



CONSTITUTION

OF

THE SWAN

BOWLING AND RECREATION CLUB

INCORPORATED

SWAN BOWLING AND RECREATION CLUB INCORPORATED

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SWAN BOWLING AND RECREATION CLUB INCORPORATED

1 DEFINITIONS

In these rules unless inconsistent with the context or the subject matter:-

“the Club” or “SBRCI”	Means the SWAN BOWLING AND RECREATION CLUB INCORPORATED
“the Committee” -	Means the SBRCI committee of management of the Club for the time being.
“Annual Meeting” or “AGM”	Means an Annual General Meeting of the Club
“the Association” -	Means the Royal Western Australian Bowling Association, trading as Bowls WA, here after referred to as: The Relevant State Bowling Authority.
“General Meeting” -	Means a General Meeting of the Club whether Special, Half Yearly or Annual.
“Member” -	Means any member of the Club who has been elected pursuant to these Rules.
“month” -	Means a calendar month.
“Financial Year”	Means from the 1 st July to the 30 th June.
“the President” -	Means the President of the Club for the time being and shall include any other office bearer of the Club acting in the absence of the President as provided by these Rules.
“the Secretary” -	Means the Secretary of the Club for the time being and shall include any other office bearer of the Club acting in the absence of the Secretary as provided by these Rules.
“the Executive” or Executive Officers -	Means the President, Vice President, Secretary and Treasurer.
“Finance Committee” -	Means the President, the Treasurer, the Secretary and one of the elected members

2 NAME OF THE CLUB

The Swan Bowling and Recreation Club Incorporated

3 OBJECTS OF THE CLUB

- 3.1** To foster the game of bowls and to promote good fellowship amongst the members.
- 3.2** To promote, advance and control sporting, cultural and social activities in the club.
- 3.3** To maintain and conduct a club for the accommodation of members and generally afford all the privileges, advantages, conveniences of a club to members.
- 3.4** To promote the game of bowls in the community and organize entertainment and other functions inclusive of raffles and/or lotteries where legally permitted, for the raising of funds to meet the objects of the club.

4 POWERS

The club shall have the following powers: -

- 4.1** To manage invest monies of the club not immediately required as may from time to time be determined.
- 4.2** To co-operate affiliate and enter into reciprocal arrangements with any other club having objects wholly or in part similar to those of the club
- 4.3** To 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
- 4.4** To secure the repayment of borrowing by charging the property of the club.

5 INCOME AND PROPERTY

The income of and the property of the club shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of pecuniary profits to the members provided that remuneration may be paid in good faith to officers and servants of the club or other persons in return for services actually rendered to the club

6 THE CLUB YEAR

The club financial year shall commence on the first day of July of each year.

7 MEMBERSHIP

7.1 Ordinary Members

Persons of or above the age of eighteen years entitled to exercise the full privileges of The Club, excepting that where a Member is an employee of The Club they shall not hold any office.

7.2 Life Members

Persons who have served The Club in an active capacity for a period of at least ten years (the years need not be consecutive) may be recommended by the Management Committee to a General Meeting of The Club and elected at such meeting to be a Life Member, shall enjoy all privileges of an ordinary member. Life Members shall not exceed ten (10) active members at one time and not more than one shall be elected in the one year.

7.3 Junior Members

Persons of not less than twelve years and under eighteen years, who may enjoy all the privileges of The Club but shall not be eligible to stand for any office in The Club

or vote in any ballot or at any General Meeting of The Club. Any Junior Member having been a financial member and upon attaining the age of eighteen years may apply for Ordinary Membership, subject to a vacancy being available, without paying an additional nomination fee. Any Junior Member exercising this right has priority over applicants hitherto not Members of The Club.

7.4 Provisional Members

Persons who are financial and capitated members of another bowling club affiliated with a State or Regional Bowling Association(s) to which The Club is affiliated or with a similar Association in any Australian state or overseas, shall be entitled to all the privileges of The Club but shall not be eligible to:

- (i) Stand for any office in The Club or to vote in any ballot or at any General or Special Meeting of The Club;
- (ii) Propose or second any application for membership of The Club;
- (iii) Play in any pennant matches for The Club, represent The Club or play in any Club Championship.

