



**BY-LAWS
OF
BOWLS SA INC.**

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Note: Refer to Bowls SA Constitution for definitions

1. Associations and Member Clubs

1.1 Associations

- 1.1.1 Associations, whether incorporated or unincorporated, are groups of Member Clubs within defined areas, the boundaries of which are determined or altered by the Board in consultation with the Association Delegates.
- 1.1.2 All Associations should have constitutions or Rules and Regulations which have been approved by Bowls SA and conform to any model documents.
- 1.1.3 Associations are administrative representatives of Bowls SA only and have no ability to bind Bowls SA to legal contract or agreements without expressed written authority of Bowls SA.
- 1.1.4 All Associations shall hold an Annual General Meeting not later than 31 July each Year.
- 1.1.5 Associations can send non-voting delegates to General Meetings of Bowls SA.
- 1.1.6 Through these by-laws, Associations are delegated the function and power to apply penalties for misconduct or breaches of their Rules, Conditions of Play or Laws of the Sport of Bowls.
- 1.1.7 Associations must administer the sport in line with Bowls SA dictated policies and processes, including for example maintaining a database of all players in the format approved by Bowls SA.
- 1.1.8 No Association shall conduct a tournament, pennant competition or official celebration during International, National or State events being held in South Australia where as defined by the key on the calendar, they are not permitted to do so without first obtaining approval from Bowls SA.

1.2 Member Clubs

- 1.2.1 Member Clubs shall:
 - 1.2.1.1 Conduct and administer bowls at their particular club, subject to the control of Bowls Australia, Bowls SA and their local Association and in accordance with the relevant Constitutions, Policies, Statutes and Regulations of each, noting the hierarchy of these and that they apply to members of Member Clubs.
 - 1.2.1.2 Appoint at least one but no more than two members as delegates annually to their designated Association and to be entitled to attend all meetings of their one Association. Voting and the right to vote shall be determined by the Association in accordance with the Constitution of the designated Association.
 - 1.2.1.3 Contribute an amount each year to their designated Association, as set

by their Association.

- 1.2.1.4 Keep their designated Association informed of their activities at all times.
- 1.2.1.5 Maintain a database of all members in the format approved by Bowls SA and ensure that all their registrable Members are correctly registered with Bowls SA and that all their Restricted Players are accurately recorded.
- 1.2.1.6 Hold an Annual General Meeting not later than June 30 each year.
- 1.2.1.7 Provide Bowls SA with copies of their financial statements, annual report and other associated documents immediately following their Annual General Meeting each year
- 1.2.1.8 Ensuring that at all times Bowls SA has a current copy of their Constitution, and any other governing documents such as by-laws and that these documents comply with the model documents issued by Bowls SA
 - 1.2.1.8.1 The Member Club acknowledges and agrees that Bowls SA has power to veto any provision in a Member Club constitution which, in the opinion of the Board, is contrary to the Objects of Bowls SA, its Constitution or By-Laws; and
 - 1.2.1.8.2 Bowls SA shall not exercise this power without first consulting the relevant Member Club as to the intent, purpose and operation of the proposed provision.
- 1.2.1.9 No Member Club shall conduct a tournament, pennant competition or official celebration during International, National or State events being held in South Australia where as defined by the key on the calendar, they are not permitted to do so without first obtaining approval from Bowls SA.

1.3 Transfers or Amalgamation

- 1.3.1 A Member Club applying for transfer to another Association must give prior due regard to all the consequences of such transfer, including adherence to Bowls SA related policy, and the management, financial and playing effects on other Member Clubs and Associations.
- 1.3.2 A Member Club requesting transfer to another Association
 - 1.3.2.1 The Member Club shall make application in writing, to the Association to which it is aligned and to the Association to which it wishes to transfer, stating full reasons for the request. Copies of the correspondence are to be forwarded to Bowls SA.
 - 1.3.2.2 The Associations involved shall meet and shall approve or reject the application and forward advice of the decision to Bowls SA. The Chief

Executive Officer of Bowls SA will appoint a Bowls SA Board Director or a suitable representative to arrange and chair such meetings.

1.3.2.3 If all Associations involved approve the application, the Board will consider the overall effect on the sport within the defined area and either sanction or disallow the transfer and advise all parties involved.

1.3.2.4 If the Associations cannot agree, or they agree to reject the application, the Member Club requesting the transfer may appeal the decision to Bowls SA in accordance with the relevant policy.

1.3.3 Associations applying to amalgamate

1.3.3.1 Associations applying to amalgamate shall submit applications in writing to Bowls SA. Copies of all correspondence relating to the amalgamation are to be forwarded to the Member Clubs within the Associations, and to Bowls SA.

1.3.3.2 A Bowls SA Board Director, Chief Executive Officer of Bowls SA or a suitable representative shall convene an extraordinary meeting of the Associations involved, notice of which shall state the purpose of the meeting. The Bowls SA Board Director, Chief Executive Officer of Bowls SA or a suitable representative shall chair such meeting. No other business may be discussed at that meeting unless otherwise agreed by a majority of those persons present and entitled to vote.

