

TAMBORINE MOUNTAIN MEMORIAL SPORTS

CENTRE INC.

CONSTITUTION

2026

1. NAME.

- 1.1. The name of the Incorporated Association is TAMBORINE MOUNTAIN MEMORIAL SPORTS CENTRE INC.
- 1.2. The association, on approval of the Governing Board may adopt a trading name, including "Club Tamborine", to assist in the promotion of the association

2. INTERPRETATION.

- 2.1. The following interpretations shall operate within this Constitution:
 - 2.1.1. In these rules- "Act" means the *Associations Incorporation Act 1981* as amended from time to time.
 - 2.1.2. "The Association" means the above-named Association.
 - 2.1.3. "The Governing Board", (referred to as "The Management Committee" under the Act, are all volunteers unless otherwise stated) means the Members, for the time being, of the Governing Board of the Association as constituted in accordance with the Constitution, and is the controlling body of the Association, subject only to any direction of members at a General Meeting.
 - 2.1.4. "BA" means Bowls Australia.
 - 2.1.5. "BQ" means Bowls Queensland.
 - 2.1.6. "DBA" means the relevant district Bowls Association.
 - 2.1.7. "Bowls Players" mean ordinary members of the Association who play bowls.
 - 2.1.8. "Bowls State Authorities means BQ and equivalent authorities in other States or Territories of Australia.
 - 2.1.9. "ACA" means Australian Croquet Association.
 - 2.1.10. "CAQ" means Croquet Association Queensland. .
 - 2.1.11. "GCTR" means the Gold Coast Tweed Region.
 - 2.1.12. "General Meeting" means Annual General Meeting or Special General Meeting as the case may be.
 - 2.1.13. 'Management Team means the employed Club Manager of the Association, the Assistant Manager, and any other employees identified by the Club Manager who have management or supervisory accountabilities in the operation of the Association
 - 2.1.14. "Member" means any Ordinary Member of the Association.
 - 2.1.15. "Membership year" means '12-month period of membership as agreed by the Governing Board'.
 - 2.1.16. Reference to any gender includes the opposite gender unless the text indicates otherwise.
 - 2.1.17. Singular includes the plural and vice versa unless the text indicates otherwise.
 - 2.1.18. "Present" means:
 - 2.1.18.1. at a Governing Board Meeting, as set out in Rule 23(6); or
 - 2.1.18.2. at a General Meeting, as set out in Rule 36(2).
 - 2.1.19. "Month" means calendar month.
 - 2.1.20. "Year" means the Association's Membership year.

- 2.2. A word or expression that is not defined in this Constitution, but is defined in the Act has, if the context permits, the meaning given by the Act.

3. OBJECTS.

- 3.1. Object 1 of the Association is to operate a sustainable and commercial not for profit sports and hospitality enterprise in order to contribute to the Tamborine Mountain Community through:
- 3.1.1. The operation of a Bowls and Croquet Club
 - 3.1.2. Housing the RSL subbranch while occupying the premises and 6-12 Beacon Rd
 - 3.1.3. The giving of support where approved by the Governing Board to community charities and not for profit entities including sporting clubs and other recreational clubs, in order to foster well-being, inclusion and connectivity within the community
- 3.2. The Object 2 of the Association is to foster the sports of bowls and croquet in all their aspects as well as other associated sports, including, but without limiting the objects to, the following:
- 3.2.1. The promotion, control, and advancement of the sports of bowls and croquet, amongst its members:
 - 3.2.2. To provide and maintain the best possible standard of playing facilities in accordance with the laws of the sport prescribed by BA and CQ.
 - 3.2.3. To provide amenities for members and their guests.
 - 3.2.4. To conduct tournaments.
 - 3.2.5. To affiliate and co-operate with other Associations or organizations whose aims and objects are like and similar, including national and state organizations for the respective sports.
 - 3.2.6. To promote and encourage good fellowship amongst members.
 - 3.2.7. To promote and enhance the sports of bowls and croquet in the local community and encourage health.
 - 3.2.8. To interpret and comply with the laws of all or any of the said sports.
 - 3.2.9. To publish any matter relating to the said sports.
 - 3.2.10. To establish and maintain Association rooms and any other facilities considered to be in the interests of the members.
 - 3.2.11. To provide appropriate accommodation for the local branch of the RSL.

- 3.2.12. The Governing Board shall ensure that, in its direction of the affairs of the Association, the sports of bowls and croquet will be the primary activities of the Association, and either of those the sports will not be allowed to become an activity secondary to the other, or to any other sport.

4. AFFILIATION

4.1. The Association shall, with respect to its members playing the sport of Lawn Bowls:

- 4.1.1. Affiliate with BA and BQ and accept and abide by their Rules and By-Laws insofar as they apply to the playing of the sport of bowls.
- 4.1.2. Be a member of the DBA and accept and abide by the rules and By-Laws of the DBA in so far as they apply to the sport of bowls.
- 4.1.3. Renew its affiliation with the BQ each year in accordance with the Constitution of BQ, forward the annual affiliation fee direct to BQ, and notify the DBA of such payments.
- 4.1.4. Renew its membership with the DBA each year in accordance with the rules of the DBA and pay annual membership fees to the DBA.
- 4.1.5. Elect delegates(s) to the DBA in accordance with the rules and By-Laws of the DBA.
- 4.1.6. Provide to the DBA, BQ and to BA the returns that are required by those bodies.
- 4.1.7. Provide advice to BA, BQ and to the DBA within 30 days of any event which could affect the status of the Association's affiliation with BQ, the legal status of the Association, and/or any changes or amendments to the Association's constitution.
- 4.1.8. Not make amend or repeal a rule or By-Laws in relation to the playing of bowls that conflict with the rules and By-Laws of BA, BQ or the DBA.

