

# **NETHER EDGE BOWLING CLUB**

Established 1st May 1867

## **RULES**

Revised May 2010

### **THE CLUB**

#### **1. Name and Objectives**

The Club shall be called "Nether Edge Bowling Club". Its objectives shall be the promotion of the game of Bowls, Billiards, Snooker, Croquet and such other games and amusements as the Committee may direct for the benefit of those persons as defined in clause 'C' of the Constitution.

#### **2. Trustees**

2.1 There shall be a minimum of five Trustees of the Club who shall be recommended, from time to time as necessary, by the Committee and elected by the Empowered Members at an Annual General Meeting from among Full or Life Members who are willing to be so appointed, (hereinafter referred to as "Holding Trustees").

2.2 A Holding Trustee shall hold office during his/her lifetime or until he/she shall resign by written notice given to the Committee or, until a resolution removing him/her from office shall be passed by the Committee and ratified at an Annual General Meeting.

2.3 Providing that the Holding Trustees act only in accordance with the lawful directions of the Committee, they shall not be liable for the acts and defaults of their number.

2.4 On the death, resignation or removal of a Holding Trustee, the Committee shall take steps to procure the appointment of a new Holding Trustee in his/her place and shall, as soon as possible thereafter, take all lawful and practical steps to procure the vesting of all the Club property into the names of the Holding Trustees as constituted after the said appointment.

#### **3. Property**

All land, buildings and investments held by or on behalf of the Club shall be vested in the holding Trustees or a corporation entitled to act as a custodian trustee. Failing which, the Committee may permit the assets of the Club to be held by a nominee Trustee in the name of a clearing bank, trust corporation or stock broking company or subsidiary of such company, which is a member of the Stock Exchange and may pay such reasonable and property remuneration to acting as such.

#### **4. Conducting of Affairs of the Club**

The Affairs of the Club shall be administered and managed by the Members of the Committee in accordance with the Constitution of the Club.

## **5. When the Club and Green shall be Open**

5.1 The Clubhouse shall, except for special occasions, shall be open from 09:30 to 23:30.

5.2 The Green shall be opened and closed at the discretion of the Committee.

5.3 The Committee will determine the Bar opening times as it considers appropriate and the times will be clearly displayed at the Bar.

5.4 Licensing Hours - Members and Visitors must observe the Licensing Laws. After the closing of the bar, "drinking up time" must be strictly adhered to.

5.5 During licensing hours, a corkage charge will be made on all intoxicants consumed but not purchased in the Club.

## **6. Annual Subscriptions**

Every Member, other than Honorary, Extended Members and Life Members and as provided for in Rule 21.3, shall pay an annual subscription of such sum as the Committee shall require. The Subscription shall become due on the 1<sup>st</sup> April and should be paid within 14 days, failing which, membership will be deemed to have lapsed and, unless extenuating circumstances prevails, an additional Rejoining Fee will be levied in such sum as the Committee shall determine before membership can be renewed.

## **7. Classes of Membership**

### **7.1. Full Members**

The Committee shall have the power to elect Full Members. A Full Member is defined as a person of the age of 25 or over who has paid the Full Membership fee for the current Club Financial Year.

### **7.2 Junior Members**

The Committee shall have the power to elect Junior Members; there are two classes of Junior Membership, viz:-

Class "A":- Children who are between the ages of 5 and 15 sponsored by Full Members. This class of membership shall be free of any Subscription. Class "A" Junior Members shall be entitled to enter upon the Club Premises and have use of the bowling green and the Billiard Room, providing that, at all times, they are accompanied and supervised by a Full Member. The sponsoring Full Member shall be fully responsible for the Junior Member's actions and behaviour. Class "A" Membership shall cease on 31<sup>st</sup> March following the Junior Member's 15<sup>th</sup> birthday. Rule 13 shall apply.

