



SYDNEY NORTH WEST ZONE 10 BOWLING ASSOCIATION INC.

CONSTITUTION

2nd June 2010 (Amended)

SYDNEY NORTH WEST ZONE 10 BOWLING ASSOCIATION INC.

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1 . NAME

The name of the Association is the "Sydney North West Zone 10 Bowling Association Incorporated".

2 . INTERPRETATION In this Constitution, unless the context or subject matter otherwise indicates or requires:

2.1 "Act" means the Association Incorporation Act 1984.

2.2 "Affiliate Club" means a club that is affiliated with the RNSWBA and Zone and includes a provisionally affiliated club, but does not include a club whose affiliation with the RNSWBA or Zone has been suspended.

2.3 "Alternative Club Delegate" means a person appointed as a delegate in the absence of the Delegate appointed by an Affiliated Club under this Constitution.

2.4 "Annual General Meeting", in relation to the Zone, means a meeting of the Zone called pursuant to *Clause 6.2*.

2.5 "Arbitrator" shall be the RNSWBA or their nominee.

2.6 "Association" means the Sydney North West Zone 10 Association Incorporated.

2.7 "Association event" means any bowls match or event arranged or conducted by the RNSWBA or Association.

2.8 "Budget". The term includes income, allowances, reimbursements and anticipated expenditure of the Zone as set out in the By-Laws.

2.9 "By-Laws" means Zone By-Laws made under *Clause 26* that are in force.

2.10 "Club" means a properly constituted bowling club or provisional club as defined in *Clause 23*.

2.11 "Club Delegate" means a designated person holding office as a delegate of an Affiliated Club to the Zone under this Constitution.

2.12 "Composition of Zone" as defined in *Clause 3*.

2.13 "Executive Committee" (also referred to as "The Executive") means the committee as defined in *Clause 12.2* and constituted under this Constitution.

2.14 "Financial year", in relation to the Zone, means a year ending as set out in Zone By-Laws.

2.15 "Juniors", means any male or female bowler up to and prior to their eighteenth (18) birthday.

2.16 "Life Member" means a member of an Affiliated Club who may be granted life membership as per *Clause 31*.

2.17 "Management Committee" means the Committee as defined in *Clause 5.2* and constituted under these clauses.

2.18 "Member Club" means a club which has been granted affiliation with the Zone.

2.19 "Ordinary General Meeting" in relation to the Zone, means any meeting of the Zone other than an Annual General Meeting or Special General Meeting.

2.20 "Permanent Sub-Committee" means a committee constituted under *Clause 16.1*.

2.21 "President" means Zone President.

2.22 "Provisionally Affiliated Club" means a club that is provisionally affiliated with the RNSWBA Association and Zone.

2.23 "Public Officer" means a person appointed from time to time by the Executive to be the Public Officer of the Zone in accordance with the Associations Incorporation Act 1984.

2.24 "Registered Club Member" means a member of club affiliated with the Association and registered with the RNSWBA.

2.25 "RNSWBA" means Royal NSW Bowling Association Incorporated.

- 2.26** "RNSWBA Constitution" means the constitution for the time being of the Royal New South Wales Bowling Association Inc.
- 2.27** "Secretary" means Zone Secretary.
- 2.28** "Special General Meeting", in relation to the Zone, means a meeting of the Zone called pursuant to Clause 7.1.
- 2.29** "State Councillor" means a person holding office as a Zone Representative under this Constitution.
- 2.30** "Treasurer" means Zone Treasurer.
- 2.31** "Zone" means the Sydney North West Zone 10 Bowling Association Incorporated.
- 2.32** "Zone Event" means any bowls match or event arranged and conducted by the Zone.
- 2.33** In this Constitution, words in the singular include the plural and vice versa.
- 2.34** Words of the masculine gender shall include the feminine.
- 2.35** In the event of any inconsistency, the terms of the RNSWBA Constitution and the By-Laws made there under, as the case may be, shall prevail.

3. COMPOSITION OF ZONE

The Zone will consist of affiliated Clubs within the designated boundaries as defined by the RNSWBA and as listed in the Zone By-Laws.

4. OBJECTS OF THE ZONE

The objects of the Zone are to:

- 4.1** affiliate with the RNSWBA as a Zone Association;
- 4.2** promote, conduct, advance and control the game of lawn bowls within the Zone in the interest of Affiliated Clubs;
- 4.3** arrange and conduct in conjunction with the RNSWBA, the affairs of the RNSWBA within the Zone;
- 4.4** promote the welfare of Affiliated Clubs;

5. MANAGEMENT OF THE ZONE

- 5.1** Subject to this Constitution, the management of the affairs and business of the Zone shall be conducted by the Management Committee.
- 5.2** The Management Committee shall consist of:
- 5.2.1** The Executive Committee as defined under *Clause 12*; and
- 5.2.2** The Delegates from each of the Clubs affiliated with the Zone, and
- 5.2.3** The Chairman of the Zone Permanent Sub Committees who each shall be elected by their respective Committees within one month after the Annual General Meeting of the Zone.
- 5.3** The Management Committee shall meet at least monthly when summoned by the President or the Secretary and at any other time when summoned, unless agreed otherwise by the Management Committee.
- 5.4** The Management Committee may act notwithstanding any vacancy on the Management Committee.

