



# CONSTITUTION

## BOWLS NT

BNT Office  
 15 Hook Road ,  
 Winnellie

**This is the Annexure Marked 'A' Referred to in the Statutory  
 Declaration of**

**Chris Parsonson**  
 (Public Officer Bowls NT)

**Made on the .....15.....day ...March.....2015**

**Before Me .....**  
 Witness

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## CONSTITUTION OF BOWLS NT INCORPORATED

### NAME

**The name of the Association shall be BOWLS NT Incorporated being a body incorporated under the *Associations Incorporation Act, 1963***

### 1 REGISTERED OFFICE

- 1.2 The Office of the Association shall be situated at such place as the board shall from time to time direct.

### 2. OBJECTS OF THE ASSOCIATION

The Association is the peak body for the administration of the game of Bowls in the NT. The objects for which the Association is established and maintained are to:

- (a) create a single uniform entity through and by which Bowls can be conducted, promoted and administered;
- (b) provide for the encouragement, conduct, promotion, control and administration of Bowls throughout the NT;
- (c) affiliate and otherwise liaise with such other bodies as may be desirable, in the pursuit of these objects;
- (d) encourage, conduct, promote, advance and control Bowls in any form;
- (e) foster and preserve Bowls;
- (f) control, manage and conduct Bowls competitions particularly at a State level;
- (g) conduct or commission research and development for improvements in Bowls and Bowls equipment;
- (h) use and protect the Intellectual Property;
- (i) promote the importance of Bowls laws, standards, techniques, awards and education to bodies involved in or related to Bowls;
- (j) strive for and maintain government, commercial and public recognition of the Association as the authority for Bowls in the NT;
- (k) promulgate, and secure uniformity in, such laws and standards as may be necessary for the management and control of Bowls, Bowls competitions and

related activities, including but not limited to the Laws of the Game and coaching standards and other officials;

- (l) pursue through itself or others, such commercial arrangements, including sponsorship and marketing opportunities, as are appropriate to further the objects of the Association; maintain and extend the operations and activities of the Association through all clubs;
- (m) further develop the Association and Bowls into an organised institution and, having regard to these objects, to foster, regulate, organise, control, conduct and manage Bowls tournaments, competitions, events, displays and other activities and to issue certificates and award trophies;
- (n) ensure that environmental considerations are taken into account in all Bowls and related activities conducted by the Association;
- (o) promote the health and safety of Bowlers;
- (p) act as final arbiter on all matters pertaining to the conduct of Bowls in the NT, including disciplinary matters;
- (q) select and control teams or sides to represent NT or the Association;
- (r) establish and conduct educational programs for officials in the implementation and interpretation of Bowls laws and standards;
- (s) formulate and implement appropriate policies, including policies in relation to equal opportunity, equity, drugs in sport, health, safety, junior and senior programs, infectious diseases and such other matters as arise from time to time as issues to be addressed in Bowls;
- (t) represent the interests of its Members, of Bowlers and of Bowls generally in any appropriate forum;
- (u) have regard to the public interest in its operations;
- (v) encourage Bowlers to realise their potential and athletic abilities;
- (w) encourage and promote performance-enhancing drug free competition;
- (x) give, and where appropriate, seek recognition for Bowlers to obtain awards or public recognition in fields of endeavour other than Bowls;
- (y) seek and obtain improved facilities for the enjoyment of Bowls; and
- (z) undertake and or do all such things or activities which are necessary, incidental or conducive to the advancement of these objects.

### 3. **POWERS OF THE ASSOCIATION**

Solely for furthering the objects set out above, and in addition to the rights, powers and privileges provided under the Act, the Association has power to:

- (a) purchase, take on lease or in exchange or otherwise acquire any real or personal estate which may be deemed necessary or convenient for any of the objects of the Association and to sell, manage, lease, mortgage, give in exchange, dispose of or otherwise deal with any part of the rights or property of the Association, whether subject to any charges or encumbrances or not and to erect, replace, maintain, reconstruct, adapt and furnish any offices or other buildings thereon and to sell, let, alienate, mortgage, charge or deal with all or any such lands, tenements or hereditaments or any part of them;
- (b) construct, maintain and alter any houses, buildings, grounds, playing surfaces, conveniences or works necessary or convenient for the purposes of, or which seem likely to advance, the Association;
- (c) borrow and raise money in such manner as the Association may think fit, including on bonds or mortgage or other security of any property held for or on behalf of the Association or without any such security;
- (d) take, or otherwise acquire and hold shares, debentures or other securities of any company or body corporate;
- (e) take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price of any part of the Association's property sold, or any money due to the Association from any purchasers or others;
- (f) draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable and transferable instruments;
- (g) receive money on deposit with or without allowance of interest thereon;
- (h) invest and deal with any monies of the Association, not immediately required for the objects of the Association, in such manner as may from time to time be determined by the board
- (i) do all or any of the matters authorised either alone or in conjunction with any person, company or unincorporated body or by or through any factors, trustees or agents;
- (j) take any gift of property whether subject to any special trust or not for any one or more of the objects of the Association, provided the Association shall only deal with any such trusts in such manner as is allowed by law;

