirements of the Corporations Act, Gaming Machines Act, Liquor Act and the Registered Clubs Act;

2.7.2 The General-Manager shall:

2.7.2.1 Be responsible for the provision and supply of all refreshments of whatever nature and for the cleanliness, safety and sanitary nature of the clubhouse and other buildings (toilets etc.);

2.7.2.2 Be authorised by the Board to make the necessary purchases of provisions, foodstuffs, fuel etc.;

2.7.2.3 Have full control responsibilites of the poker machines including the keeping of proper poker machine records (excluding the purchase or replace thereof, without approval from the Board);

2.7.2.4 Supervise the hours of trading and no variation of trading hours shall be permitted unless approved by the General-Manager or, in the General-Manager's absence, by the Chairperson or other such person to whom the Board may delegate such authority;

2.7.2.5 Control the staff and their hours of work, adjust price lists as required, control the bar operations, control the cash register, ensure that the bar, equipment, glasses, floor and counter etc. are in a clean state of hygiene;

2.7.2.6 Ensure that the bar serving area is kept clear after Members' orders have been filled;

2.7.2.7 Carry out all proper duties and instructions which the Chairperson of the Board shall direct; and but not limited to,

2.7.2.8 Have the power to delegate authority in the matters referred to above.

2.8 Authority to Sign

2.8.1 Receipts and payments must be authorised or confirmed in the Minutes of a Board Meeting and all cheques paid on behalf of the Club shall be signed by any two of the following: Chairperson, Deputy Chairperson, , Treasurer, any Director of the Board so appointed by the Board, or General-Manager. All cheques received by the Club shall forthwith be paid into the Club's Bank Account and endorsements of such cheques may be carried out on behalf of the Club by any one of the above-named Officers;

2.8.2 Contracts of Purchase Hire or Lease; except as otherwise directed by the Board, no document or contract shall be signed on behalf of the Turramurra Bowling Club Limited other than by the hand of the Chairperson and General-Manager as directed and approved by the Board.

3.0 SUB-Committees

3.1 General

3.1.1 The Board may elect from its number the Chairperson of each of the Sub-committees which is to be formed. The Chairperson so appointed may co-opt the required number (whether members of the Board or not) as agreed for their respective sub-committees and submit the names of such proposed members for approval and ratification by the Board at its next meeting. Upon such approval and ratification, each such sub-committee shall have been duly constituted. The Chairperson of the Board shall be ex-officio member of all sub-committees.

3.2 Finance Sub-committee

3.2.1 The Finance Sub-committee shall consist of the Treasurer, the Deputy Chairperson,any Director of the Board so appointed by the Board, and the General-Manager.

3.2.2 The functions of the Finance Sub-committee shall be to;

3.2.2.1 Prepare annual income and expenditure budgets for the Board consideration**;**

3.2.2.2 Review at quarterly intervals actual performance against budget and, if necessary, prepare a revised budget for Board consideration; and,

3.2.2.3 Submit recommendations to the Board on any financial matters.

3.3 Building and Maintenance Sub-committee

3.3.1 This sub-committee shall consist of the Chairperson appointed by the Board and other members as may be necessary;

3.3.2 This sub-committee shall be responsible for supervision of the maintenance and construction arrangements of all such works as approved by the Board. Where necessary, applications for formal approval by outside bodies such as the Council, shall be lodged by the General-Manager;

3.3.3 The functions of the Building and Maintenance Sub-committee shall be to;

3.3.3.1 maintain in a condition approved by the Board, the buildings, gardens, fences, car park and other assets not included in the responsibilities of the Greens Sub-committee; but not limited to,

3.3.3.2 obtain quotations for work outside the skills and qualifications of the sub-committee.

3.4 Greens Sub-committee

3.4.1 This sub-committee shall consist of a Chairperson appointed by the Board, a representative from both the TMBC and TWBC plus the Greenkeeper. It shall be responsible to the Board for the condition of the Greens;

3.4.2 The Greens sub-committee shall meet monthly and the Chairperson shall:

3.4.2.1 make a report to the Board at each meeting;

3.4.2.2 make any recommendation that the sub-committee considers necessary for the preservation of the greens.