Class "B":- Shall be between the ages of 15 and 18. The Subscription for a Junior Member Class "B" shall be an amount as the Committee shall, from time to time, require. Junior

Membership shall cease on 31<sup>st</sup> March following the Junior Member's 18<sup>th</sup> birthday. Junior Members are entitled to use the bowling green and Billiard Room as if they were Full Members.

7.3 Young Adult Members

The Committee shall have the power to elect Young Adult Members. A Young Adult Member is defined as being between the ages of 18 and 25. The Subscription for a Young Adult Member shall be an amount as the Committee shall, from time to time, require. Young Adult Membership shall cease on 31<sup>st</sup> March following the Young Adult's 25<sup>th</sup> birthday. Young Adults are entitled to use the bowling green and Billiard Room as if they were Full Members.

7.4 Bar Social Members

a) Bar Social Members are allowed the use of the main and rear lounges at all times (unless the committee have sanctioned the holding of a private function in the main lounge) and to participate in the Club Social Functions. A person shall become a bar social member on payment of the appropriate fee to the Bar Steward, their spouse or any members of the Committee.

b) Bar Social Playing Members are allowed to play snooker, bowls or croquet upon further payment per sport as set by the Committee. No bar social member is eligible to play for a Club team. They may not enter the Club outside bar opening times except by prior arrangement with the Committee.

7.5 Temporary Members

The Committee shall have the power to elect Temporary Members on such terms as it deems fit.

7.6 Honorary and Life Members

The Committee shall have the power to confer Life membership (free of Subscription) on any Member. The Committee shall also have power to confer Honorary membership (free of Subscription), in any category, on surviving spouses or partners of deceased Members or such other persons considered by the Committee to be worthy, on such terms as it deems fit.

7.7 Extended Members

The Committee shall have the power to confer Extended membership on any Member, subject to the payment of a suitable extended subscription.

**8. Register of Members**

A Register of Members shall be maintained of the names, addresses, telephone numbers and class of membership of all Members of the Club in accordance with these Rules. Such register shall be conclusive evidence of the Membership for the time being.

**9. Disposition of Rights**

No Members of the Club may dispose of his/her rights or interests in the Club by any means except by specific arrangements, in writing, between him/herself and the Committee.

**10. Privileges of Members**

Every Member of whatever classification, with the exception of Junior Members Class "A", shall have the right of admission for him/herself together with his/her accompanied spouse or cohabiting partner and their children (under 18 years of age); Rules 12 and 13, however shall apply.

**11. Admittance of Visitors**

11.1 Visitors may be admitted to the Clubhouse when introduced by Members other than Junior Members. The name and address of the Visitor shall be entered in the Visitor's Book; the introducing Member shall be responsible for the compliance of the Visitor with the rules and regulations of the Club. No Visitor shall be introduced into the Clubhouse more than six times per financial year (except members of a visiting Bowling/Snooker Club on an official visit) except by special consent of the Committee.

11.2 No Member shall introduce or admit to the Clubhouse any Visitor after official evening licensing hours.

11.3 In order to comply with the requirements of the law, ALL visitors must be signed in on each occasion.

11.4 Visitors are defined as all non-club members excluding spouses or cohabiting partners and accompanying children. Teams of players from other Clubs, together with their followers, visiting the Clubhouse for purposes of Competitions, League Matches or otherwise, shall be signed in "en bloc" by the home team Captain, stating the name of the visiting Club and the status and nature of the visiting team.

**12. Use of the Green/Billiard Room**

12.1 Persons other than Full Members, Young Adult Members, Junior Members and Honorary or Life Members are permitted to use the Green/Billiard Room provided that they are signed in by either a Full Member or a Young Adult Member and the appropriate fee paid. It shall be the responsibility of the Member signing in such a person to ensure that payment of the fee is made.

12.2 Any such persons, as above described, using either/or the Green/Billiard Room shall be restricted to six times per fiscal year. The provisions of Rule 12.2 do not apply in the case of Social Bowls/Snooker functions.