4.2. The Association shall, with respect to its members playing Croquet:

- 4.2.1. Affiliate with ACA and CAQ and accept and abide by their Rules and By-Laws insofar as they apply to croquet.
- 4.2.2. Be a member of the GCTR and accept and abide by the Rules and By-Laws of the CAQ in so far as they apply to croquet.
- 4.2.3. Renew its affiliation with the CAQ each year in accordance with the Constitution of CAQ and forward the annual affiliation fee direct to CAQ.
- 4.2.4. Renew its membership with the GCTR each year in accordance with the rules of the GCTR and pay annual membership fees to the GCTR.
- 4.2.5. Elect Delegate(s) to the GCTR in accordance with the Rules and By-Laws of the GCTR.

- 4.2.6. Provide to CAQ and to the GCTR the returns that are required by those bodies.
- 4.2.7. Provide advice to CAQ and to the GCTR within 30 days of any event which could affect the status of the Association's affiliation with CQ, the legal status of the Association, and/or any changes or amendments to the Association's constitution.
- 4.2.8. Not make, amend, or repeal a Rule or By-Law in relation to the playing of croquet that conflicts with the Rules and By-laws of ACA, CAQ, or the GCTR.

5. POWERS

- 5.1. The Association has the powers of an individual to do without limitation any lawful act which an individual could do, in furtherance of the objects of the Association.
- 5.2. The Association may, for example, again without limitation.
 - 5.2.1. enter into contracts; and
 - 5.2.2. acquire, hold, deal with and dispose of property; and
 - 5.2.3. make charges for services and facilities it supplies; and
 - 5.2.4. do other things necessary or convenient to be done in carrying out its affairs.
- 5.3. The Association may also issue secured and unsecured notes, debentures and debenture stock for the Association.

6. CLASSES OF MEMBERS

- 6.1. The membership of the Association shall consist of;
 - 6.1.1. **Ordinary Members.**
 - 6.1.1.1. Ordinary Members shall be classified as bowls players or croquet players.
 - 6.1.1.2. All Ordinary Members are entitled to all Association privileges,
 - 6.1.1.3. The number of Ordinary Members is unlimited.
 - 6.1.2. **Social Members.**
 - 6.1.2.1. The Governing Board may approve any person of good repute and character and compatible with other members as a Social Member of the Association.
 - 6.1.2.2. Social Members shall not be entitled to hold any office of the Association nor be entitled to nominate members to any position in the Association nor take part in or vote at meetings of the Association. They shall not be entitled to nominate any person to any class of membership of the Association nor take part in inter club matches or Association competitions.
 - 6.1.2.3. The special qualifications for election as a Social Member shall be that the person is of good repute and whose interests and activities are compatible with those

of existing members of the Association such person not being under the age of 18 years.

6.1.3. Honorary Members.

6.1.3.1. On the recommendation of the Governing Board, the Association may at any General Meeting elect as an Honorary Member any person who has rendered service of benefit to the Association.

6.1.3.2. An Honorary Member shall be entitled to the social privileges of the Association, but shall not be entitled to hold any office in the Association, nor take part in, nor vote at meetings of the Association, the nor to nominate Ordinary members of the Association, nor to take part in inter Association matches in Association championships.

6.1.3.3. An Honorary Member shall be exempt from the payment of annual subscriptions to the Association.

6.1.4. Life Members.

6.1.4.1. A Life Member is a member who has given meritorious service to the Association, and is elected as such by a General Meeting of the Association on the recommendation of the Governing Board.

6.1.4.2. A Life Member shall be exempt from the payment of annual subscriptions to the Association.

6.1.5. Junior Members.

6.1.5.1. Junior Members comprise such members who are under the age of 18 years.

6.1.5.2. Junior Members shall not be entitled to vote, nor to nominate members for office, nor to nominate other persons to membership of the Association.

6.1.5.3. Junior Members shall be entitled to play bowls and croquet in any State District and Association competition according to the conditions laid down for the playing of the event.

6.1.5.4. Junior Members shall not be allowed under any circumstances to be served, to obtain, or to consume liquor from or on the Association premises, or engage in any form of gambling on the premises.

6.1.5.5. On attaining the age of 18 years a Junior Member shall apply in writing to the Governing Board for Ordinary Membership which application will be dealt with in the same manner as any other application for Ordinary Membership.

6.1.6. Community Members.

6.1.6.1. A person or business or company that sponsors the club financially or in kind; they are nominated by the Governing Board they cannot take part in or vote at meetings of the Association, they shall not be entitled to nominate any person to any class of membership of the Association nor take part in inter club matches or Association competitions.

6.1.7. Playing Member

6.1.7.1. Pay their affiliation fees to another Club

6.1.7.2. Non-eligible to vote or serve on Committees

6.1.7.3. Must be approved by the Governing Board

Category	Definition	Voting Rights
Ordinary Member	Person over 18 who is registered to play Bowls or Croquet with the association.	Yes
Social Member	Person over 18 who can have access to the Club house facilities.	No
Honorary Member	Person entitled to the social privileges of the association.	No
Life Member	Person awarded life membership of the association according to the process outlined in the by-laws.	Yes
Junior Member	Person under 18 who is registered to play Bowls or Croquet	No
Community Member	Person entitled to the social privileges of the association	No
Playing Member	Person registered to play bowls or croquet at another Club	No

7. NEW MEMBERSHIP.

7.1. Proposals for Ordinary, Social, Playing or Junior Membership of the Association shall be made in writing on a form prescribed by the Governing Board and signed by the proposed member.

7.1.1. An applicant for Membership of the Association must be proposed by one member of the Association (the "proposer") and seconded by another member (the "seconder").

7.2. Applications for Social Membership shall be made in writing on a form prescribed by the Governing Board and submitted to a member of the Management Team for consideration and approval by the Club Manager

7.3. A person shall not be allowed to become or remain a member of the Association unless the person possesses the qualifications defined in these Rules, and subject to the conditions and provisions prescribed herein.

