

Yarra Junction Bowling Club

(Reg. Number A0006365t & ABN 92611430812)



By-laws

The purpose of these by-Laws is to complement The Constitution (“the Constitution”) of Yarra Junction Bowling Club (“The Club”) providing additional guidance where it may be required.

Approved by The Board of Management
21st April 2021

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1. Introduction

The purpose of these by-laws is to complement The Constitution (“the Constitution”) of Yarra Junction Bowling Club (“The Club”) providing additional guidance where it may be required.

The Club’s categories of Membership are described in Clause 11 and any member, regardless of category, will be referred to in these by-laws as a “Member”.

The Club is expected to provide a highly respected not for profit bowling, social and community club in Yarra Junction and the surrounding areas for the benefit of Members and visitors.

Encouragement of the game of bowls is the Club’s major focus.

Every Member is expected to uphold a code of conduct (See “13” below”) which is the benchmark by which the whole of the Club is judged.

The Club may subscribe to and become a member of any association, club or organisation whose objects are considered to assist and develop The Club’s interests.

These by-laws should be revised annually or from time to time as the Board considers necessary by ordinary resolutions at Board Meetings.

2. Management of the Club

This is undertaken by the Board which will comprise up to nine Directors (“the Directors”), being the Club President (“the President”), the Club Vice President (“the Vice President”, the Club Secretary (“the Secretary”), and the Club Treasurer (“the Treasurer”) (each being an “Officer of the Club”) and up to five others, (three elected and two appointed.)

The Directors will decide the running of the Club, consulting Members when appropriate, and are collectively responsible for the affairs of the Club and members for a minimum of 12 months.

There must be no payment of any amount to an officer or servant of the Club by way of commission or allowance from the receipts of the Club for the sale and disposal of liquor.

3. Duties of Directors

It is recognised that all Directors undertake their duties as volunteers.

3 (i) The Directors

The Directors, who shall be elected in accordance with the Constitution, must be aware that strict duties are imposed upon them by law. Those duties include but are not limited to :

- a) Acting with a degree of care and diligence that a reasonable person would exercise.
- b) Acting in good faith.
- c) Exercising powers for a proper purpose.
- d) Avoiding conflicts of interest.
- e) Acting in the best interest of the Club and its Members.
- f) Preventing The Club incurring a debt if there are reasonable grounds to suspect that The Club is insolvent at the time the debt is incurred or would become insolvent by incurring the debt.
- g) Independently considering matters that come to the Board and making informed decisions.

3 (ii) The President ("the President")

The President shall be elected in accordance with the Constitution, and, before any formal Meeting of the Club or its Board of Management will:

- a) Supervise the preparation of the agenda.
- b) Check that all those entitled to receive notice of a meeting have done so.
- c) Become familiar with any correspondence or other material to be tabled.

At that meeting the President will:

- d) Take the chair (or if unable then the Vice Chairman will take it) and control the meeting ensuring that each person has an equal chance to speak on successive items of business, as they are announced in accordance with the order in which they appear on the agenda.
- e) Sign the minutes of previous meetings if and when they are adopted.

- f) Present The President's Report and introduce the reports of the Secretary, the Treasurer and any other reporting sub-committees.

The responsibilities of the President go beyond those of other Directors, and include, but are not limited to:

- g) Promoting the highest standard of corporate governance.
- h) Providing coherent leadership by representing The Club and understanding the views of its Members.
- i) Establishing an induction and continuing development program for Directors, and building an effective and complementary Board.
- j) Promoting effective relationships and open communication within the Board.
- k) Ensuring effective communication with Members and promoting the Board's understanding of the views of Members.
- l) Ensuring a clear structure for and the effective running of Board committees.
- m) Encouraging active engagement by all Directors.
- n) Ensuring that the Board receives accurate, timely and clear information to enable effective monitoring of the Club's performance.
- o) Ensuring there is enough time for the Board to consider complex or contentious issues.
- p) Ensuring effective implementation of the Board's decisions.
- q) Ensuring annual performance reviews of the Board, its committees and its individuals.
- r) Ensuring that the Board is kept properly informed about the Club's financial affairs, including its cash flows, projections, and comparisons with previous periods.
- s) Responding promptly and comprehensively to concerns raised by other Directors.
- t) Taking leadership of corporate governance issues, including awareness of Directors' conflicts of interests and managing any such conflicts.