12.3 Team players and their followers from other Clubs, visiting for the purpose of playing matches, are exempted from Rules 12.1 and 12.2. This Rule 12.3 is in no way intended to interfere with or modify any

reciprocal arrangements made between Nether Edge Bowling Club and any individual visiting Club as regards Green Fees and the like.

**13. Admittance of Children during Licensing Hours**

Children will be admitted to the Club during licensing hours in accordance with notices displayed in the lounge.

**14. Dress**

All Members and Visitors are required to meet a reasonable standard of dress while on or within the Club premises. Gentlemen should not wear headgear indoors. Sports equipment must not be brought into the Lounge Bar. The Committee reserves the right to further define that which is not acceptable.

**15. Dogs**

Dogs, other than "Guide Dogs" and "Support Dogs" are not allowed in the Clubhouse except with the express permission of the Committee; if brought into the Grounds, they must be either kept on a lead or under strict control.

**16. Forfeiture of Membership**

The Committee shall have the power to expel, without any refund of fees already paid, any Member who the Committee adjudges to have been guilty of conduct prejudicial to the interests or good name of the Club. Such a Member shall have the right of appearance before the Committee, with or without witnesses, in order to explain his/her conduct or to submit reasons in mitigation of such conduct.

**MEETINGS**

**17. Notice of Meetings of the Club**

Notice of every Meeting of the Club shall be clearly exhibited on the Club Notice Board at least 21 days before the intended date of the Meeting. The notice shall state the time and purpose of the meeting.

**18. Conduct of Meetings**

18.1 All Members of the Club, with the exception of Honorary, Temporary and Junior Members, shall be classed as Empowered Members and, therefore, entitled to attend meetings of the Club, including Annual General Meetings and Extraordinary General Meetings. Such Members shall be entitled to one vote per resolution (except as noted in Rule 18.3).

18.2 All questions, propositions and amendments shall be decided by a majority of the Empowered Members present except as otherwise provided by these Rules. Such a majority shall only be valid if at least 50% of the Empowered Members attending have registered their vote.

18.3 The votes shall, if required, be given through and recorded by the Secretary, under the direction of the Chairman. No voting by proxy shall be allowed. The Chairman may exercise a casting vote in addition to his/her membership vote.

18.4 The President shall Chair all Meetings. If the President is absent from any Meeting then the Vice President shall preside. If the Vice President is also absent then the Empowered Members at the Meeting shall choose one of their number to be Chairperson of the Meeting before any business is transacted.

18.5 Items of business for discussion at any Extraordinary or Annual General Meeting must be communicated, in writing, to the Committee, at least 14 days prior to that Meeting. These items of business, providing that they are relative to the purpose of the Meeting as posted in Rule 17.1, shall be incorporated in the Agenda of the Meeting. Any proposition made to the Committee may be altered by them in minor detail but not in substance.

18.6 A Meeting of the Club shall not proceed to transact business unless at least forty Empowered Members are present.

18.7 The minutes of the transactions of every Meeting shall be recorded by the Secretary or his/her Deputy and, on approval at a subsequent Meeting, be signed by the Chairman. The signature of the Chairman shall be sufficient evidence of the resolutions carried out at a Meeting and of the Meeting having been convened and held in accordance with the Rules of the Club.

## **19. Extraordinary General Meetings**

19.1 The Committee may call an Extraordinary Meeting of the Club at any time if at least 10 Empowered Members request such a Meeting, in writing, stating the business to be considered and/or the Committee require such a meeting.

19.2 The Secretary shall give at least 21 days' notice of the Meeting. The notice shall state specifically for what purpose the meeting is being called; no business other than that specified in the notice covering the Meeting shall be transacted.

## **20. Annual General Meetings**

20.1 There shall be an Annual General Meeting of the Club which shall be held each year during or as close as possible to May.

20.2 The Committee shall present to each Empowered Member attending the Annual General Meeting an Agenda for the Meeting together with a full set of accounts for the preceding year.