8. MEMBERSHIP FEES.

8.1. The Membership Fee for each ordinary class of membership and for each other class of membership is the amount decided by the Governing Board and is payable when, and in the way, the Governing Board decides. The fees are agreed annually prior to the AGM and take effect from the beginning of the membership year.

8.2. For clarification the fee for Ordinary Membership shall be the amount determined by the Governing Board plus for bowls players all fees and subscriptions payable to BA, DBA and BQ and for croquet players all fees and subscriptions payable to ACA, CAQ and GCTR.

9. ADMISSION AND REJECTION OF MEMBERS EXCLUDING SOCIAL MEMBERS.

9.1. With the exclusion of Social memberships the Governing Board must consider an application for membership at the next meeting of the Committee held after it receives-

9.1.1. The application for membership in writing; and

9.1.2. the appropriate membership fee with the application.

9.2. The Governing Board must ensure that, as soon as possible after the person applies to become a member of the Association, and before the Governing Board considers the person's application, the person is advised—

9.2.1. Whether or not the Association has public liability insurance; and

9.2.2. If the Association has public liability insurance—the amount of the insurance.

9.3. The Governing Board must decide at the meeting whether to accept or reject the application.

9.4. If a majority of the Governing Board members present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member to the class of membership applied for.

- 9.5. The Secretary of the Association must, as soon as practicable after the Governing Board decides to accept or reject an application, give the applicant a written notice of the decision.
- 9.6. A person shall not be allowed to become or remain a member of the Association unless he possesses the qualifications defined in these rules, and his behavior conforms to the conditions and provisions prescribed herein.

10. SOCIAL MEMBER

- 10.1. Social membership will be considered by a member of the Management Team of the Club on receipt of:**
 - 10.1.1. A completed membership application in writing**
 - 10.1.2. Payment of the social membership fee**

11. WHEN THE MEMBERSHIP ENDS EXCLUDING SOCIAL MEMBERS.

- 11.1. A member may resign from the Association by giving a written notice of resignation to the Secretary.
- 11.2. The resignation takes effect at-
 - 11.2.1. the time the notice is received by the Secretary; or
 - 11.2.2. if a later time is stated in the notice - the later time.
- 11.3. The Governing Board may terminate a member's membership if the member -
 - 11.3.1. Is convicted of an indictable offence; or
 - 11.3.2. does not comply with any of the provisions of these rules or the by-laws of the Association; or
 - 11.3.3. has membership fees in arrears for at least 2 (two) months; or
 - 11.3.4. conducts themselves in a way considered by the Governing Board to be injurious or prejudicial to the character or interests of the Association, and/or constitute a breach of these rules, or the by-laws of this Association.
- 11.4. Before the Governing Board terminates a member's membership, the Committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- 11.5. If, after considering all representations made by the member, the Governing Board decides to terminate the membership, the Secretary of the Governing Board must give the member a written notice of the decision.

- 11.6. The resignation of any member shall involve the automatic forfeiture of all rights and privileges with respect to all Association matters and property.
- 11.7. A request for transfer of membership (clearance) shall not be taken as a resignation
- 11.8. Any member failing to give written notice to the Secretary of his intended resignation prior to the date on which his subscription is due, shall be liable for the current year's subscription fee, and any other money owing to the Association by him.
- 11.8.1. The Governing Board may remove from the list of members, the name of any person whose subscription is 3 (three) months in arrears.
- 11.8.2. Any such person so removed from membership who desires readmission shall tender payment of all arrears not exceeding 12 (twelve) month subscription and applies in accordance with Rule 8.
- 11.8.3. Payment of an entrance fee may be waived at the discretion of the Governing Board
- 11.9.** Any member of the Association who fails to observe any of the rules or By-Laws of the Association or who is deemed guilty of an act, practice or conduct calculated to bring discredit on the sports of bowls or croquet, or to the Association or to any district bowls or croquet Associations or BQ, CAQ, or their members, or who, on any Association, district bowls or croquet Association or BQ or CAQ premises, engages in illegal gambling, betting or uses obscene or abusive language, renders themselves liable to expulsion or suspension. Discipline and complaint related procedures are set out in this constitution and generally will embrace the policies of BQ and CAQ.

12. POWER OF SUSPENSION.

- 12.1. The Governing Board shall have the power to reprimand, suspend any member who, in the Association premises or elsewhere, is in the opinion of the Governing Board, guilty of unseemly conduct or conduct prejudicial to the interests of the Association.
- 12.1.1. First Offence - A member shall not be suspended from the privileges of membership under this rule for a longer period than six months.
- 12.1.2. Second or Subsequent Offence may result in a lifetime ban (ref 10.3.2)
- 12.1.3. Under the oversight of the Governing Board the Club Manager shall have the power to reprimand, suspend, or expel any social member who, in the Association premises or elsewhere is, in the opinion of the Club Manager or Governing Board, guilty of unseemly conduct or conduct prejudicial to the interests of the Association.
- 12.2. Excluding social members, a member shall not be dealt with by the Governing Board under this provision, except upon a charge or complaint made in writing to the Secretary. Such

charge or complaint shall set out the conduct which is the subject matter of the complaint or charge, and bear the signature and the name and address of the complainant.

12.2.1. Any member so charged shall be notified in writing by the Secretary of the nature of the complaint and the member charged shall be given the right of answering the charge by appearing before the Governing Board and of calling evidence and of questioning witnesses, but a member shall not be entitled to be represented by a solicitor, barrister or other agent.

12.2.2. In the event of a Junior Member being called before the Governing Board on a charge or complaint, such member shall be entitled to be accompanied by his parent/guardian.

12.3. Any person so reprimanded, suspended or expelled shall have the right of appeal within 28 (twenty eight) days of receipt of written notice of reprimand, suspension or expulsion to a Special General Meeting.