6. ANNUAL GENERAL MEETING OF THE ZONE

- 6.1** The Annual General Meeting of the Association shall be held within two (2) months but not earlier than four (4) weeks after the end of the Zone financial year each year.

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- 6.2** A preliminary notice of the Annual General Meeting of the Zone
- 6.2.1** shall be served by the Secretary on all Affiliated Clubs, Management Committee and Life Members not less than sixty (60) days before the date fixed for the meeting. The date of the meeting shall be determined by the Executive Committee.
- 6.2.2** shall set forth the business to be transacted at the meeting (other than business of which notice is required to be given) and state that the nominations for the positions of the President, Senior Vice President, Vice President, Secretary, Treasurer, State Councillor, Selectors, Match/Green and Junior Sub-Committee, together with notice of any motion proposed to be moved at the Annual General Meeting, must be lodged with the Secretary not less than thirty (30) days before the date fixed for the meeting.
- 6.3** Final notice of the Annual General Meeting (including the Agenda, Annual Report, nominees for election of office bearers and committees, financial statements and the draft budget for the forthcoming year together with all motions to be considered) shall be served by the Secretary on all Zone Members, Life Members and Management Committee not less than twenty-one (21) days before the date fixed for the meeting.
- 6.4** At the Annual General Meeting the order of business shall be as set out in Zone By-Laws.

7. SPECIAL GENERAL MEETING OF THE ZONE

- 7.1** A special general meeting of the Zone shall be called by the Secretary whenever he is directed to do so by the Executive Committee, or on a written request made by ten (10) or more Affiliated Clubs entitled to vote at such a meeting.
- 7.2** Notice of the meeting and the business to be considered shall be served on all Affiliated Clubs, Executive and Chairman of Permanent Sub-Committees at least twenty-one (21) days before the date fixed for the meeting.
- 7.3** For a motion to succeed if put to the Special General Meeting must be approved by a majority of at least seventy five percent (75%) of those eligible to vote and present at the meeting.

8. ORDINARY GENERAL MEETINGS

- 8.1** The business of such meetings shall be as set out in Zone By-Laws.
- 8.2** The Secretary shall advise meeting dates for the year not more than one (1) month after the preceding Annual general meeting.
- 8.3** Notice of every ordinary meeting of the Zone and of the business to be considered at the meeting shall be served on all Affiliated Clubs and Management Committee members at least seven (7) days before the date fixed for the meeting.

9. QUORUM

- 9.1** At least three (3) members of the Executive Committee shall be present at all General Meetings.
- 9.2** Where at any time the number of members at any meeting of the Executive, Management Committee or any other Sub-Committee is:

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9.2.1 an even number, one half of the members plus one shall constitute a quorum at any meeting; or

9.2.2 an odd number, the whole number next above one half of the number of members shall constitute a quorum at any meeting.

9.3 In the absence of a quorum at any meeting of the Executive, Management Committee or any other Committee within thirty (30) minutes of the appointed time for the commencement of the meeting, it shall be adjourned by those present to such date, time and place as they determine, provided that it shall not be later than fourteen (14) days after the date fixed for the original meeting.

10. CHAIRMAN OF MANAGEMENT COMMITTEE MEETINGS

At any meeting of the Management Committee, the President shall preside or in his absence the order of entitlement to chair the meeting shall be: the Senior Vice President, the Vice President, the Secretary, the Treasurer, and then State Councilor.

11. UNAVAILABILITY OF PRESIDENT

If at any time where the President for any reason is unable to carry out the duties and functions of his office, the Senior Vice President or in his absence the Vice President, may act as President and when doing so shall have all the powers of the President.

12 EXECUTIVE COMMITTEE

12.1 The Executive Committee shall, on behalf of the Management Committee, be responsible for the administration of all Zone activities, including the use of funds.

12.2 The Executive Committee shall consist of the President, Senior Vice President, Vice President, Secretary, Treasurer and the State Councilor all of whom shall be elected annually by the Affiliated Clubs of the Zone as defined under *Clause 13*. No club shall be entitled to hold more than two (2) positions on the Executive at any one time.

12.3 The Executive Committee shall meet;

12.3.1 within two (2) weeks after the preceding Annual general Meeting and to consider any business as necessary,

12.3.2 at least monthly and any other time when required.

13 EXECUTIVE COMMITTEE – ELECTION

13.1 The election of the Executive Committee shall be conducted at each Annual General Meeting of the Zone subject to the provisions of *Clause 30*. No member of the Executive may hold more than one (1) Executive position at any time with the exception of the President who may also be elected as State Councilor.

13.2 The election shall be conducted as follows:-

13.2.1 Nomination of a person to be a member of the Executive Committee must be in writing signed by the nominee, his proposer and a seconder;

13.2.2 Nominee, proposer and seconder must each be full members of a Member

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Club affiliated with the Association and registered with the RNSWBA.

