

Maclean & District Bowling Club Co-op Limited BY-LAWS

(Effective from 1 September 2023)

1. Definitions and Interpretations

- (a) The By-laws are made by the Board of Directors of Maclean & District Bowling Club Co-op Limited in accordance with Rule 61(a) (By-Laws) as detailed in the Rules of Maclean & District Bowling Club Co-op Limited
- (b) Definitions mentioned in the Rules also apply to these By-laws
- (c) These By-laws are to be read in conjunction with the Rules of the Club and in the event of any inconsistency, the Rules shall prevail.
- (d) These By-laws are binding on each member of the Club
- (e) The term 'non-member' refers to any person that is not a financial member or life member of the Club and includes any guest of a member or temporary member as defined by the Club's Rules
- (f) For the purposes of these By-laws, the term "serious misconduct" includes any behaviour that:
 - is seen to be violent or intimidating
 - harasses or causes physical or emotional discomfort to others
 - involves the use of obscene language or behaviour
 - may render the Club liable to prosecution
 - involves intoxication
 - is slanderous or vilifies another member
 - damages, defaces or removes Club property, and/or
 - places the safety of others at risk
- (g) The Board may decide to amend, rescind or add to these By-laws at any time, and any decision by the Board comes into effect when a notice advising members of any change is placed on the Notice Board.

2. Entrance Fees, Subscriptions and other Fees

- (a) The Board will set entrance fees, renewal fees and any other membership related fees annually
- (b) In addition to the Club's annual subscription, members who participate in the sport of lawn bowls, may from time to time pay an additional fee as determined by the Board

3. Use of the Club's Premises

- (a) The Club's general trading hours will be decided by the Board from time to time and the Board or Secretary Manager may open or close the whole or any portion of the Club premises at other times subject to specific needs from time to time.

- (b) Members and guests must vacate the Club premises as soon as practical after trading ceases but in any event within thirty (30) minutes after trading ceases
- (c) No liquor will be sold, or other services rendered after trading has ceased
- (d) No gaming payments will be made after thirty (30) minutes after trading has ceased
- (e) Members must always carry their membership card when on Club premises
- (f) Members must produce their membership card upon request by an authorised employee of the Club. If a membership card cannot be produced, the member must leave the premises if asked

4. Promotion of Non-Club Approved Activities

No pamphlet, advertisement or notice of any kind is to be displayed in the Club premises without the permission of the Board or Secretary Manager

5. Donations and Raffles

No person is allowed to solicit donations or raise funds (e.g. raffle tickets) for non-Club related purposes without the prior approval of the Board or Secretary Manager

6. Gambling and Games

Illegal gambling is not allowed on the Club's premises. The Board or Management may prohibit games which, while not strictly unlawful, are considered not to be in the best interests of the Club.

7. Dress Standards

(a) General Clubhouse Dress Standards

Members and guests must be respectably dressed at all times. Any person may be refused admittance or requested to leave if their dress is not considered satisfactory. The Secretary Manager or authorised representative is authorised to determine and act on any issue involving standard of dress.

The minimum standard of dress is as follows:

- Footwear must always be worn
- A shirt or T-shirt must be worn
- Singlets or sleeveless shirts are not permitted to be worn by males
- Clothing with offensive language is not permitted
- Swim wear is not permitted
- Overalls and soiled work clothing are not permitted after 8.00pm

- (b) *Lawn Bowls Dress Standards for Social Events*
Members and visiting bowlers must comply with the following minimum dress standards when playing social lawn bowls:
- Flat soled bowls shoes or approved footwear by the Board
 - Shirt with collar and sleeves
 - Shorts, pants, dress pants, skorts, skirts, dress jeans and lawn bowlers track pants
 - Swim shorts or are not permitted
- (c) *Lawn Bowls Dress Standards for Championships and Tournaments*
The uniform for events controlled by Zone 1, CRDWBA and Bowls NSW are to be determined by the relevant association to the event.
Uniform requirements for all other events are at the discretion of the Board.
- (d) The Board and/or Management may modify dress standards for specific events such as lawn bowls promotion, recruitment drives, charity fundraising events or specific social events.

8. Behaviour

The following standards are expected of members:

- (a) Members must treat each other with respect at all times while on Club premises and participating in sporting events. Members must not cause offence to any member or members of the Club
- (b) Members must not reprimand, harass or insult any employee of the Club at any time. If a member has any complaint to make regarding any employee of the Club, any such complaint is to be lodged with the Secretary Manager
- (c) Members must not deface or damage Club property
- (d) Members must not remove, or allow to be removed, any Club property without the express permission of the Secretary Manager or Chairperson of the Board
- (e) Members must not disregard any reasonable instruction of the Board, Management or authorised representative
- (f) Members must not harass or be a nuisance to other members at any time
- (g) Members must not make uninvited advances to other member/s to borrow money while on Club premises

9. Serious Misconduct

A member cited to appear before the Board for alleged serious misconduct may, at the discretion of the Board or Secretary Manager, be suspended from all membership privileges until such time as:

- (a) The member appears before the Board of Directors and/or,
- (b) The member provides a written submission to allow the Board to consider the matter.