- (k) lend and advance money to, give credit to, or otherwise assist, any body corporate, including to guarantee or indemnify any body corporate performance;
- (l) take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purposes of procuring contributions to the funds of the Association in the form of donations ,annual subscriptions or otherwise;
- (m) subscribe to, become a member of or co-operate with any other organisation whether incorporated or not whose objects are similar, in whole or in part, to those of the Association, so long as that other organisation prohibits the distribution of its income and property amongst its members at least to the extent provided under the constitution;
- (n) print and publish any newspapers, periodicals, books or leaflets and develop and any computer system software package that the Association may think desirable for the promotion of its objects;
- (o) appoint, hire, employ, remove, replace or reinstate secretaries, managers, servants, employees and other persons in and for the carrying out of the objects of the Association and to pay them in return for services rendered to the Association, salaries, wages and gratuities as appropriate;
- (p) buy, sell and deal in all kinds of articles, commodities and provisions both liquid and solid for the persons frequenting the premises or facilities of under the control of the Association;
- (q) subscribe to any charities and to grant donations for any public purpose;
- (r) produce, develop, create, licence and otherwise exploit, use and protect Intellectual Property;
- (s) establish and maintain corporate entities to carry on and conduct the business affairs and undertakings, or any aspect thereof, of the Association and for that purpose, to utilise any of the assets of or held on behalf of the Association;
- (t) promote any other person or company for any purpose calculated to benefit the Association;
- (u) amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which prohibits the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under its constitution;
- (v) purchase or otherwise acquire and undertake all or any part of the property, assets and liabilities of any one or more of the companies, institutions, societies



or associations whose activities or purposes are similar to those of the Association, or with which the Association is authorised to amalgamate or generally for any purpose calculated to benefit the Association;

- (w) transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorised to amalgamate;
- (x) enter into arrangements with any government or authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association, and to obtain rights, privileges and concessions from such government or authority and carry out, exercise and comply with any such rights, privileges and concessions;
- (y) take and effect insurance or seek, obtain and in its discretion act on, any professional advice necessary or appropriate; and
- (z) do all such acts and things as are incidental, conducive or subsidiary

#### **4. APPLICATION OF INCOME**

- (a) The income and property of the Association shall be applied solely towards the promotion of the objects of the Association as set out in this constitution.
- (b) Except as prescribed in this constitution:
  - (i) no portion of the income or property of the Association shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise to any Member; and
  - (ii) no remuneration or other benefit in money or money's worth shall be paid or given by the Association to any officer Director or Delegate of the Association.
- (c) Nothing contained in clauses 4(a) or (b) shall prevent payment in good faith of or to any Member, Delegate or Director for:
  - (i) any services actually rendered to the Association whether as an employee or otherwise;
  - (ii) goods supplied to the Association in the ordinary and usual course of operation;
  - (iii) interest on money borrowed from any person or Member;

- (iv) rent for premises demised or let by any person or Member to the Association;
- (v) any out-of-pocket expenses incurred by any person or Member on behalf of the Association; or
- (vi) any other reason; provided that any such payment shall not exceed the amount ordinarily payable between ordinary commercial parties dealing at arm's length in a similar transaction.

## **5. ADDITION ALTERATION OR AMENDMENT**

No addition, alteration or amendment shall be made to this Constitution or the Rules unless the same has been approved by a Special Resolution.

## **6. LIABILITY OF MEMBERS**

The liability of the Members of the Association is limited.

## **7. MEMBERS' CONTRIBUTIONS**

Every Member of the Association undertakes to contribute to the assets of the Association in the event of it being wound up while a Member, or within one year after ceasing to be a Member for payment of the debts and liabilities of the Association contracted before the time at which they cease to be a Member, and the costs, charges and expenses of winding up and for an adjustment of the rights of contributors among themselves, such amount as may be required not exceeding \$1.00.

## **8. DISTRIBUTION OF PROPERTY ON WINDING UP**

If upon winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any assets or property, the same shall not be paid to or distributed amongst the Members of the Association but shall be given or transferred to some body or bodies having purposes similar to the purposes of the Association and **which** prohibits the distribution of its or their income and property among its or their Members to an extent at least as great as is imposed on the Association **by** this constitution and which is also not carried on for profit and which is similarly exempt from income tax.

Such body or bodies to be determined **by** the Members of the Association at or before the time of dissolution, and in default thereof **by** such judge of a Supreme Court as may have or acquire jurisdiction in the matter.

## 9. ACCOUNTS

True accounts shall be kept of the sum of money received and expended by the Association and the manner in respect of which such receipt and expenditure takes place and of the property, assets and liabilities of the Association and, subject to any reasonable restrictions as to time and manner of inspecting the same that may be imposed in accordance with the Rules of the Association for the time being, shall be open to the inspection of the Members, Directors and Delegates. At least once in every year the accounts of the Association shall be examined by one or more registered company auditors who shall report to the Members in accordance with generally accepted accountancy principles and/or practices and/or the provisions of the Act.