7.5 Social Members

Persons of or above the age of eighteen years who may enjoy the privileges of The Club but shall not be eligible to:

- (i) Stand for any office in The Club or vote in any ballot or at a General or Special Meeting of The Club,
- (ii) Propose or second any application for membership of The Club,
- (iii) Use the greens except at the specific invitation of a Club Committee.

7.6 Honorary Members

Honorary Membership may be granted, without fees and for such time as the Management Committee stipulates, to: The Club Patrons, Local Government Dignitaries, State and Federal Parliamentary Members or their nominated spokespersons and such other Dignitaries, High Profile Persons and Sponsors of The Club as may be deemed appropriate.

7.7 Temporary Members

A person who is on any day visiting The Club:

- (i) 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
- (ii) 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.

7.8 Restricted Bowling Members

Shall be entitled, subject to these Rules, to all rights and privileges of Ordinary Members but are not entitled to vote at any General Meeting or to hold office of The Club. They shall not be entitled to play in any Club Championship or Association events and shall conform to and abide by the Rules and By-Laws of The Club, for the time being in force.

7.9 Register of Members

The club shall keep an up to date register of members in respect of each class of membership. The register must be continually available for inspection at the club premises

8 APPLICATION/ELECTION FOR MEMBERSHIP

8.1 Application for membership will be made on the prescribed form. Such applications must bear the signature of two Life or Financial Ordinary Members and shall be accompanied by the appropriate Nomination Fee if applicable. On receipt the form will be dated and placed on the Notice Board and, provided there are no objections from Members within fourteen days of being displayed, the application will be ratified by The Committee.

The new Member will be notified in writing of his Membership and invoiced for the appropriate Subscription and Capitation Fee if not already paid and any other applicable Fee or Levy required at that time.

8.2 After having been posted for a minimum fourteen days the application is to be presented at the next committee meeting following the qualifying period for acceptance/refusal of the application.

All applicants accepted/refused by Committee shall be notified by the Chairperson of Membership who shall record names of committee present and voting on that day.

A copy of the Constitution must be given to each person who becomes a member of the Association.

9 SUBSCRIPTIONS and NOMINATION FEES

Annual subscriptions and Nomination fees for members shall be as determined by the committee and this shall include the Capitation and other fees payable to the State Bowling Authority.

10 PAYMENT of FEES

All annual membership fees shall be paid to the Club in advance of the commencement of the financial year 1st July so as to meet the due date of payment to the Relevant State Bowling Authority.

Life Members shall have their fees paid by the Club. The Committee may approve by Resolution in each individual case the reduction of part of the fees of individual or certain classes of Club Members.

11 GENERAL MEETINGS

11.1 The Annual General Meeting shall be held in every calendar year within 4 months after the end of the financial year or such longer period as may in a particular case be allowed by the Commissioner. The Half Yearly General Meeting will be held in February of each year, on a date as determined by the Committee.

11.2 At all general meetings an attendance of 20% of members shall form a quorum. If meeting has been called on Requisition after waiting 15 minutes from start time and quorum not met, the meeting shall be cancelled, for all other general meetings it shall be adjourned to same day and time one week later at which time and at the adjourned meeting, those members present shall form a quorum for all purposes.

11.3 Fourteen days' notice in writing of intended Meeting shall be given by prepaid post to each member at their address (recorded in club register) or by electronic mail, if the member has authorised this method, stating time/place and nature of meeting. A copy of which is to be posted on the club notice board.

11.4 Minutes of the proceedings of every General Meeting (whether Annual or Half Yearly or Special), shall be entered and kept in a minute book, and when signed by the Chairperson and countersigned by the Secretary shall be evidence that the proceedings therein were regular, and actually took place as minuted, at a meeting, duly convened and held.

It shall be binding on all the members of the club, except as to any irregular proceedings so declared, and annulled at a Special General Meeting called for that purpose, and held within three months, after the holding of the irregular proceedings.