20.3 The Secretary shall present a report of the transactions of the Committee during the preceding year.

20.4 The accounts of the Club shall be approved by the Committee and signed by the Treasurer and the President (also by the two Scrutineers if the accounts have been scrutinised; by the Auditor if audited or independently examined) at least 14 days prior to the Annual General Meeting or any Special Meeting when they shall be presented by the Treasurer for the approval of the Empowered Members.

20.5 Bye-laws and proposed changes to the Club Rules which have been made by the Committee shall be confirmed, amended or repealed.

20.6 At every Annual General Meeting of the Club, the outgoing President shall install the Vice President as President. The Empowered Members present shall elect a Vice President, a Secretary, a Treasurer and such other Committee Members for which there are positions. With the exception of the President, Vice President, the Past President, Secretary and Treasurer, those elected shall hold office until the next but one Annual General Meeting but they may be re-elected at the will of that Meeting.

20.7 The Committee shall have a list place on the Club Notice Board for a period of at least one week before every Annual General Meeting, with an interval of two clear days between the expiration of the said week and the date of the Meeting. Nominations for election to Committee and for the election of Officers must be displayed on the list at least 2 days before the date of the Annual General Meeting. All nominations shall be proposed and seconded by Empowered Members. The list shall indicate the number of vacancies to be filled. Any Member may propose and enter on the aforesaid list the name of **one** Full Member of at least two years continuous standing. The total number of candidates for each vacancy on Committee shall not be limited. No Committee Member shall be permitted to propose or second his/her nomination but may vote for him/herself in the election. Should nominations exceed vacancies, election shall be by secret ballot of Empowered Members present. If nominations do not exceed the positions available, those nominations are automatically elected.

20.8 Should nominations be less than the vacancies to be filled, then nominations will be accepted from the floor of the meeting.

20.9 Empowered Members may vote for as many vacant positions as required.

20.10 When necessary, two members who are not candidates for election shall be appointed from the meeting as scrutineers and shall carry out their duties as instructed by the Secretary. Those candidates who have the greatest number of votes shall be deemed to be elected to the Committee. In the case of equality of votes for two or more candidates, the vacancy shall be decided by a second ballot.

20.11 If, half an hour after the appointed time of the Meeting, there are fewer than the required number of Empowered Members present to form a quorum, as laid down in Rule 18.6, the Meeting shall be adjourned to some other date.

20.12 If, after business has been partly transacted, an adjournment, for any reason becomes expedient or necessary, a notice of recall of the adjourned Meeting shall be given as required for any General or Extraordinary Meeting (Rule 17). No business other than that left

unfinished, at or on the agenda of the adjourned Meeting, shall be considered.

## **THE COMMITTEE**

### **21. Composition**

21.1 The Committee shall consist of up to 10 Full Members, including 4 ex-officio Members and a Secretary.

21.2 The ex-officio Members of the Committee shall be the President, the Vice President, the immediate Past President and the Treasurer.

21.3 Both the Treasurer and the Secretary shall be excused payment of the Club Membership fees and, in addition, shall each be in receipt of an annual honorarium, the amount of which shall be determined by the Committee; both of these benefits shall be pro rata to terms of office.

21.4 In the event of the either the Treasurer or the Secretary resigning or being removed by the Committee, from their appointments, the Committee shall make new appointments to last no longer than the unexpired term of office of the Official being replaced.

21.5 Trustees may be invited to attend Committee Meetings but they shall not have power to vote unless they have been proposed and elected as Members of the Committee at an Annual General meeting in accordance with Rule 20.8.

21.6 The election of Members to serve on Committee shall be held in accordance with Rules 20.7 and 20.8.

### **22. The Committee – Its Powers and Duties**

22.1 The Committee shall meet at least once in every calendar month. No business shall be transacted unless at least four Empowered Members of the Committee are present at the Meeting.