## 10. INTERPRETATION CLAUSE

The specification of the objects of the Association in clause 3 and the powers set out in clause 4 of this constitution, are not in any particular order and are not to be construed so as to lead to the construction that any object or power is more important than any other object or power nor that any object or power which is specified in detail is more important than any object or power which has not been specified in detail, and no particular object or power will be limited by reference to any other and the rule of construction known.

## 11 INTERPRETATIONS.

Unless the context or subject matter otherwise indicates or requires:

- 12.1 **'Association'** means Bowls NT Incorporated.
- 12.2 **'Bowls Australia'** means Bowls Australia Limited.
- 12.3 **'Board'** means the body consisting of the Directors
- 12.4 **'Director'** means and includes the President, Vice President, Bowling Directors and independent Directors.
- 12.5 **'Club'** means a properly constituted body of twelve (12) or more full members and having a clubhouse, or access to a clubhouse, and a green ready for play, which has been laid down in conformity with the laws of the Game. .
- 12.6 **'Provisional Club'** means a properly constituted body of twelve (12) or more players, which has acquired the necessary site by purchase, lease or tenure, and contemplates the construction of a green to be laid down in conformity with the laws of the Game.
- 12.7 **'Bowling Member'** means a member of an affiliated club who pays the annual playing subscription of the club or is a Life Member of such club, and for whom the club has paid the necessary fees to the Association in accordance with Clause 14.6.

- 12.8 **'Social Member'** means a member of an affiliated club who pays the annual social subscription of such club.
- 12.9 **'Junior Member'** means a Junior Bowler under the age of eighteen (18) on the 30th June or for competition purposes is under eighteen years as laid down in the conditions of play. NB: Junior members who play in State or Interstate competition are required to be full member in accordance with article 12.7
- 12.10 **'Delegate'** means the person appointed from time to time to act for and on behalf of a club at General Meetings of the Association and includes Alternative Delegates.
- 12.11 **'Executive Officer'** means the Executive Officer of the Association for the time being appointed under these rules.
- 12.12 **'Bowling Combination'** means a group, institution or organization other than an affiliated club formed for the purpose of playing Lawn Bowls and consisting only of full and life members of affiliated clubs.
- 12.13 Where the context permits words importing **one gender include the other gender.**
- 12.14 Words importing the singular number include the plural and vice versa.
- 12.15. **'Law'** means a law of the "Laws of the Game of Bowls in Australia" as adopted by Bowls Australia and as amended from time to time.
- 12.16 **'Financial Year'** means the 12 month period from the 1<sup>st</sup> July to 30<sup>th</sup> June each year.
- 12.17 **'Affiliated Club'** means any club that is registered with Bowls NT and pays capitation fees.
- 12.18 **'Permanent Committee'** means a committee established by the Board provided in article 17.6
- 12.19 **'Bowls Development Officer'** means a person who may be appointed and employed by the Board , or Bowls Australia to develop and market the game of bowls in the Northern Territory.
- 12.20 **'Independent Directors'** means directors appointed from time to time by council to carry out specific tasks.

### **13. MEMBERSHIP (AFFILIATION)**

- 13.1 A club as defined in Clause 12.5 shall be eligible to apply for affiliation with the Association.

- 13.2 Clubs applying for affiliation shall undertake to make their green available to Bowls NT for the playing of any Association match.
- 13.3 A provisional club as defined in Clause 12.6 shall be eligible to apply for provisional affiliation with the Association. The application may be granted if the provisional club undertakes to complete the laying down of a green within one year from the date of such application. When the green has been laid down in conformity with the laws of the Game and is ready for play, the club for which provisional affiliation has been granted, may become affiliated by resolution of the Board and the club granted full membership.
- 13.3.1 may by resolution forthwith revoke the provisional affiliation of any such club and no further application for affiliation shall be granted until the green has been laid down in accordance herewith.
- 13.4 No club or provisional club shall be permitted to affiliate or retain its affiliation with the Association if its constitution permits members to share in the profits of the club.
- 13.5 A club applying for affiliation shall support its application with a copy of its Constitution and written notification that it meets the qualifications under 12.5 of Bowls NT constitution
- 13.6 All affiliated clubs, immediately following their Annual General Meeting, shall notify the Executive Officer of the Association of the names and addresses of club office bearers for the current year, the names and addresses of the Delegates to the Association, and shall forward a copy of their annual report.

### 13.7 BOWLING COMBINATION

13.7.1 The Board may, at its discretion, and upon such terms and conditions as it sees fit, grant to an institution or organization formed for the purpose of playing Lawn Bowls and consisting only of full members of affiliated bowling clubs, registration as a Bowling Combination.