3.4.3 **Objectives:**

3.4.3.1 to provide greens of the highest possible standard when brought in and which remain so for as long as possible throughout the year. The aim being to produce greens that run at about 13 – 15 seconds. It is considered that any faster would necessitate cutting grass too short and thus producing resultant damage;

3.4.3.2 to keep to a minimum the time the greens are 'out' for maintenance but consistent with the main objective.

3.4.4 **Responsibilities:**

3.4.4.1 provide the general guidelines when / when not to play in inclement weather**:**

Casual Bowls – Play should not commence if it is raining. Once play has commenced it should be suspended if further light rain persists for more than 10 minutes, naturally heavy rain would bring immediate suspension. Any further resumption of play would be at the Controlling Body's discretion under advice from the relative member of the Greens sub-committee.

Club Championship Matches – A decision as to when a game is NOT to be played shall be made before 8am for am games and 11am for pm games. If subsequent to a decision to play, weather conditions change, matches not commenced by 2.00pm (EST) or 2.30pm (DST) may be played at a later time / date. A decision should be made by the Controlling Body under advice from a member of the Greens sub-committee. Should wet weather set in after commencement of play, the Controlling Body should monitor the situation and if the players do not request the Umpire for a stoppage then the Controlling Body should request the Umpire to stop play if it considers damage to the green is likely.

Pennant, Mid Week Triples and District Matches – Decision re start of play as in (b) above. If wet weather sets in after start of play, because there is greater urgency for these matches to be completed, play may be allowed to go on longer. However, the Controlling Body must closely monitor the situation and request the Umpire for a stoppage as soon as it considers damage is being done to the greens.

3.4.5 On each day of play, the Chairperson of the Greens Sub-committee, the Men's or Women's Club Representatives, the Controlling Body, the Duty Selector, or the Officer-in-charge, in that order if present, may determine, together with the Greenkeeper, which rinks on each green are available for play. In the case of wet weather, the aforesaid will liaise with the Greenkeeper as to the fitness of greens for play in terms of 3.4.4. above.

3.4.6 **Usage of Greens –**

3.4.6.1 **Monday**s – Closed for maintenance – Coaching of new players not available on other days may be conducted by arrangement between the Greenkeeper and the Chairperson of Coaches;

3.4.6.2 **Tuesdays –** am and pm Ladies Bowls. Any member, including Men, may roll up after 3pm provided all Ladies matches have been completed. Men must not stand around waiting before this time. Available for Coaching after 3pm;

3.4.6.3 **Wednesdays –** am and pm Men's Bowls;

3.4.6.4 **Thursdays –** am and pm Ladies Bowls. Any member, including Men, may roll up after 3pm provided all Ladies matches have been completed. Men must not stand around waiting before this time. If no Ladies Bowls on a particular Thursday, members may roll up after 2pm. Available for Coaching same times;

3.4.6.5 **Fridays –** pm Mixed Bowls. During DST – Twilight Bowls from 5pm.

3.4.6.6 **Saturdays –** am Men's Championship Matches and Coaching by arrangement with the Greenkeeper. pm – Men's Bowls;

3.4.6.7 **Sundays –** am Men's Championships / Casual / Mixed Bowls. pm Mixed Bowls.

3.4.7 **Green Closure –** The Board, through the Chairperson of the Greens sub-committee, shall have the power to close any of the greens or any rinks thereof, if it is considered advisable to do so;

3.4.8 No other member shall interfere with the Greenkeeper/s or discuss with them questions related to the greens. Any complaints by members regarding the condition of the greens, the surroundings, or the conduct of the Greenkeeper/s, must be submitted in writing to the General-Manager for consideration by the Greens sub-committee;

3.4.9 **Communications –** The Chairperson of the Greens sub-committee shall keep members conversant with plans for green maintenance and usage by direct address to members on playing days and/or by articles in the Club Newsletter.