12.3.1. Such written notice shall inform such person of this right of appeal under this rule.

12.3.2. Such appeal shall be in writing signed by the appellant.

12.3.3. Upon receipt by the Secretary of the appeal, a Special General Meeting shall be called by the Secretary in accordance with rules 13 and 14, and the appellant can apply to access all Association privileges until such appeal is determined. Any such application will be considered by the Governing Board, and consideration will be given by the Governing Board to its obligations under law to the Association including members, visitors and employees

12.3.4. Such appeal shall be deemed lost unless upheld by a two thirds majority of those members present and entitled to vote at the meeting. The appellant shall not be entitled to be represented by a solicitor, barrister or other agent.

12.4. Forthwith after the expiration of the said period of 28 (twenty eight) days, if the person suspended has failed to appeal or if his appeal has failed after an appeal to a special general meeting the person concerned shall lose all rights and privileges of the Association during the suspension or expulsion, and the Secretary shall certify in writing to the Association's District Bowls or Croquet Association the name of the member suspended and the period of the suspension.

12.5. Any person, whether he is a member of this club or not, who is a member of another bowls or croquet Association affiliated with BA, BQ, CQ, or ACA who is expelled by order of such other Association, or is removed from the list of members of such other Association as a result of his failure to pay monies to that Association shall be denied the privileges of membership of this Association and shall not be permitted to enter the premises of this Association during the period of his suspension, expulsion or removal.

13. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP EXCLUDING SOCIAL MEMBERS.

- 13.1. A person whose application for membership has been rejected, or whose membership has been terminated, may give the Secretary written notice of the person's intention to appeal against the decision.
- 13.2. A notice of intention to appeal must be given to the Secretary within 28 (twenty eight) days after the person receives written notice of the decision.
- 13.3. If the Secretary receives a notice of intention to appeal, the Secretary must, within 1 (one) month after the day of receipt, call a General Meeting to decide the appeal.

14. GENERAL MEETING TO DECIDE APPEAL.

- 14.1. The General Meeting to decide an appeal must be held within 3 (three) months after the Secretary receives the notice of intention to appeal.
- 14.2. At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- 14.3. Also, the Governing Board and the members of the Governing Board who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
- 14.4. An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
- 14.5. If a person whose application for membership has been rejected does not appeal against the decision within 1 (one) month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Secretary must, as soon as practicable, refund the membership fee paid by the person.

15. REGISTER OF MEMBERS.

- 15.1. The Governing Board must keep a register of members of the Association.
- 15.2. The register must include the following particulars for each member;
 - 15.2.1. the full name of the member;
 - 15.2.2. the postal, email (if available) and residential address of the member;
 - 15.2.3. the date of admission as a member;
 - 15.2.4. the date of death or time of resignation of the member;

- 15.2.5. details about the termination or reinstatement of membership;
- 15.2.6. any other particulars the Governing Board or the members at a General Meeting decide.
- 15.3. The register must be open for inspection by members of the association at all reasonable times.
- 15.4. A member must contact the Secretary to arrange an inspection of the register.
- 15.5. However, the Governing Board may, on the application of a member of the Association, withhold information about the member (other than the members full name) from the register available for inspection if the Governing Board has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

16. PROHIBITION ON USE OF INFORMATION ON REGISTER OF MEMBERS.

- 16.1. A member of the Association must not;
 - 16.1.1. use information obtained from the register of members of the Association to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - 16.1.2. disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes.
 - 16.1.3. Sub rule 15.1.2 does not apply if the use or disclosure of the information is approved by the Association.

17. 16. APPOINTMENT OR ELECTION OF SECRETARY.

- 17.1. The Secretary must be an individual residing in Queensland, or in another State but not more than 65km from the Queensland border, who is;
 - 17.1.1. a member of the Association elected by the Association as Secretary; or
 - 17.1.2. any of the following persons appointed by the Governing Board as Secretary;
 - 17.1.2.1. a member of the Association's Governing Board;
 - 17.1.2.2. another member of the Association;
 - 17.1.2.3. another person.

- 17.2. If a vacancy happens in the office of Secretary, the members of the Governing Board must ensure a Secretary is appointed or elected for the Association within 1 (one) month after the vacancy happens.
- 17.3. If the Governing Board appoints a person mentioned in sub rule 16.1.2.2 as Secretary, other than to fill a casual vacancy on the Governing Board, the person does not become a member of the Governing Board.
- 17.4. However, if the Governing Board appoints a person mentioned in sub rule 16.1.2.2 as Secretary to fill a casual vacancy on the Governing Board, the person becomes a member of the Governing Board.
- 17.5. If the Governing Board appoints a person mentioned in sub rule 16.1.2.3 as Secretary, the person does not become a member of the Governing Board.
- 17.6. In this rule — *casual vacancy* on a Governing Board, means a vacancy that happens when an elected member of the Governing Board resigns, dies or otherwise stops holding office.

18. REMOVAL OF SECRETARY.

- 18.1. The Governing Board of the Association may at any time remove a person appointed by the Governing Board as the Secretary.
- 18.2. If the Governing Board removes a Secretary who is a person mentioned in rule 16.1.2.1 and who has been appointed to a casual vacancy on the Governing Board under rule 16.4, the person remains a member of the Management Committee.

19. FUNCTIONS OF SECRETARY

- 19.1. The Secretary's functions include, but are not limited to;
- 19.1.1. calling meetings of the Association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the President of the Association; and
- 19.1.2. keeping minutes of each meeting; and
- 19.1.3. keeping copies of all correspondence and other documents relating to the Association; and
- 19.1.4. maintaining the Register of Members of the Association

20. MEMBERSHIP OF, AND ELECTION TO THE GOVERNING BOARD

- 20.1. The Governing Board of the Association consists of 8 (eight) members namely a President, Vice-President, Secretary, Treasurer, 2 (two) Representatives of the bowls players and 2 (two) Representatives of the Croquet players who the Association members elect or appoint at its Annual General Meeting.
- 20.2. A member of the Governing Board, other than a Secretary appointed by the Governing Board under rule 16.1.2.3, must be a member of the Association.
- 20.3. At each Annual General Meeting of the Association, the members of the Governing Board whose term has expired, must retire from office, but are eligible, on nomination, for re-election.
- 20.4. A member of the Association may be appointed to a casual vacancy on the Governing Board under Rule 21.
- 20.5. Every financial or ordinary member, and life members, of the Association shall be eligible to hold any such office.
- 20.6. Nominations and elections at each Annual General Meeting, Ordinary Member and Life Members of the Association vote to fill the vacant positions on the Governing Board. The election process provides for a rotation of members of the Governing Board.