13.7.2 The Board may, at its discretion, cancel any registration granted under clause 13.7.1,

13.7.3 A Bowling Combination is not entitled to enter a team in any Association event.

## **14. MEMBERSHIP (SUBSCRIPTION)**

- 14.1 Each affiliated club shall pay to the Association for each of its Bowling Members, an annual Capitation Fee which will include the annual subscription due to Bowls Australia.
- 14.2 If two or more clubs each register and pay the capitation fee on behalf of the same member in any season, then such member shall be deemed to have declared to play for the club with which the member first plays in any Association match or competition during such season. For the purpose of this Rule the major singles, pairs, triples and fours championship of a club shall be deemed to be Association competitions. In such cases the Association shall only pay a single capitation fee to Bowls Australia.
- 14.3 The Secretary of each affiliated club shall furnish to the Executive Officer of the Association, not later than the 31 March and 30 September each year, in a form prescribed from time to time, the full names and addresses of all Full Members, including Life and Junior Members.
- 14.4 The Secretary of each affiliated club shall at intervals as advised from time to time, register with the Executive Officer of the Association the full names and addresses of any additional members accepted for membership, at any subsequent date during the year.
- 14.5 Only Bowling Members shall be eligible to compete in Association competitions with such clubs.
- 14.6 The annual capitation fee, subscriptions, fees, etc., shall be determined at the AGM and must be paid to the Association not later than the 5th September in each year. Subsequent payments shall be made on registration of additional members as provided in Clause 14.4
- 14.7 Payment of capitation fees shall make the club financial for that financial year and will entitle its representatives to vote at any meetings of council for that year.

## **15. MEMBERSHIP (GENERAL)**

- 15.1 In accordance with the requirements of the *Associations Incorporation Act, 1963*, the Executive Officer of the Association is to maintain a register containing the names of all affiliated clubs and the Full Members of such clubs, including Life and Junior Members.

## 16. MANAGEMENT

- 16.1 Day to day management of the Association shall be vested in the Board in consultation with the Council. Subject to the Act and these Rules the business of the Association shall be administered and managed, and the powers of the Association shall be exercised, by the Board. In particular, the Board as the managing authority of the Association shall:
- (a) be responsible for acting on all state issues in accordance with the objects of the Association;
  - (b) operate for the benefit of the Association, the Members, and the sport of Bowls throughout NT;
  - (c) develop and implement major strategic directions and policy of the Association;
  - (d) manage all interstate responsibilities of, or associated with, the Association or the game of Bowls;
  - (e) recommend to Council the appointment of Independent Directors; and
  - (f) appoint committees and sub-committees in accordance with the Rules and appoint convenors of such committees.
- 16.2 The Board of the Association shall be the President, Vice President, & three Directors
- 16.3 These officers shall be elected at the Annual General Meeting of the Association and shall hold office for Two (2) Years and shall be eligible for re-election at an AGM after that period. **Maximum continuous term shall not exceed Six (6) Years**

### 16.4. THE COUNCIL

There shall be a Council of the Association. The Council shall comprise the Board as defined in 16.2 and delegates appointed in accordance with Rule 13 and Convenors of umpires and coaching panels.

- 16.5. **ROLE OF THE COUNCIL** The Council shall guide the Association in the formulation of policy and shall:
- (a) review the Association's performance in achieving its aims, objectives and policies;
  - (b) appoint the Independent Directors;
  - (c) be the final arbiter on any matter referred to it by the Board

- 16.6 A Unified Club having both men and women members shall be entitled to send two delegates to every meeting of Council. Immediately after the appointment of a delegate; the club concerned shall notify in writing to the Executive Officer of the Association the name of such delegate. Should any Delegate fail to attend, or be represented by a deputy as provided for in Clause 16.8 at three meetings consecutively, such person's seat on the Council shall become vacant and the Delegate's club shall be notified accordingly within seven (7) days. The delegate concerned shall not be reappointed during that year. In no case will an apology be accepted as attendance.
- 16.7 Where in circumstances as in Clause 16.6 of this Rule a Delegate's seat becomes vacant, the club effected by the delegate's dismissal shall be entitled to appoint another person for the remainder of the current year, and shall immediately notify in writing the Executive Officer of such new appointment.
- 16.8 In the event of a Delegate being unable to attend any meeting of the council, such Delegate's club may appoint another member of the club to deputize at such meeting, and such deputy shall be deemed a full member of the council for that meeting.

## 17. COMMITTEES

- 17.1 The Board shall elect members to permanent Committees from nominations received. It is preferable that no club shall have more than one (1) of its members elected to any one (1) Committee but not necessary, should limited nominations be received except for Country Club Committee. In the event of a nominee having dual membership then the nominee shall be deemed a member of that club for which he has declared to play.
- 17.2 Every Committee shall report in writing to the Board the result of its activities and shall hold office until its successors are appointed.
- 17.3 The President and Vice President shall be ex-officio members of all Committees except the Selection Committee.
- 17.4 There shall be ten Permanent Committees, namely:
- 17.4.1 The Match Committee, which shall consist of four (4) elected members and a Convenor appointed by the Board.
- 17.4.2. The Greens Committee which shall consist of four (4) elected members and a Convenor appointed by Board.
- 17.4.3 The Promotions/Publicity Committee, which shall consist of four (4) elected members and a Convenor appointed by the Board.