11.5 Voting – Ordinary Resolutions must be carried by a majority of eligible members present at that meeting. The Chairperson shall have a deliberative vote. In the case of an equality of votes the motion shall be declared lost.

The declaration of that vote shall be made by the Chairperson and entered as conclusive in the minutes of the meeting,

A division may be called by three members rising, call for a division which will then take place without further debate.

11.6 At the Annual general Meeting the President shall preside. In their absence the Vice President will preside. In the absence of the Vice President the meeting shall elect a Chairperson from member's present. The Chairperson shall be at liberty to exercise a deliberative as well as a casting vote.

11.7 **BUSINESS OF THE ANNUAL GENERAL MEETING**

The business of the meeting shall be;

- (i) Reading and confirmation of minutes of the last AGM and of any special meeting (not including the half yearly GM) held since the preceding annual general meeting.
- (ii) Correspondence to be read and considered and any notice of motions that have been carried over from the half yearly GM.
- (iii) Receiving the Presidents report and receiving the Treasurer's and Auditor's reports and discussing the annual balance sheet and accounts.
- (iv) Election for vacant Committee positions
- (v) Motions of which two weeks notice has been given to the Secretary
- (vi) Appointment of Club Patrons
- (vii) Appointment of Club Auditor.
- (viii) Appointment of Club Delegates
- (ix) General business.

11.8 **BUSINESS OF THE HALF YEARLY GENERAL MEETING**

The business of the meeting shall be;

- (i) Reading and confirmation of the minutes of the last half yearly GM
- (ii) Receiving and discussing the financial position and half yearly statement of the Treasurer
- (iii) Determination of the membership fees and subscriptions for the following Club financial year
- (iv) Declaration of any Ballot
- (v) Special business of which notice of motion has been given or has been carried over from the Annual GM.
- (vi) General business.

11.9 **SPECIAL GENERAL MEETING**

The Secretary shall call a special General Meeting when instructed to do so by a resolution of the Committee or on receipt of a requisition signed by at least 10% of

financial ordinary members or on receipt of an appeal from a member dealt with in terms of rule13.5.

Special General Meetings shall be advertised by displaying a notice on the Club notice board not less than 7 days notice being given in each case. The notice on the Club notice board shall specify the business to be transacted and no other business shall be dealt with at such meeting. Twelve members shall form a quorum and if no quorum is present thirty (30) minutes after the time appointed for the Meeting it shall lapse.

12 MANAGEMENT STRUCTURE

The management of The Club shall be vested in The Management Committee, the Match Committee, and Standing Committees as required from time to time.

The Match, Standing and Sub-Committees shall report and be responsible to The Management Committee.

12.1 Management Committee

It shall be the duty of the committee to manage and conduct the affairs of the club, and to see that all rules and By-Laws of the Club are carried out or observed.

SBRCI Management committee shall if practicable meet monthly in the club premises and attendance of 6 members shall form a quorum.

- (i) The Management committee of the club shall consist of the following
 - President,
 - Vice President,
 - Secretary,
 - Treasurer,
 - Men's Captain,
 - Ladies' Captain,
 - Bar Chairperson,
 - House Chairperson,
 - Social Chairperson,
 - Grounds Chairperson,

Half of who shall retire one year and the other half the following year. All positions shall be of duration of two years

- (ii) The President and Vice president shall retire in opposite years.
- (iii) A retiring committee member shall be eligible for re-election to the same or to another position and shall hold office until a successor is elected.
- (iv) Vacancy in committee may be filled by the committee; any member so chosen shall hold office until the expiration of the term of office of the predecessor.
- (v) Each Committee member shall have the power to co-opt any member, if required, into a subcommittee and shall report to and be responsible to the committee of the club.

12.2 Co-opted Members

The Committee shall have the power to co-opt Members at any time to assist or further the objects or the various activities of The Club. No such co-opted Member shall have any voting rights unless they are acting as a replacement for a Committee person who has been duly elected.

