



Constitution

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Australian Tenpin Bowling Senior's Association Victoria Inc.

Introduction

This document is the constitution of The Australian Tenpin Bowling Seniors Association of Victoria Incorporated (ATOSOV). It comprises a number of rules and regulations.

The Tenpin Bowling Australia Limited (TBA) rules and regulations will be used where rules are not covered by this constitution. If there is any conflict between the TBA rules and this constitution, this constitution takes precedence.

This constitution should be read in conjunction with the Associations Incorporation Act (1981) and the Model Rules for an Incorporated Association. If there is any conflict between the Act and the Model Rules and this constitution, the Act and Model Rules take precedence.

The ATBSOV Board decides all other matters.

Article 1: The Association Name

This association will be known as The Australian Tenpin Bowling Seniors Association Of Victoria Incorporated, hereafter referred to as the "ATBSOV".

Article 2: Purpose

It will be the purpose of the ATBSOV to be a non-profit organisation to promote and foster the sport of tenpin bowling at a competitive level amongst bowlers aged 45 years and over.

The ATBSOV will organise State Teams to represent Victoria each year as required, in the various divisions of the Interstate Teams Challenge.

Article 3: Fees

Membership fees will be collected for the season commencing on 1st January and ending 31st December. Membership fees will be set at the Annual General Meeting of the ATBSOV.

The ATBSOV shall accept members provided they have been issued with a current affiliated TBA registered players card.

Article 4: Meetings

4.1 Annual General Meeting

(a) The Annual General Meeting (AGM) of the ATBSOV will be held during January each year.

(b) All members of the ATBSOV from the previous year will be eligible to vote at the AGM provided that their membership fees have been paid not less than two weeks prior to the meeting.



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- (c) The Secretary shall notify all members of the date and venue for the AGM of the ATBSOV (see Notices of Motion). Nomination forms for election of Officers to the Board and notice of motion forms are to be provided to members with the Notice of Meeting. Nominations and Notices of Motion must be returned to the Secretary 7 days prior to the AGM.
- (d) The eligibility for nomination and election to the Board of any person, who has previously served as a member of the Board of the ATBSOV and has been removed from office for any reason, shall be at the discretion of the current Board of the ATBSOV.
- (e) Election of the Board will be held after the Directors' reports.
- (f) Any member who is eligible to vote at the AGM may make themselves available for a position on the Board even if they are absent from the meeting. The member must submit their intent in writing to the meeting clearly stating the position they wish to stand for. A proposer and seconder must be obtained from members in attendance.

4.2 Board Meetings

The Board will meet at such times and places as decided by the Board. Members of the Board will be given at least one weeks notice of each meeting.

4.3 Quorum at Board Meetings

Any four members of the committee constitute a quorum for the conducting of the business of a board meeting of the committee.

No business may be conducted unless a quorum is present.

If within half an hour of the time appointed for the meeting a quorum is not present – (a) in the case of a special meeting – the meeting lapses; (b) in any other case – the meeting shall stand adjourned to the same place and the same time and day the following week.

4.4 Special General Meetings

In addition to the AGM, any other general meetings may be held in the same year.

4.5 Notice of General Meetings

The Secretary, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the ATBSOV, must cause to be sent to each member of the ATBSOV, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.

Notices may be sent by prepaid post to the address appearing in the register of members or if the member requests, by facsimile transmission or electronic transmission.

No business other than that set out in the notice convening the meeting may be conducted at the meeting.



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A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.

4.6 Quorum at general meetings

- (1) No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- (2) Five members personally present (being members entitled under these Rules to vote at a general meeting) constitute a quorum for the conduct of the business of a general meeting.
- (3) If, within half an hour after the appointed time for the commencement of a general meeting a quorum is not present-
 - (i) in the case of a meeting convened upon the request of members – the meeting must be dissolved: and
 - (ii) in any other case—the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than 3) shall be a quorum.

4.7 Presiding at general meetings

- (1) The President, or in the President's absence, the Vice- President, shall preside as Chairperson at each general meeting of the Association.
- (2) If the President and the Vice-President are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.

4.8 Adjournment of meetings

- (1) The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- (2) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- (3) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 4.5. (4) Except as provided in sub-rule (3), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

4.9 Voting at general meetings

- (1) Upon any question arising at a general meeting of the Association, a member has one vote only.



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- (2) In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.
- (4) Voting by proxy, or by mail, in any form will not be allowed at the AGM or any general Meeting. Only votes cast by members present at those meetings will be allowed.

4.10 Poll at general meetings

- (1) If at a meeting a poll on any question is demanded by not less than 3 members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- (2) A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

4.11 Manner of determining whether resolution carried

- (1) If a question arising at a general meeting of the Association is determined on a show of hands-
 - (a) declaration by the Chairperson that a resolution has been-
 - i. carried; or
 - ii. carried unanimously; or
 - iii. carried by a particular majority; or
 - iv. lost; and
 - (b) an entry to that effect in the minute book of the Association—

is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, the resolution

Article 5: The Board

The control of the ATBSOV will be vested in the Board. The Board will be composed of Executive Directors covering specified positions and a number of Non-Executive Directors covering unspecified positions.

The Executive Directors shall consist of a President, a Vice-President, a Secretary, a Treasurer or a combined Secretary/Treasurer, and a Tournament Director.

The AGM or the Board will determine the number and roles of Non-Executive Directors.



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The Board will carry out the purpose and objectives of the ATBSOV by transacting its business and enforcing its rules and regulations under the direction of, and with the approval of, the AGM.

Article 6: Duties of the Board

6.1 The President

The President will be the Chief Executive Officer of the ATBSOV performing all duties usually pertaining to that office including specifically:-

Presiding at all meetings of the ATBSOV and all Board meetings.