- 17.4.4 The Junior Committee, which shall consist of four (4) elected members and a Convenor appointed by the Board
- 17.4.5 A men's Selection Committee of three (3) male members and a Female Selection Committee of three (3) Female members with responsibility to select players, teams and sides for all Representative fixtures. The Board shall appoint the members of these committees after the AGM from nominations received at the AGM. One of the three male and three female members are to come from the country clubs.
- 17.4.6 The Constitution Committee, which shall consist of a minimum of three members or a maximum of five, one of whom shall be the honorary solicitor, but with no more than one member from each affiliated club (excluding the convenor who is to be nominated by the Board).
- 17.4.7 The Coaching Committee, will consist of not fewer than three (3) nor more than five (5) qualified coaches one of whom will be a convenor nominated by the Board.
- 17.4.8 The Umpires Committee, will consist of not fewer than three (3) nor more than five (5) qualified umpires one of whom will be the convenor nominated by the Board.
- 17.4.9 The Country Clubs Committee, will consist of two delegates from each Affiliated Country Club as defined in *Article 12.5* of the Constitution. It shall have power to co-opt from time to time any person considered appropriate to advise the Committee. A convenor is to be nominated, by unanimous decision of the country clubs.
- 17.5 Each Convenor shall be appointed by the Board, following the Annual General meeting.
- 17.6 Members of all Permanent Committees, except the Selection and Country Committees, shall be elected annually, and shall hold their position until the next Annual General Meeting. Members of committees shall be eligible for re-election.
- 17.7 Members of the two (2) Selection Committees shall be elected at the Annual General Meeting for a three (3) year term, with one (\*1) selector from each Committee standing down each year, but being able to nominate for re-election.(\* The longest serving)
- 17.8 Where a selector resigns his/her position before the expiry date of his /her term, his/her replacement shall hold office only until the expiry of the original selector's term. See also Clause 23.1.
- 17.9 The Board may establish sub-committees for specific purposes, which shall be disbanded once their task is complete. A member may also be co-opted for a specific time and purpose by the Board or if necessary by one of the subcommittees.

## 18. **BOARD**

18.1 The Board shall consist of the following: The President, Vice President & three Directors

18.2 The Board shall appoint a Public Officer from the Board. If the Public Officer resigns from that position, the Board shall appoint a new Public Officer from its members. If the Public Officer ceases to be a member of the Board, he or she shall be deemed to have resigned from the position of Public Officer.

### 18.4 **MEETINGS OF BOARD**

18.4.1 The Board shall meet at least quarterly to carry out its duties as detailed in clause 16.1 and receive reports from convenors of committees. Minutes of all such meetings are to be disseminated to all affiliated clubs within fourteen days of the meeting. The Board may meet more frequently should any urgent matters arise regarding the well being of the Association.

18.4.2 At all meetings of the Board three (3) members shall form a quorum. Should a quorum not be present within thirty, (30), minutes of the appointed time the meeting shall lapse or may be adjourned by those present, to a date not earlier than seven days from the adjourned meeting. Decisions made in this way shall be referred to a full meeting of Board for their endorsement or not.

18.4.3 In the event of an emergency a Board decision can be made by no fewer than three (3) members at least one of whom shall be the President, Vice President or a Director

## 19. **COUNCIL MEETINGS**

19.1 Meeting frequencies will be at the discretion of the Board in consultation with the council

## 20. **LEAVE OF ABSENCE**

20.1 Upon being satisfied as to the bona fides of the case and provided not undue inconvenience may ensue, the Board may grant leave of absence to Officers of the Board and Members of the Committees. The Board may appoint a member to act in the position during the period of absence.

## 21. **VACANCIES**

21.1 The Board shall fill vacancies occurring amongst Officers, other than the President

21.2 In the event of a vacancy occurring in the office of President between Annual General Meetings, an election shall be held for that office at the next Meeting of the Board, and pending such election, the Vice President shall be appointed as President.

**22. NOTICE OF ANNUAL GENERAL MEETING**

- 22.1 The Annual General Meeting shall be called by giving at least forty-two, (42), days' notice to all affiliated clubs and members of Board. The notice shall state the nature of business to be transacted at such meeting.
- 22.2 For the Annual General Meeting a call for nominations for office bearers shall be made no later than 1<sup>st</sup> November. Attention will be drawn to the fact that Notices of Motion and other special business must be in the hands of the Executive Officer at least twenty-eight, (28), days before such meeting.

**23. NOMINATIONS FOR & ELECTION OF OFFICERS**

- 23.1 Nominations for the offices of President, Vice President 3 Directors and Committee Members, (all of whom shall be Bowling Members of an affiliated club, refer clause 12.7); shall be submitted in writing to the Executive Officer no later than twenty-eight (28) days before the Annual General Meeting. Nominees shall be proposed and seconded by full members and shall signify their acceptance. Schedule 2 should be used for nominations.
- 23.2 All Officers shall be eligible for re-election every Two (2) Years but not exceeding three terms (6 years) in accordance with Clause 16.3 of the constitution
- 23.3 Only delegates (section 16.6) shall be entitled to vote for election of officers at an AGM. Proxy votes in writing shall be permitted.
- 23.4 If nominations received equal or fall short of the required number, those nominated shall be declared elected. A ballot shall be conducted for all contested positions

**24. PATRON**

- 24.1 The Council at its Annual General Meeting may appoint a Patron of the Association. The Patron may attend Board Meetings but shall not have a vote.