22.2 The Committee shall have power to appoint Sub Committees. Such Sub Committees shall consist of one or more Members for the purpose of making any enquiry, supervising or performing any function or duty which, in the opinion of the Committee, would be more conveniently carried out by a Sub Committee, provided always that all acts and proceedings of any such Sub Committee shall be fully and promptly reported to the full Committee for approval or otherwise.

22.3 The Committee shall have power to co-opt but co-opted Members shall have no voting powers at Committee Meetings.

22.4 In furtherance of the Objectives, but not otherwise, the Committee may exercise the following powers acting in consultation and, with the agreement of the holding Trustees:

- i. Power to raise funds and to invite and receive contributions and to hold and distribute such funds.

- ii. Power to buy, take on lease or in exchange any property necessary for the achievement of the Objectives and to maintain and equip it for use.
- iii. Power to sell, lease or dispose of all or any part of the property of the Club.
- iv. Power to borrow money and to charge all or any part of the property of the Club with repayment with repayment of the money so borrowed.
- v. Power to employ such staff as are necessary for the proper pursuit of the Objectives and to make all reasonable and necessary provision in accordance with current legal requirements.
- vi. Power to co-operate with Charities, voluntary bodies and statutory authorities operating in furtherance of the Objectives of similar purposes and to exchange information and advice with them.
- vii. Power to establish or support any charitable trusts, associations or institutions formed for all or any of the Objectives.
- viii. Power to appoint such Sub-Committees and advisory Committee as the Committee may think fit.
- ix. Power to provide advice, assistance, information and guidance.
- x. Power to provide or help to provide exhibitions, meetings, lectures, classes and workshops.
- xi. Power to collect and provide information on all matters affecting the purpose and to establish, print, publish and circulate any written, audio or audio visual materials as are necessary to fulfil the Objectives.

22.5 It shall be the duty of the Treasurer to ensure that:-

- i. Proper day to day accounting records are kept.
- ii. The funds of the Club, including all donations and bequests, are paid into bank accounts, operated by the Committee in the name of Nether Edge Bowling Club at such banks as the Committee shall from time to time decide. All cheques drawn on the accounts must be signed by at least two members of the Committee, those signatories not being from the same household.
- iii. The funds belonging to the Club shall be applied only in the furtherance of the Objectives of Nether Edge Bowling Club.

22.6 It shall be lawful for the Committee to make Bye-laws always provided that such Bye-laws are not inconsistent with the Constitution or Rules of the Club. The Bye-laws shall continue in force at the discretion

of the Committee or until they are repealed or altered at an Annual General Meeting of the Club as Rule 20.6.

**23. Disqualification of Members of the Committee**

23.1 A member of the Committee shall not continue as such after ceasing to be a Member of the Club.

23.2 A member of the Committee shall cease to hold office if he/she is adjudged to be guilty of gross misconduct, become incapable, by reason of mental disorder, illness or injury, of managing and administering his/her own affairs or is found to have been convicted of any criminal act that is considered to be detrimental to the aims and Objectives of the Club.

23.3 Should a Member of the Committee be absent, without good reason or without the permission of the Committee, from 3 consecutive Committee Meetings, the Committee may resolve that his/her office be terminated.

23.4 A Member of the Committee shall cease to be a Member of the Committee upon that Member notifying the Committee of his/her resignation.

**24. Vacancies in the Committee**

24.1 Any vacancy of the Committee may be filled by appointing that Member of the Club whose number of votes at the initial election of the Committee was next highest after election of successful Members. The Member shall serve the balance of the same term of office as the members he/she replaces. In the event of two or more Members having received equal number of votes, the vacancy shall be filled by the relevant Members drawing lots.

24.2 When only one Member was proposed and elected at the previous Annual General, the Committee shall appoint a replacement. The appointment must be ratified (or otherwise) at the next General meeting of the Club.

**25. Direction of the Committee by Members**

The Members of any meeting of the Club may direct the Committee as to the management of the Club, provided that a two-thirds majority is obtained and that at least 50% of those Empowered Members present participate in the voting. This direction provided always that it is not in conflict with the Constitution of Nether Edge Bowling Club, shall be binding on the Committee and must be implemented.