10. Refusal of Service

The Secretary Manager or delegated representative has the authority to refuse service to any person in the following circumstances:

- (a) If it is determined that there has been a breach of responsible service of alcohol and responsible conduct of gaming services best practices
- (b) If it is determined that there has been a breach of these By-laws or Rules of the Club
- (c) If a member fails to follow a reasonable direction from staff or delegated member of the Board of Directors
- (d) If it is determined that the Club could become liable to prosecution if service was continued
- (e) If it is determined that to continue service would not be in the best interests of the Club.

11. Election of Office Bearers

Election of Office Bearers will be conducted in accordance with the Rules, the Registered Clubs Act and the Fair Work (Registered Organisations) Act 2009 as amended from time to time. Should these By-laws conflict with the Rules or any applicable legislation in force at the time, the Rules and applicable legislation will take precedence.

(a) *Returning Officer*

- A Returning Officer will be appointed by the Members at the Annual Meeting
- Should the elected Returning Officer resign, decline to act in the role, or become ineligible to fulfil the duties of the Returning Officer, the Board may appoint another eligible person to act as Returning Officer until the next Annual Meeting
- A Director or Employee of the Club is not eligible to be appointed Returning Officer
- The Returning Officer will be responsible to prepare and circulate a notice calling for nominations in accordance with the Rules and By-laws
- After the close of nominations, the Returning Officer will consider all nominations received during the nomination period

- The Returning Officer will reject any nominations received after the nomination period has expired
- The Returning Officer will accept all nominations which satisfy the requirements of the Rules
- Where the Returning Officer finds that a nomination may be defective, the Returning Officer will notify the person concerned and provide the person the opportunity to rectify the defect within a period of no later than five (5) days after the closing date for receipt of nominations. If the defect has not been rectified within the required time, the nomination will be rejected

(b) *Nominations*

Nominations will be in accordance with the Rules must be in legible writing and include:

- The full name of the nominee
- The form in which the nominee's name is to appear on a ballot, paper if different from the full name
- The nominee's Membership number
- The name, address, and Membership number of each nominator
- The signed endorsement and consent of the nominee
- The signature of each nominator
- Signed Statutory Declaration and
- any further documentation required by the Returning Officer

(c) *Withdrawing Nominations*

- A Member nominating for any office may withdraw the nomination by notice in writing and including the signed endorsement of the nominee at any time before the closing time for the receipt of nominations.
- Once a nominator has endorsed the nomination of another Member for election to any office in the Club, that nominator cannot subsequently withdraw that endorsement

(d) *Uncontested Elections*

- If, after the close of nominations, the number of valid nominations received for an office does not exceed the number of positions to be filled, the Returning Officer will declare elected the person or persons nominated.

(e) *Contested Elections*

- If, after the close of nominations, the number of valid nominations received for an office exceeds the number of positions to be filled, the returning officer will conduct a ballot in accordance with the Rules.

(f) *Roll of Voters*

- Only the names of Members who are entitled to vote in accordance with the Rules be contained within the electronic database.

- The electronic database which contains the roll of voters will close seven (7) days before the day on which nominations for the election open.

(g) *Draw for Ballot Position*

- When nominations close, the Returning Officer will conduct a random draw conducted for positions on the ballot screen
- The draw must be witnessed by at least two people who are not also candidates in the election
- The results of the draw for the screen ballot position will be placed on the Club's Notice Board

(h) *Ballot Screen*

- Members will be requested to swipe their membership cards at the entry terminal in the Club foyer and the following features will appear on the screen
- The position to be filled and the nominated candidates and by selecting the candidates name and profile will appear
- Members will select their preferred candidate by clicking on the box alongside the candidate and press ok
- Voting is restricted to one vote per member and will remain confidential

(i) *Conduct of the Ballot*

- The ballot will be conducted using the 'first past the post using numbers' system. The result of the ballot will be determined by an electronic counting system. Successful candidates are those with the highest number of votes for the available positions.
- If a candidate is contesting the roles of President and Director, the candidate can only be appointed as President if the candidate is successfully elected as a Director
- If two or more candidates each receive the same number of votes, the Returning Officer will decide by lot which candidate is to be elected.

(j) *Voting Procedure*

- A current Membership card must be produced to access the voting screen
- Members can only vote at the allotted times and will be scanned by the terminal to ensure that the member voting matches the membership card used to access the voting screen

(k) *Declaration of Election result*

- .Once the election result is determined all successful and unsuccessful nominees will be advised of the outcome and then the result will be posted on the Club's notice board after the Annual General Meeting.