- 13.2.3** Nomination must be delivered to the Secretary in compliance with *Clause 6.2.2*
- 13.2.4** A list showing all persons nominated for each of the positions of the Executive Committee shall be served with the notice of the meeting on all Affiliated Clubs;
- 13.2.5** if more persons are nominated to fill any position than are required, a ballot shall be held at the Annual General Meeting to fill that position or positions as the case may be;
- 13.2.6** if no written nominations are received to fill a position or positions, verbal nominations may be taken from the floor of the meeting. The nominee, proposer and seconder must comply with *Clause 13.2.2*. A nomination made verbally under this Clause has no force unless the nominee provides consent verbally or in writing.
- 13.2.7** If no more persons are nominated verbally to fill any remaining position or positions than are required for the position, any persons duly nominated for any such remaining position shall, at the Annual General Meeting at which the election for that office was to have taken place, be declared elected and any position still unfilled shall be treated as a vacant position.

14 TERMS OF OFFICE OF MEMBERS OF THE EXECUTIVE COMMITTEE

- 14.1** Members of the Executive Committee, other than the State Councilor, shall, subject to this Constitution, hold office from the conclusion of the Annual General Meeting at which they were elected (or if elected pursuant to *Clause 30.2* - from the time of his election) until the conclusion of the next Annual General Meeting.
- 14.2** A person is not eligible for election to the position of the President for more than three (3) consecutive terms. disregarding any terms for which he held office while filling a casual vacancy.
- 14.3** A State Councilor shall hold office as a member of the Management Committee and the Board of the RNSWBA from the conclusion of the Annual General Meeting of the RNSWBA next following his election or appointment as the State Councillor until the conclusion of the next subsequent Annual General Meeting of the RNSWBA

15 DUTIES OF THE EXECUTIVE

15.1 The President

15.1.1 The President shall be responsible for the conduct of all Zone activities and functions.

15.1.2 Specific duties of the President shall be as set out in the Zone By-Laws.

15.2 Senior Vice President and Vice President

15.2.1 The Senior Vice President and Vice President shall assist the Zone President in the conduct of Zone activities and functions.

15.2.2 The duties of the Senior Vice President and Vice President shall be as set out in the Zone By-Laws.

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15.3 Secretary

15.3.1 The Secretary shall co-ordinate the administration of the Zone Management Committee, Zone officials and Zone Sub-committees on behalf of the Executive.

15.3.2 The duties of the Secretary shall be as set out in the Zone By-laws.

15.4 Treasurer

15.4.1 The Treasurer shall be responsible for the financial administration of the Zone.

15.4.2 The duties of the Treasurer shall be as set out in the Zone By-laws.

15.5 State Councillor

15.5.1 The State Councilor shall attend meeting of the Association and represent the Zone at meetings of the Board of the RNSWBA; and

15.5.2 Prepare and submit reports on his activities as State Councilor to each meeting of the Executive Committee, Management Committee and otherwise as required by the Committees.

15.5.3 Where the Annual General Meeting of the Association and the RNSWBA are held in different calendar months, the current and newly elected State Councillor shall both attend Zone Executive and Zone Management Committee meetings until the current Zone Councilor period of service is completed.

16 PERMANENT AND OTHER SUB-COMMITTEES

16.1 There shall be Permanent Sub-Committees which shall include and be designated as the Match /Greens Committee, the Selection Committee, the Umpires Committee, the Coaches Committee and Juniors Committee. Other sub-committees shall be formed and designated as required.

16.2 Eligibility.

16.2.1 No Affiliated Club shall be entitled to have in the case of Permanent Sub-Committees at any one time;

16.2.1.1 where there are three (3) elected members, no more than one (1) club representative; or

16.2.1.2 where there are five (5) elected members, no more than two (2) club representatives.

16.2.2 *No person shall be eligible for membership of more than two (2) Permanent Sub – Committee's and cannot be the Chairman of more than one (1) Permanent Sub –Committee.*

16.3 Members of Permanent Sub-Committees shall elect their own Chairman

16.3.1 In the event of any sub-committee not doing so within thirty (30) days of the Zone AGM and notifying the Secretary of such an appointment, the Executive Committee shall have the authority to appoint a Chairman until such time the Sub-Committee notifies the Executive of their appointment.

16.4 Members of Permanent Sub-Committees shall not take part in any discussion on a dispute on matters relating to their own committee or club.

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- 16.5** The Executive Committee shall have the authority to appoint any additional non permanent Sub-Committee it may deem necessary to perform a specific function and may appoint any registered member to such a committee.
- 16.5.1** A nominated member of the Executive shall be Chairman of any such sub-committee
- 16.5.2** A Sub-Committee established under this Clause shall have such functions as may be conferred on it by the Executive Committee and may advise and make recommendations to the Executive Committee on such matters as may have been referred to it.
- 16.5.3** A Sub-Committee constituted under this Clause may at any time be abolished by the Executive Committee.
- 16.6** All correspondence in and out, keeping of records of all committees; shall be processed through the Secretary.
- 16.7** All financial transactions of all Committees shall be approved by the Executive and processed by the Treasurer.
- 16.8** Each Sub-Committee shall have such functions as may from time to time be conferred on it by the Executive or Management Committees.
- 16.9** All sub-committees shall provide monthly reports to the Executive as set out in By-Laws.
- 16.10** The President shall be an ex-officio member of all Committees.
- 16.11** Where a committee or member through their duties involves contact with Junior bowlers, they shall sign the Prohibited Employment declaration form and comply with the undertaking as required by State law.