**25. AUDITOR**

- 25.1 The Council at its Annual General Meeting shall appoint an Honorary Auditor.

**26. RETURNING OFFICER**

- 26.1 Where an election ballot is necessary at an AGM, the Executive Officer shall arrange for a Returning Officer and Scrutineer(s), none of whom shall be a candidate or proposer or seconder of candidates. Where a ballot is held for the election of Officers or Members of Permanent Committees, the result of the ballot shall be disclosed to the meeting by the President.
- 26.2 At all meetings of the Council if a ballot is required a Returning Officer and Scrutineer(s) shall be appointed from those members of the Council present and who are not proposers nor seconders of the matter being balloted.

27. **VOTING AT MEETINGS OF THE COUNCIL**

- 27.1 At Meetings of the Council all Members of the Council shall, subject to Clause 14, be entitled to vote. Proxy votes shall be permitted.
- 27.2 Voting at an Annual or other meeting of the Council on matters other than the election of Officers and Committee Members, shall be determined by show of hands unless a ballot be demanded by the convenor or any delegate present.

28. **CASTING VOTE AT MEETINGS**

- 28.1 At all meetings of the Council, Board, and Permanent Committees the convener shall have a casting vote as well as a deliberate vote except in the election of office bearers. If there is a tied vote for the election of office bearers a further ballot will be conducted between the tied candidates using a standard preferential system'

29. **SPECIAL MEETINGS**

- 29.1 No business other than that specified in the notice convening the Special Meeting of the Council shall be discussed.

30. **NOTICES OF MOTION**

- 30.1 Notices of Motion shall be given in writing to the Executive Officer at least twenty eight (28) days before the date of a Meeting of the Council and shall be forwarded by the Executive Officer to all affiliated clubs and members of the Board at least twenty one (21) days prior to such meeting.
- 30.2 In the absence of the intending mover of any motion, of which notice has been duly given, the motion may, with the consent of the meeting, be moved by any other member of the Board.

31. **DELEGATES TO NATIONAL BODIES**

31.1 The delegates to Bowls Australia shall be the President and Vice President.

32. **FUNDS**

32.1. The funds of the Association shall be placed in such a bank or building society as the Board may from time to time determine to the credit of an account titled Bowls NT which shall be operated on by cheque signed by either the Executive Officer and one other appointed Board signatory' or TWO appointed Board signatory or a combination. An operational account (cheque) will have a Board appointed signatory (EO or Board Member) as a single signatory to operate the Online Banking/Debit Card from the said account.

32.2. The Board shall have power to invest moneys of the Association not readily required in any one or more of the following:

32.2.1. Any investment from time to time authorised by law for the investment of trust funds;

32.2.2. On fixed deposit in any bank or building society.

33. **AUDIT**

33.1 The Statement of Income and payments and Balance Sheet for the period of twelve (12) months ending 30<sup>th</sup> June in each year, together with a copy of the Auditors report for that period, shall be submitted to the Annual General Meeting.

34. **ASSOCIATION MATCH**

34.1. Association Match means any match, fixture, championship, tournament, event or competition which is promoted, organised and controlled by Bowls NT. For the purpose of this Clause, the Major Singles, Pairs, Triples and Fours Championships of a Club shall be deemed to be Association Championships. It does not include mixed championships.

35. **CHAMPIONSHIPS AND OTHER COMPETITIONS**

35.1 The greens of all affiliated clubs shall be made available to the Board for the playing of any Association Match.

35.2. Only Members registered by an affiliated club and with capitation fees paid to the Association shall be eligible to compete in Association competitions with such club.

35.3. Bowling Members shall only play Association Matches and Club Championships for one Club in any Bowling Season. This Rule shall not debar a player from completing Club Championships, or competing in a Champion of Club Champion competition, for a Bowling Season in a subsequent Bowling Season.

- 35.4 The Match Committee shall arrange Championships, Pennant and other contests, subject to such Conditions of Play and other conditions as may be laid down from time to time, and provide trophies therefore.
- 35.5 Prizes shall conform to the rules of Bowls Australia.
- 35.6 The Match Committee shall carry into effect all instructions from the Board in connection with such contests.

### **36. CLUB TOURNAMENTS**

- 36.1. No club shall conduct any tournament in which members of other clubs are allowed to compete and pay entrance fees without first obtaining the permission of Bowls NT, such permission to be applied for in-writing, accompanied by a program of the proposed tournament. Prizes shall in all cases conform to the rules of Bowls Australia.

### **37. ANNUAL PROGRAM**

- 37.1. A proposed program of Pennant, Championships and other Association fixtures for the ensuing season shall be circulated by the Executive Officer to all clubs at least one (1) month prior to 1<sup>st</sup> February in each year. Such program shall be approved or amended as required by a Meeting of the Match Committee to be held no later than 28th February, and adopted as the following Bowling Season program.

### **38. LAWS OF THE GAME**

- 38.1 The Laws of the Game shall be those adopted by Bowls Australia.