12.3 Match Committees

Club Captains shall chair meetings of their respective Committees, which shall: -

- (i) Arrange and control all club competitions,
- (ii) Select teams/sides to represent the Club.
- (iii) For all Ladies gender specific events, the Match Committee members will be elected by Lady Ordinary or Life Members of the Club
- (iv) For all male gender specific events, the Match Committee members will be elected by Male Ordinary or Life Members of the Club

The Club Captains who are selected from within their Committees shall report to the Management Committee

The elected Members of the Men's and Women's Match Committees, consisting of the Captain and two members, shall hold office for two years. They may from time to time during each bowling season co-opt a player or players to assist in the selection of Pennant sides

12.4 Vacancy

In the event of a vacancy in the Match Committee the Management Committee may appoint a member thereto. Any member so chosen shall hold office until the expiration of the term of office of the predecessor.

12.5 Candidate for Committee

Every candidate for office on any Committee, including members seeking re-election, shall nominate on the prescribed form, which shall be signed by the candidate, the Proposer and Secunder (all of whom must be Ordinary or Life Members) and placed in the nomination box, on or before the date decided upon by the committee. A member may be nominated for more than one office on the committee at the same election.

Any member holding a Committee position shall not be eligible to nominate for any other position on the committee.

A Member elected to a Committee position shall be excluded from the ballot for any other subsequent position in the order set out in 12.1 (i).

12.6 Standing Committees

Standing Committees –Bar(3 members)-House(3 members)-Social(3 members)-Grounds(4 members) and such other as may be required from time to time to carry out functions of the Club shall be elected biennially by all financial ordinary and life members of the Club. The Chairpersons who are selected from within their Committees shall report to the Management Committee

12.7 Elections

Not less than four weeks prior to the Annual General Meeting of members, The Committee shall call for nominations for vacant positions on all Committees.

Election to Office shall take place in the order as stated in 12.1(i)

- (i) In the event of there being more than the required number of candidates for any office or officers an election to fill such positions shall be held by ballot.
- (ii) The Secretary / Membership Chairperson shall within seven days of nomination closing post to all members a ballot paper or papers together with envelopes, one marked "Ballot Paper" and one marked "Counterfoil". Ballot papers to clearly show full name of nominated candidates for positions to be filled, each ballot paper shall be initialled by the Secretary/Membership Chairperson.

- (iii) Ballot papers sealed in ballot envelope and in turn sealed in the counterfoil envelope may be posted or placed in the ballot box.
If received by post the secretary shall place the envelope, unopened in the ballot box, and no ballot paper received after the hour appointed for the closure shall be counted,
- (iv) The Committee shall appoint a returning officer and two scrutineers who upon closure of the ballot shall check each counterfoil envelope, and if in order thereupon open the ballot envelope remove ballot paper taking care NOT to unfold the paper and place it in a container for mixing prior to counting by the returning officer and scrutineers,
Candidates receiving the most votes shall be declared elected at the Annual Meeting.
Should a candidate/s receive an equal number of votes the returning officer shall have a casting vote for as many positions that are to be filled,

13 THE POWERS OF MANAGEMENT COMMITTEE

The business of the club shall be managed by the Committee, who shall constitute the committee of management, and who may:

- 13.1 Exercise all such powers of the club, as are not by these rules required to be exercised by the club in general meeting, subject, nevertheless to these and such regulations not inconsistent with these rules as may be prescribed by the club in general meeting, but no regulation made by the club in general meeting, shall invalidate any prior act of the committee, which would have been valid if such regulation had not been made.
- 13.2 To delegate (subject to such conditions as it thinks fit), any of its powers, to sub-committees consisting of such members of the committee and other members of the club co-opted for that purpose, as it may determine , and to make such regulations as to the proceedings of such sub-committees as it thinks desirable.
- 13.3 To regulate and control its own meetings and the transactions of business and within the confines of the constitution.
- 13.4 To hold an Investigation into the conduct of any member of the club and the conduct of any other person, upon the club premises, and for that purpose to require the attendance, before committee, of any member of the club, who, in the opinion of the committee, can assist the committee in it's investigation.
- 13.5 May fine, reprimand, suspend or expel a Member if;
 - (i) The Member is guilty of conduct which in the opinion of the Committee is unbecoming of the Member or prejudicial to the interests, image, welfare or reputation of the SBRCI; or
 - (ii) The member makes public statements which are in the opinion of the Committee damaging to the interests, image, welfare or reputation of the SBRCI.