20.7. Elections under this constitution.

- 20.7.1. All members of the Governing Board are eligible for re-election.
- 20.7.2. The election of the members of the Governing Board shall take place in the following manner;
 - 20.7.2.1. Any two (2) financial Ordinary or Life Members of the Association may nominate any Ordinary or Life Member to serve as a member of the Governing Board.
 - 20.7.2.2. No candidate is eligible as member of the Governing Board unless their proposer and their seconder, are financial from the date of nomination to the date of the election.
 - 20.7.2.3. No member shall accept nomination, or be knowingly nominated if they are an undischarged bankrupt or has been convicted of a criminal offence (excluding traffic offences) in a court of law.
 - 20.7.2.4. The nomination which shall be in writing and signed by the member and their proposer and seconder, shall be lodged with the Secretary at least ten (10) days before the date of the Annual General Meeting at which the election is to take place.
 - 20.7.2.5. A list of the candidates names with the names of the proposer and seconder, shall be posted in a conspicuous place on the notice board not earlier than twenty-eight(28) days and not later than ten (10) days prior to the Annual General Meeting.
 - 20.7.2.6. Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order of surname, and each such member present at the annual general meeting shall be entitled to vote for any number of such candidates

not exceeding the number of vacancies. Voting shall be by secret ballot under the control of the acting chairperson of the meeting who shall appoint three (3) scrutineers.

20.7.2.7. Should at the commencement of such meeting, there be an insufficient number of candidates nominated, those nominated shall be declared elected. Nominations may be taken from the floor of the meeting to fill any remaining vacancy or vacancies.

20.7.2.8. No person is eligible to be a member of the Governing Board if they are an employee of the Association.

20.7.2.9. No individual can hold more than one(1) position on the Governing Board.

20.7.2.10. A maximum of one (1) family member may serve on the Governing Board in one (10) term.

21. RESIGNATION OR REMOVAL FROM OFFICE OF GOVERNING BOARD MEMBER

21.1. A Governing Board member may resign from the Board by giving written notice of resignation to the Secretary.

21.2. The resignation takes effect on;

21.2.1. the day and at the time the notice is received by the secretary; or

21.2.2. if a later day is stated in the notice - the later day.

21.3. A member may be removed from office at a General Meeting of the Association if a majority of the members present at the meeting vote in favour of removing the member.

21.4. Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why they should not be removed from office.

21.5. A member has no right of appeal against the member's removal from office under this rule.

21.6. A member of the Governing Board immediately vacates the office of Member of the Governing Board in the circumstances mentioned in section 64.2 of the Act.

22. VACANCIES ON GOVERNING BOARD

22.1. If a casual vacancy happens on the Governing Board, the continuing members of the Governing Board may appoint another member of the Association to fill the vacancy until the next Annual General Meeting.

22.2. The continuing members of the Governing Board may act despite a casual vacancy on the Governing Board.

- 22.3. However, if the number of Governing Board members is less than the number fixed under rule 24.1 as a quorum of the Governing Board, the continuing members may increase the number of Management Committee members to the number required for a quorum; or call a general meeting of the Association.

23. FUNCTIONS OF GOVERNING BOARD

- 23.1. Subject to these rules or a resolution of the Association carried at a General Meeting, the Governing Board has the general control and Management of the administration of the affairs, property and funds of the Association.
- 23.2. The Governing Board has authority to interpret the meaning of these rules and any matter relating to the Association on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

*Note — The Act prevails if the Association's rules are inconsistent with the Act—
see section 1B of the Act.*

- 23.3. The Governing Board may exercise the powers of the Association;
- 23.3.1. to borrow, raise or secure the payment of amounts in a way the Association members decide; and (i) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Association's property, both present and future; and
- 23.3.1.1. to purchase, redeem or pay off any securities issued; and
- 23.3.1.2. to borrow amounts from members and pay interest on the amounts borrowed.
- 23.3.2. to mortgage or charge the whole or part of its property; and
- 23.3.3. to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association; and
- 23.3.4. to provide and pay off any securities issued; and
- 23.3.5. to invest in a way the members of the Association may from time to time decide.
- 23.3.6. to determine the playing fees for each sport played at the Association
- 23.4. For sub-section 21.3.4, the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by -
- 23.4.1. the financial institution for the Association; or
- 23.4.2. if there is more than 1 (one) financial institution for the Association - the financial institution nominated by the Governing Board.

24. MEETINGS OF GOVERNING BOARD.

- 24.1. Subject to this rule, the Governing Board may meet and conduct its proceedings as it considers appropriate.
- 24.2. The Governing Board must meet at least once every 2 (two) months to exercise its functions.
- 24.3. The Governing Board must decide how a meeting is to be called.
- 24.4. Notice of a meeting is to be given in the way decided by the Governing Board.
- 24.5. The Governing Board may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- 24.6. A Governing Board member who participates in the meeting as mentioned in sub rule 23.5 is taken to be present at the meeting.
- 24.7. A question arising at a Governing Board meeting is to be decided by a majority vote of members of the Governing Board present at the meeting and, if the votes are equal, the question is decided in the negative.
- 24.8. A member of the Governing Board must not vote on a question about a contract or proposed contract with the Association if the member has an interest in the contract or proposed contract and, if the member does vote, the members vote must not be counted.
- 24.9. The President is to preside as Chairperson at a Governing Board meeting.
- 24.10. If there is no President or if the President is not present within 10 minutes after the time fixed for a Governing Board meeting, the members may choose 1 (one) of their number to preside as Chairperson at the meeting.