12. Guests

The following conditions apply in respect to guests:

- (a) Members may bring guests to the Club subject to the provisions of these By-laws, the Rules or any other requirement in force at the time of entry
- (b) A guest must remain in the reasonable company of the introducing member at all times when on the Club premises and the guest/s must leave the Club premises at the same time as the introducing member leaves
- (c) The member introducing any person as a guest is responsible for any liability incurred by their guest
- (d) No person who has been rejected as a candidate for membership or has been expelled from the Club, or who is considered by the Board or Management in its discretion to be undesirable to be admitted as a guest will be eligible to be admitted as a guest
- (e) The Board or Management has the right to refuse entry to any non-member and does not need to provide any reason to the non-member for such refusal

13. Lawn Bowls

(a) *Greens Committee*

The Board will elect a Greens Committee to assist and liaise with the Green keeper in all matters that relate to the operation, maintenance and development of the Club's bowling greens and surrounds. The Greens Committee should meet at least once a month and prior to each monthly general Board meeting. A report relating to this meeting is to be tabled at the Board meeting. Specific duties of the Greens Committee are:

- Monitoring greens maintenance, renovation and greens development programs
- In conjunction with the Green keeper, the investigation and recommendation to the Board of new products, methods and ideas for the green's and surround's development
- Liaising with the Board, Management and other Club committees to ensure the availability and smooth operation of the Club's greens at all times
- Liaising with the Green keeper to ensure Board policies are being achieved
- Reporting to the Board any matters that relate to the operation of the greens
- In conjunction with the Green keeper, the Greens Committee is responsible to determine when the greens shall be available for play by male and female bowlers.

- Assisting the Green keeper and greens staff with any routine greens related tasks that may be requested from time to time on a voluntary basis

(b) *Bowls Coordinator*

The role of the Club's Bowls Co-Ordinator will be set down in a job description endorsed by the Board annually in line with the following duties and responsibilities:

- Liaise between Management, Green keeper, Greens Committee, Bowls Management Team, Club Caterers, Motel Management concerning all matters that relate to the conduct of lawn bowling activities at the Club.
- Promote the sport of lawn bowls both within the Club and to the broader community.
- In conjunction with a Management Team, organise and conduct all tournaments and championships whilst adhering to Covid 19 laws. During Singles Championship events matches will be rescheduled to accommodate Covid affected players.
- In conjunction with the Management Team arrange the hosting of visiting pennants teams and transport for away matches.
- Organise and conduct all regular social bowls events. Management committee members to conduct Tuesday & Thursday social events.
- Organise and conduct all charity and promotional bowls events.
- Organise and conduct visits to the Club by other bowling clubs or groups and liaise with representatives from these clubs or groups.
- Ensure the collection and reconciliation of all green fees and entry fees.
- Liaise with Zone 1, CRDWBA, Bowls NSW and other bowling clubs.
- Provide a written report to the Board at least once a month.

(c) *Bowls Management Committee*

The Board will appoint a Management Committee of six (3 male & 3 female) members on an annual basis to assist the Bowls Co-Ordinator to manage and conduct all lawn bowls events. In the event of nominations not being accepted as per the 3/3 rule, the Board will appoint appropriate members. The role of the Management Committee will be aligned with the duties and responsibilities of the Bowls Co-Ordinator. The Bowls Co-Ordinator will be the Chairperson of the Bowls Management Committee.

(d) *Green Fees*

- Green fees for all social bowls events are set by the Board.
- The Board and/or Secretary Manager may vary green fees for specific events such as promotional events or bowls visits to the Club.
- The Board may vary green fees and/or entrance fees for other events from time to time.

(e) *Use of Bowling Greens*

- The use of bowling greens during inclement weather will be determined by the Greens Committee in conjunction with the Green keeper, Bowls Co-Ordinator and when appropriate, the controlling body of any event likely to be impacted. In an emergency, the Secretary Manager may also determine whether play should proceed
- Wherever possible, the Green keeper's advice is to be followed however, the final determination whether play should be allowed to proceed is the sole responsibility of the Greens Committee and in their absence, the President or Secretary Manager. Should wet weather be considered likely, every effort is to be made to contact all members of the Greens Committee and the Green keeper. The Greens Committee is to be made aware of the Green keeper's recommendation and the final decision whether to play will be determined by a simple majority. Wherever possible, a decision whether to play shall be made at least thirty (30) minutes prior to the scheduled commencement of play
- Members may use the Club's bowling greens for the purpose of practice at certain times. Members wishing to use the greens for practice shall only play on the green/s set aside for this purpose and shall follow any reasonable instruction from the green keeping staff. A nominal fee may be charged for the use of greens for practice at the Board's discretion from time to time.