The Relevant State Bowling Authority is to be notified of the committee's decision. Committee upon reaching a decision shall notify that member forthwith by post at the last known address of the decision of the committee.

- 13.6 The Election of Patron/s and Auditor shall be taken on motion from the floor at the Annual General Meeting.

- 13.7 To do, and perform, any other act's, matters and things in connection with, or relative to, the management of the club, as shall not by these rules require to be done by the club in general meeting,
- 13.8 To make alter and repeal By-Laws, not inconsistent with these rules, regulating the use and management of the club's premises (within confines of the constitution), the admission of members, and the conduct of the club, and it's affairs generally,
- 13.9 Any member of the Committee who is absent from three consecutive meetings without leave of the Committee shall forfeit their seat.
- 13.10 A person will be prohibited from sitting on the Management Committee if they are:
- a. An undischarged bankrupt or their affairs are under insolvency laws.
 - b. Have been convicted of an offence in connection with the promotion, formation or management of a Body Corporate.
 - c. Have been convicted of an offence involving fraud or dishonesty punishable by at least three months or more imprisonment or-
 - d. Have been convicted of an offence under division 3 or section 127 of the Associations Act 2015.
 - e. Where a person is prohibited because they have been convicted of an offence they cannot be a committee member for a period of five years from their conviction, except where the conviction resulted in imprisonment, in which case they cannot be a committee member for five years from their release from custody.

14 DUTIES OF OFFICERS

THE PRESIDENT shall preside at all meetings of The Club and of The Committee. In their absence the Vice President shall preside. If neither 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 their absence the presiding Chairperson shall have a deliberative vote. In the result of a tied vote the motion shall be deemed lost. The presiding Chairperson shall decide on the voices or show of hands as he or she may think fit, but any member may demand a division or a secret ballot.

THE SECRETARY, unless otherwise excused, shall attend all meetings of The Club and in terms of the Association Act 1987 comply particularly with sections 27,28 and 29 which refer to maintaining an updated register of members. Keep and maintain an up to date set of rules and make them available to members. Maintain a record of names and addresses of members of who hold office and the names and addresses of any persons who are appointed or act as trustees on behalf of the Club. Do such clerical work as may be necessary for the observance of the Rules and By-Laws of The Club. They 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. They shall maintain full and accurate minutes of all Committee meetings and General meetings.

THE TREASURER shall attend all meetings of the Club and in terms of the Association Act 1987 comply in particular with sections 25 and 26 which refer to the keeping and maintaining of true and fair records of account and be in a position to explain the financial transactions and financial position of the Club. Perform such other duties as are imposed by these rules. 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 and the particulars usually shown in books of account of a like nature. At the Annual General Meeting or as directed by the Chairperson shall present an audited statement of receipts and expenditure of The Club for

the past year and a balance sheet. Have custody of all securities, books and documents of a financial nature and accounting records of the Club.

15 DELEGATES TO REGIONAL COMMITTEES

The Committee shall appoint and instruct Delegates to the Regional Committees of the appropriate State Bodies. Such delegates shall be members of their respective Match Committees and also report in writing to the monthly meetings of The Committee.

16 GRIEVANCE POLICY

- **Policy statement**

1.1 The purpose of this Grievance Policy is to provide for a fair and accessible process for resolving grievances and disputes.