4.0 PLAYING REGULATIONS

4.1 Laws of the Game.

4.1.1 Unless otherwise arranged with the approval of the Board, all games shall be played under the Laws of the Game including dress as laid down by Bowls Australia, The Royal New South Wales Bowling Association and the New South Wales Women's Bowling Association.

4.2 Conduct on Greens.

4.2.1 When delivering their bowls, members shall do so in such a way as will obviate the risk of marking or damaging the turf, and must not drop a bowl on the green;

4.2.2 The Chairperson of the Greens Sub-committee, the Chairperson of the appropriate Match Committee, or the Controlling Body on that day, may, if a member in the course of play is causing damage to the green, request that member to correct his method of delivery. If he persists he may be refused permission to continue to play at that time.

5.0 HOUSE REGULATIONS

5.1 Use of Club Premises

5.1.1 No member, by an advertisement or otherwise, shall appoint the Club premises as a place for meeting applicants for employment, nor shall any Member induce any employee to leave the services of the Club;

5.1.2 No pamphlet, advertisement or notice of any kind shall be exhibited in the Club premises without the permission of the Board;

5.1.3 No Member or other person shall solicit donations or subscriptions of any kind, nor shall any raffle or art-union ticket or the like, be tendered on the premises of the Club without the sanction of the Board;

5.1.4 The General-Manager is responsible for the content of all notices on the official Club Notice-Board. Notices must not be placed thereon without obtaining the express approval of the General-Manager.

5.2 Property

5.2.1 Club Members shall at all times exercise due care with all Club property and shall do all within their power to keep the premises and property in a tidy and clean condition;

5.2.2 No Member shall remove from the Club any property of the Club without the express permission of the Board. Any Member damaging Club property shall be liable for its restoration or replacement as the Board may direct.

5.3 Visitors & Guests

5.3.1 Members shall have the privilege of introducing visitors to the Club subject to the provisions of these Rules and By-laws and in conformity with the legal requirements applicable to a Licensed Club and subject to any limitations which the Board may impose;

5.3.2 A visitor shall remain on the Club premises only so long as the introducing Member shall remain thereon;

5.3.3 The Member introducing any person as a visitor shall be responsible for any liability to the Club incurred by such visitor; and,

5.3.4 A person who has been rejected as a candidate for membership, or has been expelled from the Club, or whose name has been erased from the Register of Members for non-payment of subscriptions shall not be eligible to be admitted as a visitor.

5.4 Dress Code

5.4.1 All members and Visitors to the club must wear:

5.4.1.1 Smart casual - neat sportswear;

5.4.1.2 Footwear must be worn at all times; and,

5.4.1.3 All attire must be clean and tidy.

5.4.2 The following attire is unacceptable in the Club:

5.4.2.1 Sloppy and untidy track suits;

5.4.2.2 T-shirts with lurid or offensive printing;

5.4.2.3 General untidiness; and,

5.4.2.4 Hats are discouraged when inside the Club.

5.4.3 Soiled or unkempt clothing of any description, including footwear, will not be permitted. Persons improperly dressed will be asked to leave Club premises.

5.4.4 Only staff on duty are to enforce or otherwise engage patrons not complying with the dress policy.

5.5 Liquor.

5.5.1 The Bar shall be open for liquor refreshments on such days as advertised and between such hours as are determined by the Board from time to time;

5.5.2 **A person under the age of 18 years:**

5.5.2.1 shall not be supplied with or sold liquor at any time; and,

5.5.2.2 shall not linger in the bar area.

5.6 Poker Machines.

5.6.1 While a poker machine is being played by a player, or a group of players as a syndicate, it shall not be played by any other person;

5.6.2 No person shall play more than one machine at a time if another person is waiting to play one of those machines;

5.6.3 Poker machines shall not be reserved for more than three (3) minutes;

5.6.4 A person under the age of 18 years is not permitted to play the poker machines and shall not linger in the poker machine area;

5.6.5 If a person pulls a jackpot or bonus issue, the attention of the General-Manager, shall be drawn to it before it is paid-out, and referred to the Bar-Steward for payment after it has been properly entered and signed for through the CCU System;

5.6.6 The key of the machines is to be kept behind the Bar in an envelope which is to be signed by two persons after each opening;

5.6.7 If a machine has to be opened due to a mechanical defect, such opening must be recorded in a book kept behind the Bar.