3 (iii) The Secretary of The Club ("The Secretary")

The Secretary shall be elected in accordance with the Constitution and shall be the Public Officer of the Club in accordance with the relevant Associations Incorporation Act. The Secretary's duties will include, but are not limited to:

- a) Attending all Board meetings, if reasonably practicable.
- b) Making every reasonable effort to be conversant with the Acts governing the operation of The Club and ensuring that the Board of Management acts within those guidelines.
- c) Preparing an agenda, under supervision of The President, for all Board, and General Meetings.
- d) Taking and maintaining minutes, to be kept at The Club, of those meetings.
- e) Preparing and publishing annual reports where called for.
- f) Preparing nomination forms and voting papers for office bearers for Annual General Meetings, and as necessary.
- g) Maintaining a membership register in accordance with Bowls Victoria's requirements.
- h) As the Public Officer (who is, amongst other things, responsible to the A.T.O.), having the custody of the Common Seal of The Club.
- i) Ensure the safe keeping of all books, documents and securities of the Club.

3 (iv) The Treasurer of The Club ("The Treasurer")

The Treasurer will be elected in accordance with the Constitution and be responsible for:

- a) Receiving on behalf of The Club of all monies due to it.
- b) Within a reasonable time arranging for the deposit of such money in The Club's bank.
- c) Ensuring that for all committees lodge all Club monies received promptly.
- d) Keeping full accounts of all monies received and spent.
- e) Ensuring that all bills received are paid promptly
- f) Presenting reports of all transactions, by cash, cheque, transfer , and so on, including analysis by category, and the financial position of The Club, to each monthly meeting of the Board.
- g) Preparing and submitting (an audited, if required by the Constitution [or State or Federal law]) financial statement to each Annual General Meeting.
- h) Ensuring that the financial statements are made available to Members at least 14 days before the Annual General meeting.
- i) Providing of an overview of areas of income and expenditure and bring to The President's attention areas where improvement may be possible.

4. Conflicts of Interest

Directors have a duty to avoid any actual or potential conflict between their own interests and those of The Club, and between their duty to The Club and their duties to third parties (including those owed by them to other companies or bodies of which they are also Directors or Officers or similar appointments). There is a potential conflict of interest where a reasonable person, looking at the relevant facts and circumstances, would consider there to be a real possibility of conflict. (In this context it is also necessary to consider what is permitted by the Constitution of The Club.)

5. Banking

The banking accounts of The Club shall be kept with such bank, or banks, as the Board shall from time to time appoint and all monies shall be banked accordingly.

The Treasurer and President will regularly review the banking arrangements and may, if they feel that a financial benefit can be achieved, discuss terms and conditions from an alternative banking organisation. Should they feel that a change in banking may be beneficial they will prepare a report to the Board for its consideration and decision.

All cheques drawn on The Club's account shall be signed, and all Electronic Funds Transfers shall be authorised, by any two of the following (current) Board Officers: President, Vice President, Treasurer, or Secretary, provided that should any of these officers be absent a substitute or acting appointment may be made by the Board for that purpose.

6. Expenses

Directors may claim from The Club reasonable expenses incurred in carrying out Club business, as may Members of The Club subject to prior Board Approval.

7. Other Officials within The Club

Directors may take on these positions, but they are also open to Members other than Directors

7 (i) Greens Keeper

The Greens Keeper will be responsible to the President for the maintenance and management of the greens and the surrounds. The Greens Keeper's duties include but are not limited to :

- a) Controlling an approved budget for the costs associated with the Green(s) and surrounds, and the maintenance of machinery and equipment.
- b) Ensuring that Greens are kept in good working order and maintained in accordance with the installer's recommendations.
- c) Ensuring that all machinery is kept in good working order.
- d) Closing the Greens, because of weather conditions, essential maintenance, or any other reason at the Green Keeper's sole discretion.