Seeing to the enforcement of all the rules, provisions and purposes of the ATBSOV.

Making monthly checks to verify the correctness of the balance of the ATBSOV's accounts.

6.2 The Vice-President

In the absence of the President, the Vice-President will perform all the duties of the President and will also, on request of the President, assist the President in the performances of the President's duties or perform such duties as the President may request.

6.3 The Secretary

The Secretary will perform those duties assigned by the President, Board and AGM, specifically including:-

Keeping for the permanent record an account of proceedings of all meetings of the ATBSOV and the Board.

Conducting all the correspondence of the ATBSOV.

Keeping and maintaining a register of members containing the name and address of each member and the date on which each member's name was entered into the register.

Except as otherwise provided in these rules, keep custody or under control all books, documents and securities of the ATBSOV.

6.4 The Treasurer

Will collect and receive all monies due to the ATBSOV and make all payments authorised by the ATBSOV.

Will keep correct accounts and books showing the financial affairs of the ATBSOV with full details of all receipts and expenditure connected with the activities of the ATBSOV. All accounts, books, securities and any other relevant documents of the ATBSOV must be available for inspection free of charge by any member on request.



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All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the committee.

The funds of the ATBSOV shall be derived from entrance fees, annual subscriptions, donations and such other sources as the committee determines.

6.5 The Tournament Director

Is responsible for the planning, documentation, promotion, conduct and distribution of prizes of the ATBSOV's tournaments and trials.

Makes judgments on any matters arising out of the tournament under their jurisdiction. Such judgments being final and no correspondence shall be entered into other than that which is called for under the TBA rules and regulations.

Is answerable to the Board of the ATBSOV for any actions.

Keeps a true record of all scores made in the Tournaments conducted by the ATBSOV for a period of two years.

6.6 Non-Executive Directors

The AGM or the Board will determine the roles of Non-Executive Directors.

6.7 Sub Committees

Sub Committees may be formed by the Board from time to time to cover specific responsibilities. A Sub Committee must have a Director present at all meetings and may be comprised of financial and non-financial members. All Sub Committee recommendations must be presented to the Board for a decision.

Article 7: Elections, Terms, Vacancies and Removal

The Board will consist of the Directors and a number of Non-Executive Directors, covering unspecified positions, and holding office until the AGM next after the date of election.

To be eligible for election to the Board, the nominee must be a financial member of the ATBSOV.

Newly elected Board members shall commence their duties immediately following their elections.

If a vacancy occurs in any Executive Director position the Directors may appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the AGM next following the date of the appointment.

In the event of a vacancy occurring in any Non-Executive Director position, the Directors may appoint a member of the ATBSOV to fill the vacancy and the member appointed shall hold office, subject to these rules, until the conclusion of the AGM next following the date of the appointment.



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If the Board or the Directors wish to change the number of Non-Executive Directors, this change will be decided by a majority vote by the remaining Directors. All such vacancies will be filled until the conclusion of the AGM next following the date of the appointment.

An office on the Board becomes vacant if the officer or member ceases to be a member of the ATBSOV; becomes insolvent under administration within the meaning of the Corporations Law; or resigns from office by notice in writing given to the Secretary.

Article 8: Discipline, Suspension and Expulsion of Members

Subject to these rules, if the committee is of the opinion that a member has refused or neglected to comply with these rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the ATBSOV, the committee may by resolution:

Suspend that member from membership of the ATBSOV for a specified period or expel that member from the ATBSOV.

A meeting of the committee to confirm or revoke a resolution must be held not earlier than 14 days and not less than 28 days, after notice has been given to the member. The Secretary must, as soon as practicable, cause to be given to the member a written notice setting out the resolution of the committee and the grounds on which it is based. That member, or their representative, may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to the member.

If at the meeting of the committee, the committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that they wish to appeal to the ATBSOV in general meeting against the resolution.

At a general meeting of the ATBSOV convened to hear an appeal, no business other than the question of the appeal may be conducted, the committee may place before the meeting details of grounds for the resolutions and the reasons for the passing of the resolution; and the member, or their representatives, must be given an opportunity to be heard and the members must vote by secret ballot on the questions whether the resolution should be confirmed or revoked.

A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person in favour of the resolution. In any other case, the resolution is revoked.

Article 9: Disputes and Mediation

The grievance procedure set out in this rule applies to disputes under these rules between a member and another member or a member and the ATBSOV.

The parties to the dispute must meet and discuss the matter in dispute. If the parties are unable to resolve the dispute at the meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.

If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Associations Incorporation Act (1981) or otherwise at law.



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Article 10: Membership

Membership is open to all bowlers aged 45 years and over.

The Board of the ATBSOV will have the right to refuse membership to any applicant for membership without being bound to give any reason for such refusal, provided that the Board will not capriciously refuse any such application. Any person refused membership has the right to appeal to the Board of the ATBSOV. Any appeal should be made in writing and forwarded to the Secretary who must table the appeal at the next Board meeting. A response to the appeal must occur within 7 days of said Board meeting. The decision by the appeals process is final.

Article 11: Changes to the Constitution

The ATBSOV may make changes to this constitution at an AGM, or a General Meeting of members called especially for this purpose.

Changes to the constitution must be approved by a 3/4 majority of the members present at the meeting.

Article 12: Dissolution

In the event the ATBSOV ceases to exist, all funds held by the ATBSOV, after payments of all outstanding debts, will be paid to the Australian Tenpin Bowling Seniors Organisation National (A.T.B.S.O.N.) body which is a non profit organisation.

Constitution updated December 2012 to meet requirements as set by Consumer Affairs in October 2012.