**26. Indemnity**

26.1 In relation to the affairs of the Club and in the execution of their powers under the Constitution, no members of the Committee nor any holding Trustee acting in accordance with the lawful instructions of the Committee shall be liable:-

- i. For any loss to the Club arising by reason of improper investment made in good faith, providing professional advice shall have been sought before making such investment.
- ii. For the negligence or fraud of any employee of the Club or any agent employed by the Committee or holding Trustees in good faith, provided always that reasonable supervision shall have been exercised, even if the employment of the agent was not strictly necessary.
- iii. By reason of any mistake or omission made in good faith by any Member of the Committee or any Holding Trustee, provided always that any indemnity shall not extend to any claim arising from any act or omission which the Committee Members and/or the Holding Trustees, individually or severally, knew to be a breach of trust and/or duty or which was committed by either in reckless disregard of whether it was a breach of trust and/or duty and provided also that any such indemnity shall not extend to the cost of an unsuccessful defence to criminal prosecution brought against the Committee Members or Holding Trustees in their capacity as Officers of Nether Edge Bowling Club.
- iv. By reason of any other matter or thing except wilful wrongdoing and/or wrongful omission on the part of the Committee Member(s) or Holding Trustee(s) who is/are sought to be made liable.

26.2 The Members of the Committee and the Holding Trustees, acting in accordance with the lawful instructions of the Committee, shall be indemnified out the assets of the Club against any costs, claims, risk and expense incurred under the provisions of Rule 20.1.

## **GENERALLY**

### **27. Notices**

Any Notice required to be served on any Member of the Club shall be sent to their last known address and shall be deemed to have been received 10 days from the date of the posting of which a certificate of posting shall be sufficient to prove.

### **28. Non-Member Functions**

28.1 Members of the Club may, with the consent of the Committee, have use of the main Club Lounge for the purpose of celebrating birthdays, weddings and the like when non-Members are permitted to attend. Providing that Club Members are permitted the use of the Lounge concurrent with the Function, then there shall be no charge made for the use of the Lounge. However, should exclusive use of the Lounge be required to the exclusion of Club Members then the Member requesting the Function shall pay a fee as determined by the Committee prior to the date of the Function.

28.2 Whenever a Function is held, which is attended by Non-Members, the Function shall be "signed in" by the Club Member holding the

Function. The signing in shall be “en bloc” and the purpose of the Function shall be stated.

**29. Alteration of Rule or Constitution**

No alteration shall be made to either the Rules or Constitution of the Club except at a General or Annual General Meeting or as otherwise provided for in Clause 1.6 of the Constitution. Notice of any proposed alteration shall be given with the notice convening the meeting. Any alteration shall be valid only by a two-thirds majority vote and then only if 50% of the Empowered Voting Members present participate in the voting.

**30. Dissolution of the Club**

30.1 It shall be lawful for any Meeting of the Club specially called for the purpose and by a majority of at least two-thirds of the votes of the Full Members present, to resolve that the dissolution of the Club is expedient. If such a resolution is confirmed by a similar majority of votes at a second Meeting specially called for the purpose and held within two months of the first Meeting, then the Committee and holding Trustees shall immediately proceed to wind up the affairs of the Club and sell the Property thereof subject to such instructions as shall be given at the second of the two Special Meetings or at a subsequent Meeting specially called for the purpose. All existing Full Members with not less than five years Membership as defined in Rule 7.1, and Life Members shall be entitled equally to share the value of the Club after payment of all debts due there from and provisions made for all engagements and commitments entered into at the time by the Club. Young Adult Members with not less than five years membership as such, as defined in Rule s7.3 and 7.5, shall be entitled to share in the value of the Club but only in the same ration as the respective Membership fee is to the Membership fee of a Full Member.

30.2 No new Members will be admitted to Membership of the Club after the decision to dissolve the Club has been taken.