5.7 Smoking.

5.7.1 Commercial outdoor dining areas in NSW are smoke-free. Smoking is banned within 4 metres of a pedestrian entry or exit from a hospitality venue (the '4 metre law'). The bans apply to any ignited smoking product including cigarettes, pipes, cigars, e-cigarettes and water-pipes;

5.7.2 Smoking is also banned on and around the Bowling Greens of Turramurra Bowling Club with the following exceptions:

5.7.2.1 Smoking is allowed in the designated smoking areas which are:

The car park;

The rear double gates between Greens 1 and 2; and,

The north-western corner of Green 1.

6.0 MEMBERSHIP

6.1 Life Membership Guidelines

6.1.1 The following guidelines are for awarding of Life Membership and are in addition to Clause §14 of the Constitution, which defines Life members:

6.1.1.1 Any two Members can nominate another Member for Life Membership by simply conveying the nomination to the Secretary of TMBC / TWBC, as appropriate, in writing;

6.1.1.2 TMBC or TWBC, after consideration (bearing in mind their own Constitutions and Regulations) and if approved, must then pass their recommendation to the Board for its approval;

6.1.1.3 The potential recipient should not be made aware of a nomination until such time as the nomination has been approved by the Board. The Board will then proceed to the next general meeting through an appropriate Notice of Motion;

6.1.1.4 A nominee, to be worthy of the award, must have made a significant contribution to the Club – well beyond that which would ordinarily be expected of a member, even if that member is also an office bearer of the Club;

6.1.1.5 Nominees would, except in exceptional circumstances, be expected to have been members of the Club for a minimum of ten (10) years;

6.1.1.6 Life Membership is the highest accolade that the Club can bestow on a Member.

6.2 Non Bowling (Restricted) Membership Guidelines

6.2.1 The following guidelines are for inviting Bowling Members to take up Non Bowling (Restricted) Membership and are in addition to Clause §13 of the Constitution, which defines Non Bowling (Restricted) Members:

6.2.1.1 Invitations would, except in special circumstances, only be made to those Bowling Members who have been members for a minimum of five (5) years;

6.2.1.2 Shall be invited by TMBC or TWBC, as appropriate, or by the TB&MC.

6.2.1.3 Non Bowling (Restricted) Members shall NOT be affiliated with the RNSWBA or NSWWBA;

6.2.1.4 According to the constitution of the TWBC, Restricted Members cannot vote at TWBC meetings but they will be entitled to vote at TBCL meetings.

6.3 Merit Award Guidelines

6.3.1 The following guidelines are for the awarding of Merit Awards, e.g., Tie Bars and Merit Badges, to TBC Members:

6.3.1.1 A nominee, to be worthy of a merit award, must have made a significant contribution to the Club over a considerable period of time;

6.3.1.2 A nominee may, during that time, have been an office bearer of the club but nevertheless, is someone who is clearly seen to have done more than "just doing their duty";

6.3.1.3 Tie Bars / Merit Awards will be assessed and awarded as considered appropriate by the TMBC / TWBC and are not subject to a formal nomination procedure.

7.0 MISCELLANEOUS

7.1 Welfare Officer

7.1.1 The Board may appoint a Welfare Officer.

7.2 Suggestions and Complaints

7.2.1 The Board welcomes constructive suggestions to improve the operation of the Club;

7.2.2 All suggestions and /or complaints must be made in writing and given to the General-Manager for action by the Board.

7.3 Constitution

7.3.1 A copy of the Constitution of the Club is available from the General-Manager for perusal at the request of any Member. The Constitution is also available for perusal on the Club's website www.clubturramurra.com.au under the tab "Rules & Regulations".

Ratified by Board Resolution on
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Updated by
Board of Directors, following the 2023 EGM

Edited by
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