7 (ii) Club Coach(es)

Where practicable Club Coaches will be accredited by Bowls Victoria (reasonable costs incurred in obtaining accreditation will be met by The Club) but, whether accredited or not, Club Coaches will be appointed by The Board. The main coaching duties include but are not limited to:

- a) Providing bowls coaching to Members and teams.
- b) Conducting at least one weekly training session for each bowls section.
- c) Conducting a regular bowling clinic for new bowlers.
- d) Liaising with the Match Committee and the Selection Committee(s), in an advisory capacity, on a weekly basis, in relation to all bowls coaching related matters and speaking to teams as required by the Selection Committee.
- e) Liaising with the Green Keeper regarding the availability of greens for events and practise.

7 (iii) Club Umpires If at all possible at least one currently accredited Umpire (reasonable costs incurred in obtaining accreditation will be met by The Club) should be available to officiate at every club event or home Pennant game. All Umpires will, in conjunction with the Club Coaches, conduct clinics on the "Laws of the Sport of Bowls" (and etiquette) for Members.

7 (iv) The Licensee

- a) The Licensee is "Yarra Junction Bowling Club Inc. but a nominee may be appointed by the Board of Management from time to time.. Any Member of YJBC appointed as nominee will, if he or she has acted reasonably, and in accordance with The Constitution and these by-laws shall be indemnified by YJBC against any fines or other costs imposed on him or her as holder of the position of licensee.
- b) The Licensee will ensure that the "red line plan" is displayed prominently.
- c) The Licensee and all servers of alcohol must hold current R.S.A. certification whether or not that is mandated by Federal or State Law, for Clubs, such as YJBC, which are holders of a "Renewable Limited Licence" for its bar.
- d) The Licensee will ensure that an "Incident Register" is readily available to "bar staff" and is regularly maintained.

8. Sub Committees within The Club

Directors may join these Committees, but they are also open to Members other than Directors. Each Committee will elect a representative who will report to the Board on request.

8 (i) The Selection Committee(s)

The Selection Committee(s) shall comprise up to five Full Members (“The Selectors”) and be appointed by the Board. Three Members will constitute a quorum. The Selectors will have sole jurisdiction in team selection, but are obliged to explain choices to the Board, on request.

The Selectors will act impartially in making selection decisions and will lean heavily on factors of performance and reliability of Members in Pennant play and training when making decisions.

One of the Selectors will be chosen by The Selection Committee from time to time to have the casting vote if a majority decision is not achieved.

The Selectors’ decisions are final.

In the event of any member of the Selection Committee vacating his position for any reason, then such a vacancy shall be filled by another Full Member appointed by the Board.

Any Pennant player may make an appointment to meet the Selectors to discuss any relevant matter.

The duties of the Selection Committee include but are not limited to :

- a) Recommending the number of Pennant Sides for the coming season to the Board.
- b) Discussing team performance with Skippers and each Side's performance with the appropriate Side Manager.
- c) Selecting Pennant teams (and Side Managers) to represent The Club.
- d) Deciding, after discussion with the Greens Keeper, rinks to be used for a Pennant Match,
- e) Appointing an Umpire for home games.
- f) Providing a handicap for all Full Members for handicap events.
- g) Appointing Umpires and Markers for all Club finals, and where necessary for all other games, unless those officials have been, or will be, appointed by the players themselves.
- h) Appointing, by roster, Members of The Club to prepare the green, surrounds and clubhouse prior to Pennant games. All players are expected to take part in tidying away all equipment on the completion of those games.
- i) Suggesting car-pooling arrangements for Pennant players involved in away matches.
- j) Updating the Pennant ladder boards (no-one else may alter them).