25. QUORUM FOR, AND ADJOURNMENT OF, GOVERNING BOARD MEETING.

- 25.1. At a Governing Board meeting, more than 50% of the members elected to the committee as at the close of the last General Meeting of the members form a quorum.
- 25.2. If there is no quorum within 30 minutes after the time fixed for a Governing Board meeting called on the request of members of the Governing Board, the meeting lapses.
- 25.3. If there is no quorum within 30 minutes after the time fixed for a Governing Board meeting called other than on the request of the members of the committee—
 - 25.3.1. the meeting is to be adjourned for at least 1 (one) day; and
 - 25.3.2. the members of the Governing Board who are present are to decide the day, time and place of the adjourned meeting.
- 25.4. If, at an adjourned meeting mentioned in sub rule 24.3, there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

26. SPECIAL MEETING OF GOVERNING BOARD.

- 26.1. If the Secretary receives a written request signed by at least 33% of the members of the Governing Board, the Secretary must call a Special Meeting of the Governing Board by giving each member of the Governing Board notice of the meeting within 14 days after the Secretary receives the request.
- 26.2. If the Secretary is unable or unwilling to call the Special Meeting, the President must call the meeting.
- 26.3. A request for a Special Meeting must state—
 - 26.3.1. why the Special Meeting is called; and
 - 26.3.2. the business to be conducted at the meeting.
- 26.4. A notice of a Special Meeting must state—
 - 26.4.1. the day, time and place of the meeting; and
 - 26.4.2. the business to be conducted at the meeting.
- 26.5. A Special Meeting of the Governing Board must be held within 14 days after notice of the meeting is given to the members of the Governing Board.

27. MINUTES OF GOVERNING BOARD MEETINGS.

- 27.1. The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Governing Board meeting are entered in a Minute Book.
- 27.2. To ensure the accuracy of the minutes, the minutes of each Governing Board Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next Governing Board meeting, verifying their accuracy.

28. APPOINTMENT OF SUB COMMITTEES.

- 28.1. The Governing Board may appoint a Sub Committee consisting of members of the Association considered appropriate by the Committee to help with the conduct of the Associations operations.

28.2. There shall be two standing Subcommittees of the Association to be known as the “Bowls Committee” and the “Croquet Committee”.

28.2.1. The purpose and function of these Sub Committees is to oversee and regulate the playing of the sports of bowls and croquet, and make recommendations to the Governing Board concerning changes to the respective By-Laws. It is preferred that such recommendations are presented to the Governing Board by a Member of the Governing Board playing the sport in question.

28.3. A member of the Sub Committee who is not a member of the Governing Board is not entitled to vote at a Governing Board Meeting.

28.4. A Sub Committee may elect a Chairperson of its meetings.

28.5. If a Chairperson is not elected, or if the Chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 (one) of their number to be Chairperson of the meeting.

28.6. A Sub Committee may meet and adjourn as it considers appropriate.

28.7. A question arising at a Sub Committee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

29. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS.

29.1. An act performed by the Governing Board, a Sub Committee or a person acting as a member of the Governing Board is taken to have been validly performed.

29.2. Sub rule 28.1 applies even if the act was performed when—

29.2.1. there was a defect in the appointment of a member of the Governing Board, Sub Committee or person acting as a member of the Governing Board; or

29.2.2. a Governing Board member, Sub Committee member or person acting as a member of the Governing Board was disqualified from being a member.

30. RESOLUTIONS OF GOVERNING BOARD WITHOUT A MEETING.

30.1. A written resolution signed by each member of the Governing Board is as valid and as effectual as if it had been passed at a Governing Board Meeting that was properly called and held.

30.2. A resolution mentioned in sub rule 29.1 may consist of several documents in like form, each signed by 1 (one) or more members of the Governing Board.

31. ANNUAL GENERAL MEETINGS.

- 31.1. Each Annual General Meeting must be held—
 - 31.1.1. at least once each year; and
 - 31.1.2. within 3 (three) months after the end date of the Association's reportable Financial Year.

32. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF LEVEL 1 INCORPORATED ASSOCIATIONS AND PARTICULAR LEVEL 2 AND 3 INCORPORATED ASSOCIATIONS.

- 32.1. This rule applies only if the Association is-
 - 32.1.1. a level 1 incorporated Association;
 - 32.1.2. a level 2 incorporated Association to which section 59 of the Act applies;
 - 32.1.3.** a level 3 incorporated Association to which Section 59 of the Act Applies.
- 32.2. The following business must be conducted at each Annual General Meeting of the Association;
 - 32.2.1. receiving the Association's Financial Statement, and Audit Report, for the last reportable Financial Year;
 - 32.2.2. presenting the Financial Statement and Audit Report to the meeting for adoption;
 - 32.2.3. electing Members of the Governing Board;
 - 32.2.4. for a level 1 incorporated Association - appointing an Auditor, an Accountant for the present Financial Year;
 - 32.2.5. for a level 2 incorporated Association to which Section 59 of the Act applies – appointing and auditor, an accountant or an approved person for the present financial year;

33. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF OTHER LEVEL 2 INCORPORATED ASSOCIATIONS.

- 33.1.** This rule applies only if the Association is a level 2 incorporated Association to which section 59A of the Act applies.
- 33.2. The following business must be conducted at each Annual General Meeting of the Association-
 - 33.2.1. receiving the Association's financial statement, and signed statement, for the last reportable financial year;
 - 33.2.2. presenting the financial statement and signed statement to the meeting for adoption;
 - 33.2.3. electing members of the Governing Board;

33.2.4. appointing an auditor, an accountant or an approved person for the present financial year.

34. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF OTHER LEVEL 3 INCORPORATED ASSOCIATIONS.

34.1. This rule applies only if the Association is a level 2 incorporated Association to which section 59B of the Act applies.