- **Responsibility**

2.1 The Management Committee is responsible for administering the Policy.

- **Confidentiality**

3.1 Subject to the Policy:

3.1.1 The confidentiality and privacy of parties involved in a grievance shall be respected;

3.1.2 Only those parties to the grievance shall have knowledge of the information, documents and content of the grievance; and

3.1.3 The Management Committee shall keep a confidential record of the grievance on record for a period of three years.

3.2 Nothing in this clause:

3.2.1 prevents disclosure by the President, the Complainant, any party to the grievance or a member of the Grievance Committee or the Appeal Committee of the existence of a grievance; or

3.2.2 Is intended to limit the exercise of the powers conferred in clauses 5.3 and 5.8.

- **Informal Procedure**

4.1 The Complainant must inform the President of his or her grievance. In the event that the grievance involves the President or the President has an interest in the resolution of the grievance, the Complainant may inform the Vice-President of his or her grievance. Where necessary, any reference in this Policy to the President can be taken to be a reference to the Vice-President.

4.2 The President will listen to the grievance and discuss solutions with the Complainant.

4.3 If the grievance cannot be resolved in accordance with clause 4.2, the President shall inform the Complainant of the formal procedure that can be followed.

- **Formal Procedure**

5.1 The formal procedure for resolving a grievance must not be undertaken, unless the informal procedure has been followed and it has failed to resolve the grievance.

5.2 The Complainant must put his or her grievance in writing to the President. The Complainant shall clearly identify the person or persons who are being complained about (the party/parties to the grievance) and include appropriate documentation, details of witnesses and other evidence or information that is relevant to the grievance. The

President may commence the formal procedure notwithstanding that this clause has not been fully complied with.

- 5.3 Following the receipt of the complaint in writing, the President shall have 28 days to resolve the grievance by agreement with the Complainant and any other party/parties to the grievance.
- 5.4 The President shall counsel the Complainant and any other party/parties to the grievance to make every effort to resolve the grievance without the need for appointment of a Grievance Committee.
- 5.5 If the grievance is not resolved in accordance with clause 5.3, the President shall appoint a Grievance Committee to review the grievance and make a decision regarding how to resolve the grievance.
- 5.6 The President shall appoint the Grievance Committee. It shall comprise one member of the Management Committee who is not the President and two other members of the Club who are not members of the Management Committee. The member of the Management Committee shall be known as the Chairperson.
- 5.7 The Grievance Committee Chairperson and the two other members must not have any interest in the resolution of the grievance or, in the opinion of the President, have any significant personal or professional association or relationship with either the Complainant or any other party/parties to the grievance that could give the impression that he or she is not impartial.
- 5.8 The Grievance Committee shall gather evidence or information regarding the grievance in any way it sees fit, but must afford the Complainant and each other party to the grievance, the opportunity to make either written or oral submissions to the Grievance Committee.
- 5.9 If the Grievance Committee permits oral submissions, the Complainant and any party/parties to the grievance are not entitled to legal representation, but may make submissions through an agent.
- 5.10 The Grievance Committee must make its decision within 21 days of its appointment and notify the President, the Complainant and any other party/parties to the grievance of its decision.
- 5.11 The decision of the Grievance Committee does not take effect, and shall not be enforced or relied upon by any person, until the period for appealing the decision set out in clause 6.3 has expired.

- **Appeals**

- 6.1 The Complainant or any party involved in the grievance may appeal a decision of the Grievance Committee.
- 6.2 An appeal may only be brought on one or more of the grounds that the Grievance Committee:
 - 6.2.1 Was not appointed in accordance with clauses 5.6 and 5.7;
 - 6.2.2 Did not comply with clauses 5.8 and 5.9; and/or
 - 6.2.3 Reached a decision that was unfair and unreasonable in the circumstances.
- 6.3 A party wishing to appeal must give notice of its intention to appeal in writing to the President within 21 days of receiving notification of the decision of the Grievance Committee.
- 6.4 If notice is given in accordance with clause 6.3, the decision of Grievance Committee does not take effect, and shall not be enforced or relied upon by any person, until such time as the Appeal Committee gives notice in accordance with clause 5.10.