8 (ii) Match Committee

The Match Committee shall be responsible for the conduct of social bowls among the Members. Their duties include but are not limited to the following :

- a) Preparing a roster of Match Committee Members to assist in organising and conducting social bowls.
- b) Arranging for trophies for Club competitions and events.
- c) Organising and conducting the major club competitions, e.g. Club Championships, 100Up, Pairs Championships and so on.

8 (iii) Catering and Social Committee

The Catering and Social Committee shall be responsible for, among other things:

- a) Co-ordinating the catering requirements for social and fund raising events.
- b) Arranging social events outside The Club provided the events have prior approval of The Board.

9. Indoor Bowls

Indoor Bowlers will appoint annually such office bearers and sub-committees as they deem necessary for the proper conduct and control of indoor bowling activities. Those office bearers shall act in accordance with the wishes of the Board.

10. Club Competitions

- a) The Club will offer, and pay for, inscribed Club Championship Trophies which will be presented to the winners and runners-up. The trophies will be played for under such conditions as the Match Committee may determine. These events shall be open to all Full Members and, if so decided by the Match Committee, others.
- b) The Club may also accept from anyone, Member or not, with the approval of The Board, trophies to be competed for as specified by the donor.
- c) The Match Committees shall suggest entry fees to events for approval by The Board.
- d) No monetary prizes may be awarded.

11. Membership

All fee paying (and Life) Members) may vote at all General Meetings.

11 (i) Life Membership

Any Member who has rendered outstanding service to The Club may be elected a Life Member. The Board alone may make such recommendation to an Annual General Meeting or Special General Meeting but shall consider recommendations from Members.

The recommendation will require approval of a two thirds majority of Members at the specified meeting.

A Life Member will not be required to pay Membership fees and will enjoy all the privileges offered to Full Members.

11 (ii) Application for Membership

- a) Anyone wishing to become a Member of the Club, in any category, must submit a completed application form to the Board for approval at the next regular Board Meeting.
- b) In the event that a person wishes to re-join the Club, after a period of absence, the approval of the Board will be required.
- c) All applications must be proposed and seconded by Members of the Club.
- d) On approval of the application the Secretary shall notify the applicant, in writing, of the Board's decision and request the relevant Membership fee.
- e) If a newly elected Member fails to pay the appropriate fee within thirty (30) days of notification of acceptance, the election shall become void unless the delay can be justified to the satisfaction of the Board.
- f) On receipt of the appropriate Membership fee the Secretary shall arrange for the relevant documentation and Club paraphernalia to be made available to the new Member.
- g) On receipt of the appropriate fee the Secretary shall update the membership records.
- h) A Member may, at any time, request a change of Membership category. All communications from Members regarding such changes shall be forwarded to the Board Secretary, in writing, for the Board's approval.
- i) Any one who joined as a full time student, or as a Junior Member, must notify the Secretary immediately if their status changes.

- j) Membership or the use of the Club's property shall imply agreement to abide by the Club's Constitution, and its by-laws and any other regulations of the Club which may be introduced from time to time.

11 (iii) Exceptions to Membership Conditions

a) Anyone including, but not exclusively, officials, umpires, players, and spectators, visiting from another Affiliated (to Bowls Australia) Bowls Club for a competition will be considered an Honorary Member of the Yarra Junction Bowling Club for the day of competition.

b) Social Members will be permitted to play two Pennant games for the Club which will be responsible for making the necessary registration with Bowls Victoria.

12. Use of Club Bowls

The Club owns sets of lawn bowls which are a valuable asset and must remain the property of the Club. These assets are primarily for the use of social and casual bowlers (e.g. novices, barefoot bowlers etc.), but may also be used by Members for practise and Pennant play. No Club bowls may be taken from Club premises without the permission of the President.

13. Code of Conduct

The reason for having a “Code of Conduct” is to ensure that:

- (a) those attending the Club should at all times relate with each other in a peaceful, friendly and relaxed manner;
- (b) there is an atmosphere of respect for people and property at The Club;
- (c) there is a safe environment conducive to a community Club;
- (d) those attending the Club will develop an increasing sense of responsibility for the maintenance of a respectful Club culture.