34.2. The following business must be conducted at each Annual General Meeting of the Association-

34.2.1. receiving the Association's financial statement, and signed statement, for the last reportable financial year;

34.2.2. presenting the financial statement and signed statement to the meeting for adoption;

34.2.3. electing members of the Governing Board.

35. NOTICE OF A GENERAL MEETING.

35.1. The Secretary may call a General Meeting of the Association.

35.2. The Secretary must give at least 14 days Notice of the meeting to each member of the Association.

35.3. If the Secretary is unable or unwilling to call the meeting, the President must call the meeting.

35.4. The Governing Board may decide the way in which the Notice must be given.

35.5. However, Notice of the following meetings must be given in writing—

35.5.1. a meeting called to hear and decide the appeal of a person against the Governing Board's decision—

35.5.1.1. to reject the person's Application for Membership of the Association; or

35.5.1.2. to terminate the person's Membership of the Association;

35.5.2. a meeting called to hear and decide a proposed Special Resolution of the Association.

35.6. A Notice of a General Meeting must state the business to be conducted at the meeting.

36. QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING.

36.1. The Quorum for a General Meeting is at least the number of members elected or appointed to the Governing Board at the close of the Association's last General Meeting plus 1 (one).

- 36.2. However, if all members of the Association are members of the Governing Board, the quorum is the total number of members less 1 (one).
- 36.3. No business may be conducted at a General Meeting unless there is a Quorum of members when the meeting proceeds to business.
- 36.4. If there is no Quorum within 30 minutes after the time fixed for a General Meeting called on the request of members of the Governing Board or the Association, the meeting lapses.
- 36.5. If there is no quorum within 30 minutes after the time fixed for a General Meeting called other than on the request of members of the Governing Board or the Association—
- 36.5.1. the meeting is to be adjourned for at least 7 (seven) days; and
- 36.5.2. the Governing Board is to decide the day, time and place of the adjourned meeting.
- 36.6. The Chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- 36.7. If a meeting is adjourned under sub rule 35.6, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- 36.8. The Secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- 36.9. If a meeting is adjourned for at least 30 days, Notice of the adjourned meeting must be given in the same way notice is given for an Original Meeting.

37. PROCEDURE AT GENERAL MEETINGS.

- 37.1. A member may take part and vote in a General Meeting in person, or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- 37.2. A member who participates in a meeting as mentioned in sub rule 36.1 is taken to be present at the meeting.
- 37.3. At each General Meeting—
- 37.3.1. the President is to preside as Chairperson; and

37.3.2. if there is no President or if the President is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the members present must elect 1 (one) of their number to be Chairperson of the meeting; and

37.3.3. the Chairperson must conduct the meeting in a proper and orderly way.

38. VOTING AT A GENERAL MEETING.

38.1. At a General Meeting, each Question, Matter or Resolution, other than a Special Resolution, must be decided by a majority of votes of the members present.

38.2. Each member present and eligible to vote is entitled to 1 (one) vote only and, if the votes are equal, the Chairperson has a casting vote as well as a primary vote.

38.3. A member is not entitled to vote at a General Meeting if the member's annual subscription is in arrears at the date of the meeting.

38.4. The method of voting is to be decided by the Governing Board.

38.5. However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.

38.6. If a secret ballot is held, the Chairperson must appoint 2 (two) members to conduct the secret ballot in the way the Chairperson decides.

38.7. The result of a secret ballot as declared by the Chairperson is taken to be a Resolution of the meeting at which the ballot was held.

39. SPECIAL GENERAL MEETING.

39.1. The Secretary must call a Special General Meeting by giving each member of the Association notice of the meeting within 14 days after—

39.1.1. being directed to call the meeting by the Governing Board; or

39.1.2. being given a written request signed by—

39.1.2.1. at least 33% of the number of members of the Governing Board when the request is signed; or

39.1.2.2. at least the number of Ordinary Members of the Association equal to double the number of members of the Association on the Governing Board when the request is signed plus 1 (one); or

- 39.1.3. being given a written notice of an intention to appeal against the decision of the Governing Board—
 - 39.1.3.1. to Reject an Application for Membership; or
 - 39.1.3.2. to Terminate a person's Membership.
- 39.2. A request mentioned in sub rule 38.1.2 must state—
 - 39.2.1. why the Special General Meeting is being called; and
 - 39.2.2. the business to be conducted at the meeting.
- 39.3. A Special General Meeting must be held within 3 (three) months after the Secretary—
 - 39.3.1. is directed to call the meeting by the Governing Board; or
 - 39.3.2. is given the written request mentioned in sub rule 38.1.2; or
 - 39.3.3. is given the written notice of an intention to appeal mentioned in sub rule 38.1.3.
- 39.4. If the Secretary is unable or unwilling to call the Special Meeting, the President must call the meeting

40. MINUTES OF GENERAL MEETINGS.

- 40.1. The Secretary must ensure full and accurate minutes of all Questions, Matters, Resolutions and Other Proceedings of each General Meeting are entered in a Minute Book.
- 40.2. To ensure the accuracy of the minutes—
 - 40.2.1. the minutes of each General Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next General Meeting, verifying their accuracy; and
 - 40.2.2. the minutes of each Annual General Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next meeting of the Association that is a General Meeting or Annual General Meeting, verifying their accuracy.
- 40.3. If asked by a member of the Association, the Secretary must, within 28 days after the request is made—
 - 40.3.1. make the Minute Book for a particular General Meeting available for inspection by the member at a mutually agreed time and place; and
 - 40.3.2. give the member copies of the minutes of the meeting.
- 40.4. The Association may require the member to pay the reasonable costs of providing copies of the minutes.

41. BY-LAWS.

- 41.1. The Governing Board may make, amend or repeal By-Laws, not inconsistent with these Rules, for the internal management of the Association.
- 41.2. A By-Laws may be set aside by a vote of members at a General Meeting of the Association.

42. ALTERATION OF RULES.

- 42.1. Subject to the Act, these rules may be amended, repealed or added to by a Special Resolution carried at a General Meeting.
- 42.2. However, an amendment, repeal or addition is valid only if it is registered by the Chief Executive.