- 6.5 If notice is given in accordance with clause 6.3, the President shall appoint an Appeal Committee to hear the appeal. The Appeal Committee shall be appointed in the same manner that a Grievance Committee is appointed under clauses 5.6 and 5.7.
- 6.6 A member of the Grievance Committee cannot be a member of the Appeal Committee.
- 6.7 The Appeal Committee has the same powers and is subject to the obligations set out in clauses 5.8, 5.9 and 5.10.
- 6.8 The Appeal Committee may either:
 - 6.8.1 Affirm the decision of the Grievance Committee; or
 - 6.8.2 Substitute its own decision for that of the Grievance Committee.
- 6.9 The Appeal Committee may affirm the decision of the Grievance Committee, notwithstanding that one or both of the grounds set out in clause 6.2.1 and/or 6.2.2 are established.
- 6.10 The Appeal Committee shall not substitute its own decision for that of the Grievance Committee, unless at least one of the grounds set out in clause 6.2 is established.
- 6.11 If the ground set out in 6.2.3 is established, the Appeal Committee shall substitute a decision which is fair and reasonable in the circumstances for the decision of the Grievance Committee.
- 6.12 The decision of the Appeal Committee takes effect, and can be enforced or relied upon by any person, once notification has been given in accordance with clause 5.10.
- 6.13 No appeal can be brought from the decision of the Appeal Committee.

- **Monitoring**

- 7.1 The Management Committee shall review the Policy annually.

17 RESIGNATION OF MANAGEMENT COMMITTEE

In the event of the resignation of the Committee, the management of the affairs of the Club shall be vested in the Executive Officers who shall be competent to exercise all powers vested in the 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 (14) days after such resignation.

18 RESIGNATION OF MEMBERS

Resignations must be forwarded to the Secretary in writing. Such members will remain liable for any outstanding subscriptions, fees levies or other debts owing to the Club at the time of resignation for the past and current years.

19 BANK

The funds of the Club shall be placed in such Bank as the Committee may from time to time determine to the credit of the Swan Bowling and Recreation Club Incorporated (SBRCI).

The Executive Officers of The Club shall be authorised signatories for the Bank Account. All cheques are to be signed by any two authorised signatories.

All payments made by cheque or electronic funds transfers (EFT) are to be authorised by any two authorised signatories and shall be operated on by any two of them.

20 TRUSTEES

There shall be three Trustees of the Club who shall be appointed by a general meeting. Any vacancy in the office of Trustees shall in like manner be filled at any general meeting. Every Trustee shall hold office during their life or until they resign, cease to be a member of the Club, remains out of Western Australia for a period of twelve months or is removed from office by resolution of a general meeting.

The Trustees shall not have any personal control over the property of the Club but shall give effect to the directions lawfully given by the Committee.

21 LIQUOR

21.1 The supply of and sale of liquor shall be at such times as to comply with the Liquor Control Act 1988.

21.2 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 or on the instructions from the member purchasing the same.

21.3 No payment or part payment to any Secretary, Treasurer or other officer or servant of the club shall be made by way of commission or allowance from or upon the receipts of the club for liquor supplied.

21.4 No liquor shall be sold or supplied to any juvenile (i.e. any person under the age of 18).

21.5 No stranger shall be permitted to use the club premises and no member or other person shall admit any stranger to use club premises.

21.6 The club shall only be open for the sale of liquor during such hours (within the hours permitted under the Liquor Control Act 1988) as the Committee from time to time shall determine.

21.7 No liquor shall be sold or disposed of on Christmas Day, Good Friday or Anzac Day except as permitted under the provisions of the Liquor Control Act 1988.

21.8 The Club shall nominate a person as the approved manager pursuant to the provisions of section 100 of the Liquor Control Act 1988.

22 GUESTS

22.1 The maximum number of guests per member per day for the purpose of section 48(4) (b) (e) of the Liquor Control Act 1988 is five (5).

22.2 A guest shall not be supplied with liquor in the club premises except on the invitation and in the company of a member.

22.3 A guest shall be supplied with liquor to be consumed on the club premises only.

22.4 The member introducing the guest shall be responsible for the proper conduct of the guest whilst on the premises.

22.5 Any person who has been refused membership of the club or who shall be under suspension or expulsion of the club shall not be admitted as a guest of any member of the club.