### **39. POWER TO REPRIMAND, FINE, SUSPEND OR EXPEL MEMBERS**

- 39.1.1 The Board shall have the power and authority to reprimand fine, suspend, or expel any Member who infringes any Rule or against whom any complaint in writing has been lodged with the Executive Officer or whose conduct has, in its opinion, rendered such member unfit for membership, provided that no member shall be reprimanded, fined, suspended, or expelled without being first called before the Board by fourteen (14) days notice in writing, signed by the Executive Officer or someone in place of the Executive Officer. The notice shall state the date, hour and place of the meeting and substance of the charge or complaint, and that the member's attendance is required; and further that if the member fails to attend at the time and place mentioned, the charge or complaint will be heard, and dealt with, and the Board will decide on the evidence before it, the member's absence notwithstanding. Any appeal against a decision of the Board shall be referred to an Appeals Tribunal appointed by the Board'

### **40. DISPUTES AND OBJECTIONS**

- 40.1. The Board shall have the power to adjudicate on all disputes and objections on any matter relating to bowling, either between affiliated clubs, or between members thereof which may be submitted to it by the secretary of an Affiliated Club. Any

appeal against a decision of the Board shall be referred to an Appeals Tribunal appointed by the Board.

#### **41. DISQUALIFICATION**

- 41.1. The Board, on the recommendation of the Match Committee, shall have power to prevent any member from playing in any match or competition, on representation in writing from the secretary of an Affiliated Club that such member has not paid the subscription due to the club for which such member has declared to play, or to any club for which the member formerly played, or (in the opinion of the Board) for any other sufficient cause. Any appeal against a decision of the Board may on appeal be referred to an Appeals Tribunal appointed by the Board.
- 41.2. Any member of an affiliated club playing in any Association Match or Competition during the season for more than one club shall be liable to disqualification.
- 41.3. A club permitting a member to play in Association or other fixtures, without having first registered the player as a member thereof with the Association and paid the full capitation and other prescribed fees therefore, shall be liable to such penalty as the Board Committee may impose, subject to right of appeal to the Council.

#### **42. APPEALS**

- 42.1 Any decision of the Board or a Committee will, may on appeal, be referred to an Appeals Tribunal appointed by the Board.

#### **43. ATTIRE.**

- 43.1 Players shall conform to the attire specified by Bowls Australia in all Pennant and other Association matches and competitions, subject to any modification that may be dictated by local conditions. Details of the Association's dress regulations are contained in the Association By-Laws and should be read in conjunction with this Constitution.
- 43.2 Non-compliance with the Association's dress rules, including the non-use of Bowls Australia Logo in accordance with Bowls Australia regulations, shall render the club or player, as the case may be, liable to disqualification by the Board. Any appeal maybe referred to an Appeals Tribunal appointed by the Board.
- 43.3 All players shall conform to all policies of Bowls NT and Bowls Australia. (Refer to 43.2 if non-compliance occurs).

#### **44. REIMBURSEMENT OF EXPENSES AND PAYMENT OF HONORARIUMS**

- 44.1. All members of the Association shall be entitled to reimbursement of out-of pocket expenses incurred in the performance of official Association duties.
- 44.2. If the Association has sufficient funds available players (including Side Manager and/or Captain and accompanying Association Selectors) selected for and taking part in Interstate matches played outside the Northern Territory region may be reimbursed for travelling and accommodation expenses incurred. Claims for reimbursement shall be submitted to the Executive Officer in writing.
- 44.3. Notwithstanding the provisions of sub-paragraphs 44.1 and 44.2 of this Clause, the President, Vice President and Executive Officer shall be entitled to receive an annual honorarium. The amount of the honorarium shall be recommended by the Board and ratified by the Council at its Mid Year meeting. The honorarium shall be paid quarterly, with the first payment being made in September of each year following the recipients' election/re-election at the Annual General Meeting.

#### **45. LEVIES**

- 45.1. Board may, by resolution passed at any meeting of Council, and for which due notice has been given impose on affiliated clubs a levy of an amount specified in the resolution and which shall be payable within a specified period..
- 45.2. Such a resolution, if adopted, shall be passed by three-quarters of the members present and voting at the meeting.
- 45.3. The Board may impose a levy on all players participating in interstate representative matches. The levy amount will be calculated after considering all relevant expenses associated with the trip

#### **46. EXECUTIVE OFFICER**

- 46.1. The Executive Officer shall be appointed by the Board for such term and on such conditions as it sees fit
- 46.2. The Executive Officer shall:
- (a) Be entitled to notice of, and as far as is practical, shall attend and participate in debate at, all meetings of the Board and Council.
  - (b) Prepare the agenda for all Board and Council meetings Facilitate the recording and preparation of minutes of the proceedings of all meetings of the Board and Council, and shall use his best endeavours to distribute relevant minutes to Officers, Directors, Delegates, and clubs within 14 days from the date of the meeting. The Executive Officer shall have no entitlement to vote.
- 46.3. The Executive Officer shall establish and maintain proper records and minutes concerning all transactions, business meetings and dealings of the Association



the Council, and the Board and shall produce these as appropriate at each Board or Council meeting.