43. COMMON SEAL.

- 43.1. The Governing Board must ensure the Association has a Common Seal.
- 43.2. The Common Seal must be—
 - 43.2.1. kept securely by theGoverning Board; and
 - 43.2.2. used only under the authority of theGoverning Board.
- 43.3. Each instrument to which the Seal is attached must be signed by a member of the Governing Boardand countersigned by—
 - 43.3.1. the Secretary; or
 - 43.3.2. another member of theGoverning Board; or
 - 43.3.3. someone authorised by theGoverning Board.

44. VISITORS.

- 44.1. Members shall have the privilege of introducing a friend or friends to the Association. No visitors shall be supplied with refreshments unless on the invitation and in the company of a member or members.

44.2. A visitor who is a member of any Association affiliated with the State Authorities, the World Bowls Board or any other body with similar objects shall be deemed to be a visiting Associate Member of the Association while on the Association premises.

44.3. No liquor shall be sold or supplied to any person less than 18 years of age nor shall persons less than 18 years of age enter a gaming area.

44.4. All visitors, whilst on the Association premises, are subject to the control of the Association.

44.5. The Association reserves the right to refuse and/or terminate admission to the Association premises of any visitor without assigning any reason for such refusal, and to regulate the attendance of visitors at the Association for any such period it deems advisable.

44.6. The Association's rights and powers under this rule may be delegated to employees of the Association.

44.7. If a visitor refuses a lawful request to leave the premises they immediately becomes a trespasser and may be dealt with according to law.

45. GAMBLING, DISPUTES, ETC

45.1. The association Code of Conduct will be updated at least biennially and posted visibly on the Association premises. The Code of Conduct will be relied upon in the management of grievances, complaints, misconduct and inappropriate behaviour.

45.2. In addition to adhering to the Code of Conduct, no political or religious subjects shall be discussed on the Association's premises, nor shall gambling, (except gambling authorised by law), betting on games, obscene or abusive language or unseemly conduct be allowed. Any alleged infringement of this rule on report of any members, shall be investigated by the Governing Board, which will have the power to demand and direct apologies, and if necessary, if the offending party be a member, to deal with him under rule 10 and 11, or if they should be a member of another Association, to report their conduct to such Association and to the relevant State Authorities. If they be a visitor, who is not a member of a Bowls or Croquet Association, employees of the Association shall have the authority to have him removed from the Association premises.

46. ACCEPTANCE OF RULES BY MEMBERS

46.1. All members on paying the membership subscription shall be deemed to have agreed to be bound by the Constitution and the By-Laws of the Association as at the time in force.

47. BOWLS AND CROQUET MANAGEMENT.

- 47.1. The control of the sports of Bowls and Croquet within the Association will be responsibility of the Bowls Sub Committee or the Croquet Sub Committee constituted as provided for in this Constitution and in the By-Laws of the Association, All surplus funds not used for Bowls or Croquet activities shall be deposited in the Association's Account.
- 47.2. Membership shall be renewed with the relevant Bowls and Croquet Associations in Accordance with the Articles of Association or Rules of the Respective Associations.
- 47.3. No Rule or By-Laws in relation to the sports of Bowls and Croquet shall be in conflict with the rules and By-Laws of BA, BQ, DBA, ACA, CAQ, or GCTR.

48. FUNDS AND ACCOUNTS.

- 48.1. The Funds of the Association must be kept in an Account or Accounts in the name of the Association in a Financial Institution decided by the Governing Board.
- 48.2. Records and Accounts must be kept in the English language showing full and accurate particulars of the Financial Affairs of the Association.
- 48.3. All income must be deposited in the Financial Institution Account as soon as practicable after receipt.
- 48.4. A payment by the Association of \$2000 or more must be made by electronic funds transfer.
- 48.5. If a payment is made by electronic funds transfer, it must be approved by any 2 (two) of the following:
- 48.5.1. the President, the Secretary, the Treasurer and any Executive Management Team person approved by the Governing Board;
- 48.6. However, 1 (one) of the persons approving funds transactions must be the President, the Secretary or the Treasurer.
- 48.7. A petty cash register must be kept and the Governing Board must decide the maximum amount of petty cash to be kept on the premise.
- 48.8. All expenditure over approved delegate amounts must be approved or ratified at a Governing Board meeting.
- 48.9. No expenditure shall be made for personal gain, and all funds must be used in furtherance of the Club's mission.
- 48.10. The accounts of the Club shall be audited annually by an independent auditor, as approved by the general membership.
- 48.11. The audited accounts shall be presented to the members at the Annual General Meeting (AGM).

49. DOCUMENTS.

- 49.1. The Governing Board must ensure the safe custody of Books, Documents, Instruments of Title and Securities of the Association.

50. FINANCIAL YEAR.

- 50.1. The end date of the Association's Financial Year is 30 June in each year.

51. WORK HEALTH AND SAFETY (WHS).

- 51.1. The Governing Board shall ensure that the Association applies the *Work Health and Safety Act 2011(Qld) Revised July 2013*, as amended from time to time, to the operation of Tamborine Mountain Memorial Sports Centre Inc.
- 51.2. The Governing Board when informed of a potential safety risk is to act on the matter with all expediency and document all action taken and report back to the Association in writing as to the action taken.
- 51.3. Tamborine Mountain Memorial Sports Centre Inc. must have access to a current WHS Manual.

52. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY.

- 52.1. This Rule applies if the Association;
- 52.1.1. is wound-up under Part 10 of the Act; and
- 52.2. The surplus assets must not be distributed among the members of the Association.
- 52.3. The surplus assets must be given to another entity—
- 52.3.1. having objects similar to the Association's objects; and
- 52.3.2. the rules of which prohibit the distribution of the entity's income and assets to its members.
- 52.4. In this rule— *surplus assets* see Section 92(3) of the Act.