All Members must behave in such a way as to uphold these reasons and any Member failing to do that will be considered in breach of The Code of Conduct (see below).

14. Disciplinary Procedure

Members must understand both the discipline procedure and the repercussions of breaching the Club's Code of Conduct as follows :

- (i) Serious breaches of behaviour will result in a Member being reported to the President, who will then convene the Disciplinary Committee (comprising the President, Vice President, Treasurer and Secretary) to investigate the alleged behaviour.
- (ii) For less serious breaches where an official has to speak to a Member regarding their behaviour, but does not believe that any further action is necessary, the incident will be noted by the President in the Club's Member Incident Register. Should a Member be noted on three such incidents during any one season, they will be called to appear before the Disciplinary Committee to explain their behaviour.
- (iii) The Disciplinary Committee has the power to censure, issue a warning and seek an apology from, fine, temporarily suspend or suspend indefinitely, the Member.
- (iv) In the case of a serious breach, a Member will be entitled to seven days notice of a hearing of the charge against them, and to be present at the Disciplinary Committee.

- (v) Any Member suspended in accordance with this Code of Conduct Disciplinary Procedure will forfeit all right of claim upon the Club, its property, or funds as they would have had by right of Membership.

15. Fees and annual subscriptions

Before the start of the Club's financial year the Board will determine the fee structure.

Fees for the year from 1st July 2020 until 30th June 2021 will be :

Joining Fee	No Charge
Life Membership	No Charge
Full Membership	\$175.00
Junior Membership (inc. full time students)	No Charge
Social Membership	\$55.00
Indoor	\$25.00
Friend of YJBC	\$25.00
Green fees (social) 5 or more players	\$5.00 (5 players or more; if fewer no charge)
Green fees (Pennant)	\$5.00

Green fees (special events and competitions) – will be set for each event and may or may not include, as directed by The Match Committee, Green Fees (social and pennant)

Green fees (Indoor Bowls) \$5.00

16. Death of a Member

This policy applies to Members at the discretion of the Board, and whose past service to the Club is deserving of recognition. On receipt of notification of death of such a Member the following actions are to be taken:

- (i) When the President has been notified of the event he will arrange for the Club flag to be flown at half-mast and for a notice to be placed in a prominent place in the Club. The flag should be flown at half-mast of the day of notification, the day of the funeral, and at the next home Pennant fixture.)
- (ii) The Secretary will arrange for an appropriate notice to be placed in the local newspaper as soon as possible.
- (iii) The Secretary will discuss the sending of a sympathy card to the family as necessary.
- (iv) Flowers will not be sent on behalf of the Club.
- (v) The Club may offer the use of Club facilities after the funeral.

17. Club Uniform

The Club uniform is as approved from time to time by Bowls Victoria.

18. The Wellbeing of Members

If at any time during a match a player or that player's "Skip" feels that his or her continuing to play presents a danger to the player's well being that player will be consulted by the Skip and Side Manager, and if necessary that player will be asked to stop playing, regardless of the possibility or not of a substitute, and of any penalties, points or otherwise, which may or not arise as a result. The Umpire of the day, and the opposing Side Manager will be informed.

19. 'No Smoking' Policy

The Club premises are leased from the Yarra Ranges Shire Council and it is a requirement of the lease that NO SMOKING be allowed on the premises (which term includes all of the grounds within the perimeter fence).. A bin for cigarette ends is to be found just outside the gate.

20. Purchasing Policy

Purchases of goods, equipment and services on behalf of the Club must be made within the following guidelines :

- (i) Club sponsors should be used wherever possible providing that purchases from them represent "value for money".
- (ii) Single purchases of more than \$200 must to have the approval of the Board.
- (ii) A note of accounts with local sponsors is held by The Board

21. Voting by Proxy

A fee paying Member (see Section 11 of these By laws) who will not be present at any General Meeting may appoint another fee paying Member, who will be present, as their Proxy on prior presentation of a suitable written application to, and approval by, The Board.