22.6 A member may, at their expense and with the approval of the club 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.

23 AUDIT

Once in each year the accounts of the club shall be examined by audit to certify to the correctness of the balance sheet, profit and loss accounts and schedules.

A list shall be delivered to the auditor and all books shall be made available and at reasonable times have access to those books and accounts.

The Auditor shall make a report to the members upon the balance sheet and accounts, which shall be presented at the Annual meeting, stating that in the auditor's opinion that they are a true and correct view of the club's affairs.

An auditor for the purpose of non profit constituted bodies is generally someone who is not involved in the Club and who has had a background in basic accounting and financial matters.

24 COMMON SEAL

The common seal shall be kept in custody of the secretary and shall only be affixed to any deed instrument or other document at a meeting pursuant to a resolution of the committee and not otherwise.

There shall be three seal holders who shall be appointed by committee from amongst the committee whilst holding office; any two of the holders plus the secretary shall countersign the affixing of the seal.

The Secretary shall keep a record of all documents that has had the seal affixed.

25 ALTERATION of RULES

No Object, Name or Rule of the club shall be repealed or amended and no new Object, Name or Rule shall be made except upon a Special Resolution passed by not less than a 75% majority of the members of the SBRCI entitled to vote at a General meeting, the notice of which shall have set out in extensively the proposed repeal/amendment or new provision.

Any amendment shall be subject to approval from the Commissioner as required under the Associations Incorporation Act 1987 (as amended).

Within one month after the making of any amendment or alteration to the rules of the club, the committee of management of the club shall send or deliver to The Director of Liquor Licensing, Department of Commerce, and the Relevant State Bowling Authority, a certified copy of the amendment or alteration.

26 AFFILIATION and LAWS

The Club shall affiliate with the State Association and shall recognise and accept the Constitution Rules and By-Laws and shall make all decisions consistent therewith. All games of bowls shall be played according to the Constitution, By-Laws and the Laws of the game currently recognized by the Association.

All prizes and trophies donated to the club shall be competed for upon such conditions as the committee may determine subject however to the rules of disqualification and The Laws of the Game of Bowls. The club may provide such annual trophies, as the committee shall determine.

27 EMPLOYEES

The Committee may employ such persons as required from time to time to assist in the operation of the Club. The person appointed to manager the bar shall be the licensee of the Club

No person under the age of eighteen (18) years shall be employed in the sale or delivery of Liquor.

The minimum wages and conditions of work of Club employees shall be governed by relevant State Industrial Awards and the Minimum conditions of the employment Act 1993 where the Act prevails by providing a greater benefit to the employee.

The hours of work of Club employees shall be determined by the Finance Committee.

Employees may join the Club as provided in rules 7.1 and 7.3.

The termination of employment of any Club employee by the Club shall be the responsibility of the Committee. The process leading to the dismissal shall be conducted in accordance with and proper procedures as recognized by the relevant State industrial Authorities and with adherence to the principles of "natural justice"

28 DISSOLUTION

28.1 The Club may be dissolved or wound up by Special Resolution passed by not less than a 75% majority of the members of the SBRCI entitled to vote at a General Meeting called for such purpose.

28.2 If upon the winding up or dissolution of the Club there remain after the satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the members, or former members. The surplus property must be given or transferred to another association incorporated under the Act which has similar objects and which is not carried out for the purposes of profit or gain to its individual members, and which association shall be determined by resolution of the members

29 INDEMNITY

The President, Vice President, Secretary, Treasurer, Delegates and members of the committee shall from time to time and at all times be saved harm and kept indemnified from and against all cost, charges losses, damages and expenses which they or any of them sustain, incur or put to 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 provide always that the amount of such costs, charges, damages or expenses for which indemnity is intended to be hereby provide, 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 their own acts, deeds and defaults alone.

President
George Tibbles

Secretary.
Jillian Bacon

Date / /**2019.**