17 MATCH/GREENS SUB-COMMITTEE

- 17.1** The Match/Greens Sub-Committee management shall consist of five elected members and they shall elect their own Chairman no more than one (1) month after the Zone AGM and shall immediately notify the Secretary.
- 17.2** The duties of the Match/Greens Sub-Committee shall be as set out in the By-Laws.

18 SELECTION SUB-COMMITTEE

- 18.1** The Selection Sub-Committee management shall consist of five elected members and they shall elect their own Chairman no more than one (1) month after the Zone AGM and shall immediately notify the Secretary.
- 18.2** The duties of the Selection Sub-Committee shall be as set out in the By-Laws.

19 COACHES SUB-COMMITTEE

- 19.1** *The Umpires Sub –Committee’s management shall consist of five elected members and they shall elect their own Chairman no more than one (1) month after the Zone AGM and shall immediately notify the Secretary.*
- 19.2** The duties of the Coaches Sub Committee shall be as set out in the By-Laws.

20 UMPIRES SUB-COMMITTEE

- 20.1** *The Coaches Sub –Committee’s management shall consist of five elected members and they shall elect their own Chairman no more than one (1) month after the Zone AGM and shall immediately notify the Secretary*

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20.2 The duties of the Umpires Sub-Committee shall be as set out in the By-Laws.

21 JUNIORS SUB-COMMITTEE

21.1 The Juniors Sub-Committee management shall consist of five members appointed by the Executive and they shall elect their own Chairman no more than one (1) month after appointed by the Executive and shall immediately notify the Secretary.

21.2 The duties of the Juniors Sub-Committee shall be as set out in the By-Laws.

22 ZONE PUBLICITY OFFICER

22.1 A Publicity Officer for the Zone shall be appointed annually at the Annual General Meeting of the Zone in accordance with *Clause 6.4*.

22.2 The Publicity Officer must be a registered member.

22.3 The Publicity Officer shall be responsible for receiving and promoting Club and/or Zone information including the media and RNSWBA publications.

23 AFFILIATION OF CLUBS

23.1 A Club, affiliated with the RNSWBA, which has its premises within the geographical region as defined by the RNSWBA for this Zone which makes it eligible to be granted affiliation is entitled, subject to this Constitution, to be granted affiliation with the Zone.

23.2 The affiliation of a Club with the Zone shall be terminated if the affiliation of that Club with the RNSWBA is terminated.

23.3 The Zone may recommend to the RNSWBA that the affiliation of a Club with the RNSWBA shall be terminated by the Association if:

23.3.1 at any time the Affiliated Club ceases to have the necessary qualifications for affiliation referred to in the RNSWBA or Association Constitution; or

23.3.2 it fails to pay, by the due date, the annual fees or any levy payable under this constitution by the Affiliated Club to the Zone, or

23.3.3 the club has failed to comply with any clause of this Constitution, or with any By-Law, or has knowingly permitted conduct of its members which in the opinion of the Management Committee renders it unfit to remain an Affiliated Club.

23.4 The Zone shall refuse to grant affiliation to or shall terminate the affiliation of a Club if the rules or constitution of that Affiliated Club permit any member to share in its profits.

24 CLUB DELEGATES

24.1 Every Affiliated Club is entitled to appoint one (1) Club Delegate, who shall be eligible to attend and vote on the business of the Zone at meetings of the Zone.

24.2 A Club Delegate must be a full member of an Affiliated Club affiliated with the Zone and be registered with the RNSWBA. This qualification shall also apply to Alternate Delegates.

24.3 Immediately after the appointment of its Club Delegate and Alternate Delegate, the Affiliated Club so appointing shall notify their name, address, telephone number

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and email address or facsimile number, if available, of the Affiliated Club Delegate and Alternate Delegate to the Secretary.

- 24.4** A Club Delegate and Alternate Delegate holds office until his successor is appointed and the Secretary is notified of the change. Unless the Secretary is notified in writing, no voting rights shall accrue.
- 24.5** If a Club Delegate is unable to attend a meeting of the Zone an Alternate Delegate may attend and vote at the meeting.
- 24.6** Should an Affiliated Club not be represented by a Club Delegate for three (3) consecutive Management Committee meetings, the Secretary shall inform the club of that non-representation. The Executive may require the club to appoint a new delegate on written notification of the Secretary.
- 24.7** Where the actions or behaviour of a Club Delegate or Alternate Delegate is considered unacceptable by the Executive, the Executive may require the Affiliated Club to appoint a new delegate on written notification of the Secretary.

25 DELEGATIONS BY THE EXECUTIVE COMMITTEE

- 25.1** The Executive Committee may, by instrument in writing, delegate to any Sub-Committee constituted under *Clause 16.1* the exercise of such powers and functions as may be specified in the delegation.
- 25.2** A delegation under this Clause may be made subject to such conditions or limitations as to the exercise of any power or function the subject thereof, or as to time or circumstances, as may be specified in the delegation.
- 25.3** Notwithstanding any delegation under *Clause 25* the Executive Committee may continue to exercise any power or function specified in the delegation.
- 25.4** Any act or thing done or suffered by any Sub-Committee acting in the exercise of a delegation under *Clause 25* has the same force or effect as if it had been done or suffered by the Executive Committee.
- 25.5** The Executive Committee may, by instrument in writing, revoke wholly or in part any delegation under *Clause 25*.
- 25.6** Any Sub-Committee which exercises any power or function pursuant to any delegation conferred on it under *Clause 25* shall, as soon as practicable after the exercise of the power or function, and if the Executive Committee so requires, report in writing to the Executive Committee details of the circumstances in which it exercised the power or function and its decision thereon.