- 46.4 Proper accounting and other records shall be kept in accordance with the Act. The books of accounts shall be kept in the care and control of the Executive Officer.
- 46.5 On resignation or retirement as, The Executive Officer Bowls NT, they SHALL NOT be eligible to hold a position on the Board of Bowls NT for five (5) years.

#### 47. **DISCONTINUANCE OF MEMBERSHIP**

- 47.1 Any club which or who has paid all monies due and payable to the Association may resign from the Association by giving 6 months notice in writing to the Association of such intention to withdraw or resign and upon the expiration of that period of notice, the Club shall cease to a member of the Association.
- 47.2 A Club which ceases to be a member, for whatever reason, shall forfeit all right in claim upon the Association and its property including Intellectual Property.
- 47.3 The position of delegate shall lapse immediately on cessation of membership of the Club which a Delegate represents.
- 47.4 Membership fees or subscriptions paid by discontinued club for the relevant year may be refunded on a pro-rata basis to the Club upon discontinuance
- 47.5 The Board may expel or suspend a Club which has not renewed its membership of the Association or paid all fees due to the Association within 2 months of such membership renewal or payment of fess, falling due.
- 47.6 Membership which has lapsed, been withdrawn or terminated under these rules maybe reinstated at the discretion of the Council, on application in accordance with these Rules and otherwise on such conditions and otherwise on such conditions as the Board sees fit.

#### 48. **INDEMNITY**

- 48.1. The Association shall indemnify the Board, Members of Committees, Members of Council or members co-opted to any of the above against all claims arising out of or in connection with acts performed by them in their official capacity.

#### 49. **COMMON SEAL**

- 49.1. The Common Seal of the Association shall be kept in the custody of the Executive Officer
- 49.2. The Common Seal shall not be affixed to any instrument except by the authority of the Board. The signatures of the Public Officer and one other member of the Board shall attest the affixing of the Common Seal.

50. **CUSTODY AND INSPECTION OF ASSOCIATION RECORDS**

- 50.1. Subject to this Constitution the Executive Officer shall keep and control all records and other documents relating to the Association.
- 50.2. The records, books and other documents of the Association shall be open for inspection where it does not contravene the Privacy Act at the office of the Association, free of charge, by a member of the Association during normal working hours being Monday to Friday.

51. **LIFE MEMBERSHIP**

- 51.1. The Council may, at an Annual General Meeting, receive a proposal to elect a member to be an Honorary Life Member of the Association in consideration of outstanding service rendered by such member to the Association.
- 51.2. If a member nominated for Honorary Life Membership is elected as such by a majority of three-quarters of the persons present and voting at the meeting, the member shall have the status of Honorary Life Member of the Association.
- 51.3. The status of Honorary Life Member of the Association does not confer any right to vote or speak at a meeting of the Board, but does confer the right to attend meetings. However, a Life Member of the Association may vote by virtue of being an Officer or Delegate.
- 51.4. Notwithstanding any other provision of this Rule:
  - 51.4.1. Not more than two (2) members shall be elected an Honorary Life Member of the Association at any one Annual General Meeting; and
  - 51.4.2. There shall not be more than six (6) Honorary Life Members of the Association at any time.

52. **ALTERATION TO RULES AND BY-LAWS**

- 52.1. If an existing clause is to be repealed or altered or a new clause adopted then:

- 52.1.1. Twenty-eight (28) days notice of such proposed repeal, alteration or adoption must be given to the Executive Officer
  - 52.1.2. Twenty-one (21) days notice thereof must be given by the Executive Officer to all Affiliated Clubs and members of the Board; and
  - 52.1.3. Be carded by a clear majority of three-quarters of those present and voting at a duly convened meeting of Council
- 52.2. No resolution passed by the Council during the immediately preceding period of thirteen (13) months shall be rescinded without notice of motion having first been given.
- 52.3. The Board and/or the council may make and/or amend By-Laws and Standing Orders which shall not be inconsistent with this constitution.

53. **BOWLS DEVELOPMENT OFFICER**

- 53.1 A Bowls Development Officer shall be employed by the Board/Bowls Australia to promote all bowling activities within the Northern Territory. The person selected shall be required to meet employment criteria determined by the Board/Bowls Australia and is to be contracted for any such period as determined by the Board/Bowls Australia.

54. **OFFICIAL BOWLS NT LOGO**

- 54.1 The official logo for Bowls NT shall be a white desert rose on a square ochre background overlaid with a wedge tail eagle in brown tones. The words Bowls NT are to appear in black and be centred immediately beneath the logo.

55. **DRUGS IN SPORT AND BETTING:**

- 55.1 The drug and betting policy of Bowl Australia (Governing Body) SHALL be followed and indorsed by Bowls NT
- 55.2 There **SHALL** be No smoking on any type of green or within seven meters (7m) of any players on the banks of such green and any inclusion as stated in the BA Policy (surrounds of green), during Association Matches (refer to 34 of the constitution). This matter SHALL be dealt with under 39.1.1 of the constitution

56 **MEMBER PROTECTION POLICY:**

56.1 Bowls NT to endorse the BA Member Protection Policy 2014 (refer to BA website) to uphold its core values and create a safe , fair and inclusive environment for everyone associated with the sport of lawn bowls.