26 ZONE BY-LAWS

The Executive Committee may make, amend and repeal Standing Orders to be observed at meetings of the Management and Executive Committees and make, amend and repeal By-Laws (not inconsistent with the Constitution of the Association, the laws of the game of bowls or the constitution of the RNSWBA) governing the conduct of the Association and of affiliated clubs.

27 NOTICES OF MOTION - MEETINGS

- 27.1** An affiliated club may put forward a proposal *in writing* to the Zone Executive to be considered at an Ordinary General Meeting or Special or Annual General Meeting.

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- 27.2** Proposals submitted shall be received by the Zone Secretary at least thirty (35) days before the intended meeting.
- 27.3** The Executive Committee shall consider the proposal for Zone implications and if necessary redraft the proposal as a motion.
- 27.4** The notice of motion shall be served by the Zone Secretary on all Affiliated Clubs and Management Committee members not less than twenty one (21) days before the scheduled date for the meeting.
- 27.5** Any amendment to a motion becomes a new proposal or resolution and shall be processed as in *Clauses 28.1 to 28.5*.

28 ATTENDANCE AND VOTING AT ALL GENERAL MEETINGS

- 28.1** Only Management Committee members as defined in *Clause 5.2* shall be entitled to attend meetings of the Zone unless invited in writing by the Secretary.
- 28.2** Members of the Executive Committee, Chairman of and Sub-Committees and Life Members shall not be entitled to vote at general meetings. Only club delegates shall be entitled to vote.
- 28.3** Club delegates shall be entitled to one vote each on each and every matter at any such meeting.
- 28.4** Unfinancial or suspended Affiliated Clubs shall not be entitled to vote.
- 28.5** A question arising at any such meeting shall be determined by a show of hands or by voice or, if a ballot is demanded by no fewer than five (5) persons entitled to vote on the question, by ballot.

29 SERVICE OF NOTICES

- 29.1** Unless otherwise stated in this Constitution, any notice or any other document that is required to be served on any Affiliated Club or Management Committee members may be served by:
 - 29.1.1** delivering it to the President or the Secretary of the Affiliated Club or to the Club Delegate; or
 - 29.1.2** posting it by pre-paid post addressed to the Secretary of the Affiliated Club or to the Club Delegate at his last address shown in the records of the Zone or, if there is no such address in the records of the Zone, at his last known address.
- 29.2** A notice or other document served:
 - 29.2.1** in accordance with *Clause 29.1.1*, shall be deemed to be served when it is delivered to the person concerned; or
 - 29.2.2** in accordance with *Clause 29.1.2*, shall be deemed to be served when it would be delivered in the ordinary course of the post.

30 VACANCIES ON EXECUTIVE COMMITTEE, PERMANENT SUB-COMMITTEES, AND OTHER COMMITTEES

- 30.1** A vacancy occurs in a position on the Executive Committee, or for a Club Delegate, or on a Permanent or other Committee, or in the office of Publicity Officer, if the person occupying the position:
 - 30.1.1** dies;

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- 30.1.2** ceases to be a full member of a Affiliated Club;
- 30.1.3** becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his assets for their benefit;
- 30.1.4** resigns his position by notice in writing given to the Secretary or, if a Club Delegate, his Club Secretary;
- 30.1.5** becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
- 30.1.6** in the case of the State Councillor, does or omits to do or allows or suffers anything which results in a vacancy occurring in his office as a member of the Board of the Association.
- 30.1.7** other than a Club Delegate, fails to attend three consecutive meetings without being granted an approved Leave of Absence. (See procedures in Zone By-Laws).
- 30.1.8** is removed from office as a result of being suspended or bringing the game into disrepute.
- 30.2** If more than three (3) months before the next Annual General Meeting a vacancy occurs in the position of the President, Senior Vice President or Vice President, an election to fill the vacancy shall be held at the next ordinary general meeting of the Zone.
- 30.3** If three (3) months or less before the next Annual General Meeting a vacancy occurs in the position of any member of the Executive Committee, the Executive may appoint a replacement until the next Annual General Meeting.
- 30.4** For the purposes of *Clause 30.2*, the provisions of *Clause 13.2* shall apply, with necessary modifications, to an election to fill the vacancy except that references in *Clause 13.2* to an Annual General Meeting shall be read as a reference to the ordinary general meeting at which the election to fill the vacancy is held.
- 30.5** If at any time there is a vacancy in the position of Secretary, Treasurer or State Councillor or for any reason any of these officials are unavailable, or neglects or refuses to perform any function required of them by this Constitution or by the Executive or Management Committee, the Executive Committee may appoint another suitable person to act in their place for so long as the vacancy remains unfilled or, in any case, for so long as the Executive Committee determines.
- 30.6** A person appointed to act in the place of the Secretary, Treasurer or State Councillor as referred to in *Clause 30.5* shall, while so acting, be deemed to be the Secretary, Treasurer or State Councillor as applicable.
- 30.7** A person appointed to act in the place of the Secretary, Treasurer or State Councillor during the time there is a vacancy in that position or for a period determined by the Executive Committee shall cease so to act upon the vacancy being filled or upon the expiration of that period.
- 30.8** If at any time there is a vacancy in the position of Secretary, Treasurer or State Councillor or for any reason any of these officials are unavailable, or neglects or

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refuses to perform any function required of them by this Constitution or by the Executive or Management Committee, the Executive Committee may appoint

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another suitable person to act in their place for so long as the vacancy remains unfilled or, in any case, for so long as the Executive Committee determines.

30.9 A person elected or appointed to fill a vacant position of the Zone shall hold office for the balance of his predecessor's term of office and, subject to this Constitution, is eligible for re-election or re-appointment.

31 LIFE MEMBERS

31.1 To be eligible to become a life member of the Zone, a person must

31.1.1 Be a full member of a Affiliated Club and registered with the RNSWBA;

31.1.2 have demonstrated over a period of at least 5 years a standard of sustained excellence in his application and attendance to duties allotted to him in relation to the conduct of the management and affairs of the Zone; and

31.1.3 have made a contribution of sustained excellence to the sport of bowls at Zone level.

31.2 A proposal for a member of a Affiliated Club to be elected a life member of the Zone may be made;

31.2.1 in writing, by the Affiliated Club with which the Member Club is affiliated, to the Executive Committee for determination by the Management Committee

31.2.2 by a recommendation of the Executive Committee for determination by the Management Committee.

31.3 If the Management Committee approves, by resolution passed by a majority of at least seventy five percent (75%) of its delegates present and voting when the application is being dealt with, that the application be granted, the Management Committee, at the next Annual General Meeting of the Zone three (3) months or more after the application is received by the Zone, shall propose the member to whom the application relates as a life member of the Zone.

31.4 If the member to whom an application relates is elected at an Annual General Meeting of the Zone to life membership of the Zone by a majority of at least seventy five percent (75%) of the persons present and eligible to vote at the meeting, the member shall have the status of life member of the Zone.

31.5 The status of life member of the Zone confers the right to attend but not to vote at meetings of the Zone, but without limiting his rights if he is a Committee member.

31.6 Not more than two (2) persons shall be elected to life membership of the Zone in any financial year.

31.7 All life members appointed under any preceding constitution of the Zone shall continue to hold that office under this constitution.

32 ZONE EVENTS

32.1 The Match Sub-Committee, on behalf of the, Zone shall in conjunction with the RNSWBA where applicable, arrange annual championship and pennant bowls competitions open to eligible members of all Member Clubs.

32.2 Notwithstanding *Clause 32.1*, the Match Sub-Committee shall, when so directed by the RNSWBA, refrain from arranging any event for the whole or any part of a

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32.3 All Zone fixtures shall take precedence over Club fixtures.

32.4 The Match Sub-Committee shall organise and conduct Zone Events on behalf of the Executive as shown in the Zone By-Laws

33 LAWS OF THE GAME

The Laws of the Game shall be those adopted by the RNSWBA but the Executive Committee on the recommendation of the Match Committee shall have the right to introduce Conditions of Play for any match or competition arranged by and under the control of the Association which do not conflict with the Laws of the Game adopted by the RNSWBA. *Page 13*

34 GREENS OF AFFILIATED CLUBS

34.1 The Zone from time to time may require any Affiliated Club to make available its greens or such part of those greens, as the Zone determines, for the playing of bowls in any Zone event or any competition under the control of the Zone.

34.2 If a Affiliated Club shows cause, which in the opinion of the Zone is sufficient, why any greens required by the Zone under *Clause 34.1* should not be made available, the Zone shall withdraw its requirement.

35 ZONE ATTIRE

35.1 All Association officials and players representing the Zone shall conform to the attire as detailed in the Zone By-Laws. Failure to do so may result in disciplinary action as determined by the Executive Committee.

35.2 In all matches players and officials shall conform to the attire as approved by the RNSWBA.

36 CONTROL OF PLAYERS

36.1 Any team or player from an Affiliated Club failing to fulfil an arranged engagement without (in the opinion of the Match Committee) justifiable cause shall, at the discretion of the Executive Committee, be liable to a penalty as determined by the Executive Committee. In addition, any player or Affiliated Club may at the discretion of the Executive Committee, be liable to have his/its entry declined for any Zone fixture or championship for a period of up to two years.

36.2 Similar penalties as shown in *Clause 36.1* shall be applicable to players in breach of code of conduct, proper attire or bringing the game into disrepute.

36.3 Players and officials of a Zone 10 representative team or sides shall be required to comply with a written Association Code of Conduct.

37 DISQUALIFICATION OF PLAYERS

A person may, be at the discretion of the Executive Committee, be disqualified from playing in RNSWBA and Association events, and shall not be entitled to play bowls on the

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- 37.1** he is not a financial member of an Affiliated Club; or
- 37.2** he is not a registered member with the RNSWBA; or
- 37.3** his name and address have not been notified to the RNSWBA in accordance with RNSWBA Article 28A (1); or
- 37.4** the annual fee for that member has not been paid to the Association and RNSWBA; or
- 37.5** he is a member of an Affiliated Club which is subject to disqualification; or
- 37.6** he is suspended by either the Association under this Constitution or by the RNSWBA; or
- 37.7** he has not paid any fine imposed under this Constitution or RNSWBA Article 48A. within the specified time as advised when the fine was imposed.

38 DISPUTES

- 38.1** The Executive Committee shall have the power to settle all disputes within the Association on any matter relating to Bowling, either between affiliated Clubs or between members thereof, which may be submitted to it by any affiliated Club.**38.2** Should disagreement between a Affiliated Club or member thereof remain with the Association after process is followed as shown in the By-Laws, the Association may, at its discretion, refer the matter to the RNSWBA for arbitration.

39 FUNDS MANAGEMENT

- 39.1** All financial transactions must be processed, received and paid by the Treasurer on behalf of the Zone committees and all sub-committees.
- 39.2** All moneys received by the Zone shall, as soon as practicable, be deposited to the *credit of the Zone in an account or accounts, that may be operated on by cheque, in such bank or banks as the Management Committee may from time to time determine.
- 39.3** Any cheque drawn by the Zone on any of its bank accounts shall be signed by any two members of the Executive Committee.
- 39.4** Any moneys of the Zone that are not immediately required for the purposes of the Zone may be invested from time to time in any one or more of the following investments:
 - 39.4.1** any investment from time to time authorised by law for the investment of trust funds;
 - 39.4.2** Australian State or Commonwealth Bonds;
 - 39.4.3** Accounts or deposits with Australian Banks;
 - 39.4.4** Secured debentures or debenture stock with finance companies affiliated with Australian Banks; and
 - 39.4.5** Australian Insurance companies
- 39.5** Limit of expenditure as required from time to time shall be as determined in the By-laws.

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40 APPLICATION OF INCOME AND PROFITS

- 40.1** The income and capital of the Zone shall be applied solely in the furtherance of the objects of the Zone and no portion thereof or any valuable thing the property of the Zone shall be paid or transferred either directly or indirectly by way of dividend, bonus, or otherwise to any member of a Affiliated Club of the Zone or of the Management Committee or to any other person.
- 40.2** Nothing in *Clause 40.1* prevents the payment or transfer, in accordance with this constitution or By-Laws and in good faith, of any remuneration or other consideration to any person or servant for any service actually rendered, or any goods actually transferred, by him to the Zone.

41 ANNUAL FEES PAYABLE

- 41.1** Each Affiliated or Provisionally Affiliated Club shall, subject to and in accordance with this clause, pay to the Association in respect of each of its full members, multiple members and junior members, an annual fee as recommended by the Executive and approved by the Management Committee, for its membership of the Zone.
- 41.2** The annual fee payable by the Affiliated Club or Provisionally Affiliated Club shall be determined at the Association Annual General Meeting and shall due and payable each year not later than one month after the date of invoicing.
- 41.3** The Association may suspend, either absolutely or subject to such conditions as it thinks fit, a Affiliated Club from competing, or entering its members to compete, in any Association event held during any bowls season for such period, not extending beyond the end of the season, if all amounts payable to the Association under this Constitution in respect of its members have not been paid;
- 41.4** Zone invoicing will be based on the RNSWBA record of club membership as at the end of the financial year of the RNSWBA.

42 LEVIES ON CLUBS

The Management Committee may, by a resolution (of which twenty-one (21) days notice has been given to the Affiliated Clubs) approved in general meeting by a majority of seventy five percent (75%) of the persons present and eligible to vote at the general meeting, impose on all Affiliated Clubs a levy of an amount payable by each Affiliated Club as determined and within such period as may be so specified.

43 FINANCIAL PENALTIES

- 43.1.** The Executive Committee may impose a financial penalty on a Affiliated Club or a member of a Affiliated Club that has failed to comply with any clause of this Constitution, or operational requirement of the Association, or with any By-Law, or has knowingly permitted improper conduct of its members, or the action of the

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Affiliated Club brings the game of bowls into disrepute, or failure to comply with operational requirements required by the Zone, which in the opinion of the Executive Committee renders it liable for penalty.

43.2 In the event that the Affiliated Club or member so penalised considers that extenuating circumstances may cause the Zone to reconsider the imposition of the

fine, the Affiliated Club or member may make representations to the Executive Committee or may address the Executive Committee at a meeting of the Executive Committee within fourteen (14) days after the service of the notice imposing the financial penalty.

43.3 After consultation under *Clause 43.2* and *Clause 48*, if there is still a dispute, the Association may refer the matter to the RNSWBA for arbitration.

43.4 Where a Affiliated Club, teams or individual bowlers enter an event under the control of the RNSWBA or Association and withdraw after the closing date of that event, any entry fees paid shall be forfeited.

44 AUDITOR

44.1 The Management Committee shall appoint an auditor to audit the accounts of the Zone and to perform such other functions as may be required by the Management Committee;

44.2 If a vacancy occurs in the position of Auditor, the Executive Committee shall fill the vacancy in accordance with procedures in Association Incorporation Law.

44.3 The auditor is not eligible for election or appointment as a member of the Management Committee or chairman of a sub-committee.

45 REAL AND PERSONAL PROPERTY.

The Executive Committee may on direction of the Management Committee:-

45.1 purchase, take on lease or otherwise acquire for and of behalf of the Zone any property or rights and privileges in respect of property at such price and on such conditions as the Management Committee deems proper;

45.2 sell, exchange, lease, mortgage or otherwise encumber all or any portion of the real or personal estate of the Zone upon such terms and on such conditions as the Management Committee deems proper; and

45.3 do all acts, matters, and things necessary for the purposes referred to in *Clauses 45.1* and *45.2*.

46 LEGAL PROCEEDINGS

The President shall, if required to do so by the Management Committee:

46.1 Institute, conduct, defend, compound or abandon any legal proceedings by the Zone or by any member of the Management Committee on behalf of the Zone or otherwise concerning its affairs and compound and allow time for payment of any debts due to and of any claims or demands by the Zone.

46.2 So far as he may legally do so, defend compound and abandon any legal proceedings against the Zone or members of the Management Committee in their

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capacity as members of the Management Committee or otherwise concerning its affairs, and compound or allow time for payment of any debts due by, or of any claims or demands against the Zone.

46.3 Do all acts, matters and things necessary or expedient for the purposes referred to in *Clauses 46.1* and *46.3*.

47 INDEMNITY OF MEMBERS OF THE MANAGEMENT COMMITTEE AND OTHER OFFICERS

Every member of the Management Committee, the Permanent Committees and of any other Committee constituted by the Management Committee under *Clause 16.5*, the Publicity Officer and any other Officer appointed by the Executive or Management Committee shall be indemnified out of the property of the Zone against any liability incurred by him in the exercise of good faith of any power or function in his capacity as such member or Officer.

48 DISCIPLINING OF AFFILIATED CLUBS

48.1 If the Executive Committee is satisfied that the Affiliated Club has;

48.1.1 failed to comply with any Clause of this Constitution, or with any By-Law, or

48.1.2 has knowingly permitted conduct by any of its members, or

48.1.3 the action of the club brings the game of bowls into disrepute, or

48.1.4 all amounts payable to the association under this Constitution in respect of its members have not been paid; or

48.1.5 the club refuses or fails to comply with any requirements by the determines, for the playing of bowls in any Association event or competition under the control of the RNSWBA or Association; it may;

48.1.5.1 cancel or suspend, for such period as it thinks fit, the affiliation of a Affiliated Club, or

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48.1.5.2 reprimand, fine or disqualify a Member Club, or

48.1.5.3 suspend, either absolutely or subject to such conditions as it thinks fit, a Affiliated Club from competing, or entering its members to compete, in any Association event held during any bowls season for such specified period, not extending beyond the end of the season.

48.2 Where the Executive Committee considers action under *Clause 48.1*, the Secretary shall cause a notice to be served on the Affiliated Club setting out the basis of the disciplinary action.

48.3 A notice under *Clause 48.2* shall be served by registered mail addressed to the Secretary of the Affiliated Club on which it is to be served at the last address of that Affiliated Club shown in the records of the Zone.

48.4 The offending Affiliated Club may advise of an intention to appeal in writing to the Executive Committee within fourteen (14) days of the service of notice, setting out fully the grounds for the appeal.

48.5 If the grounds for the appeal are accepted by the Executive Committee, it shall be processed within thirty (30) days of the receipt of the Affiliated Club submission of notice to appeal.

48.6 Should disagreement between Affiliated Club thereof remain with the Association after due process is followed as shown in the By-Laws, the Association may, at its discretion, refer the matter to the RNSWBA for arbitration.

49 ALTERATION OF THE CONSTITUTION OF THE ZONE

49.1 A provision of this Constitution may not be amended or repealed and a new provision may not be added except by a resolution that is effective for the purposes of this Clause.

49.2 A resolution is effective for the purpose of this Clause if, and only if:

49.2.1 draft of the amendment or additional proposed has been delivered to the RNSWBA and has been approved;

49.2.2 a notice has not been given by the RNSWBA before the amendment or addition is made, informing the Association that the amendment or addition has been disallowed by the RNSWBA on the ground that it would be inconsistent with any provision of the RNSWBA'S Constitution; and

49.2.3 the resolution is passed at a Special General Meeting of the Association of which not less than twenty-one (21) days notice has been served on all Affiliated Clubs and Management Committee members.

50 GENERAL REGULATIONS

All matters not covered in the Constitution or By-Laws of the Association shall be governed by the Constitution and By-Laws of the RNSWBA.

51 DISSOLUTION OF THE ZONE

- 51.1** In winding up of the Association the surplus property of the Association shall, subject to any trust affecting that property or any part of it, vest in an association (whether or not incorporated under the Associations Incorporation Act, 1984) which:
- 51.1.1** has objects similar to those of the Association;
 - 51.1.2** is not carried on for the objects of trading or securing pecuniary gain for its members;
 - 51.1.3** as provision in its rules requiring the property of the Association to be distributed, on dissolution of the Zone, to another Association which
 - 51.1.3.1** has objects substantially similar to those of the dissolved Association; and
 - 51.1.3.2** is not carried on for the object of trading or securing pecuniary gain for its members.
- 51.2** Under no circumstances shall any property be paid, given or transferred to any of the Affiliated Clubs of the Association.

52 LIMIT OF LIABILITY OF AFFILIATED CLUBS

The liability of a member of the Association to contribute towards the payment of debts and liabilities of the Zone or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, remaining unpaid by the member in respect of membership of the Association as well as any other levies or financial penalties remaining outstanding by the member.

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