1.3.3.3 The Bowls SA Board Director, Chief Executive Officer of Bowls SA or a suitable representative shall provide Member Clubs within the Associations with not less than twenty-eight days' notice of the date, time and venue of the meeting.

1.3.3.4 Persons entitled to be present at such extraordinary meeting are:

1.3.3.4.1 Members of the Executive Committees of the relevant Associations, excluding delegates of Member Clubs who are entitled to vote.

1.3.3.4.2 One male delegate and one female delegate from each Member Club with male and female membership and two delegates from each Member Club with single gender membership within the relevant Associations. A Member Club shall be entitled to appoint a member of the club to act as proxy, with power to vote, to replace a delegate unable to attend the meeting. Postal voting shall not be allowed.

1.3.3.5 Persons entitled to vote are:

1.3.3.5.1 Two delegates from each Member Club within the relevant Associations, shall be entitled to one vote each;

- 1.3.3.5.2 Members of Association Executive Committees may take place in debate but shall not be entitled to vote;
- 1.3.3.6 Voting shall be by ballot and, for the resolution to amalgamate to pass, shall require a majority of not less than three-quarters of the delegates present and entitled to vote.
- 1.3.3.7 Following the meeting, the Associations shall confirm, in writing to Bowls SA, the decision of the meeting and, if amalgamation has been approved by the Associations, the Board of Bowls SA, shall sanction the amalgamation.
- 1.3.3.8 If the Associations cannot agree, the Association requesting the amalgamation may appeal the decision to Bowls SA in accordance with the relevant policy.

2. Codes of Conduct

- 2.1 Everyone involved in Bowls is expected to adhere to all relevant Codes of Conduct that apply to them based on their position or level of involvement, and at all times the Bowls Australia Code of Conduct.

3. Fines and Penalties

- 3.1 In accordance with the powers conferred by the Bowls SA Constitution, the Board of Bowls SA shall determine, set and review such fines and penalties as deemed appropriate for any breach of the Bowls SA Constitution, By-Laws, Laws of the Sport of Bowls, Conditions of Play, Bowls SA Policies and administrative instruction or prescribed code of practice in place for the administration of the sport.
- 3.2 Such fines and or penalties as defined in the Bowls SA Fines, Penalties and Lodgement Fees schedule may be imposed on any Association, Member Club, Affiliated Club, Director, Association Delegate, Official or member of a Member Club, where a proven breach has occurred.
- 3.3 Fines and or penalties may also be imposed as a measure of disciplinary action under the Bowls SA Constitution where such fine or penalty is warranted in the opinion of the Board of Bowls SA.
- 3.4 Every Association, Member Club, Affiliated Club, Director, Association Delegate, Official or member of a Member Club found guilty of a breach shall abide with whatever fine and or penalty is imposed by the Board, subject to the relevant policy.

4. Playing Rights

- 4.1 The Member Club for which the Member has paid their membership fee as a Full Member is deemed to be the Member's nominated Club, or in the case of a Life Member, the club which has bestowed the life membership is deemed to be the Member's nominated Club.

4.2 Competition Eligibility:

4.2.1 Bowls Australia events

A Member of a Member Club may only play a Bowls Australia event for the Member's nominated Club and with which the Member is a Full Member or a Junior/Student Member, except where the Laws of the Sport apply to substitutes.

4.2.2 Bowls SA events, excluding Night Owls Finals and special/promotional events

A Member of a Member Club may only play a Bowls SA event for the Member's nominated Club and with which the Member is a Full Member or a Junior/Student Member, except where the Laws of the Sport apply to substitutes.

4.2.3 Pennants

A Member of a Member Club may only play Bowls SA pennants for the Member's nominated Member Club and with which the Member is a Full Member or a Junior/Student Member, except where the Laws of the Sport apply to substitutes or where a Pennant Permit has been approved in accordance with the Bowls SA By-Laws.

4.2.4 Club events and tournaments

4.2.4.1 Where ranking points are awarded or a championship leads to a higher-level pathway, a Member of a Member Club may only play a club event or tournament for the Member's nominated Club and with which the Member is a Full Member or a Junior/Student Member, except where the Laws of the Sport apply to substitutes.

4.2.4.2 In the event that a player is granted a clearance after a championship has commenced, the player may finish playing the championship for the club at which they were a full member when the championship commenced and may not participate in the same championship of the club to which they cleared if it has already commenced.

4.2.4.3 Where ranking points are not awarded, anyone can play.

4.2.5 Affiliated Social Club Events

A member of an Affiliated Social Club who is not also a registered member of a Member Club shall be considered as an Affiliate member of Bowls SA and be limited to playing in Affiliated Social Club events.

4.3 A Restricted Player

- 4.3.1 A restricted player is a player who is limited in their eligibility to participate in events. Players under this category shall not be eligible:
 - 4.3.1.1 to play in Bowls SA, Bowls Australia or Club Championship events; and
 - 4.3.1.2 to Member Club privileges contrary to those set out herein.
- 4.3.2 Players under this category shall not be selected for pennant teams unless;
 - 4.3.2.1 All available Members with Full or Junior/Student registration with Bowls SA have been selected; and
 - 4.3.2.2 shall be limited to participate in a maximum of three (3) pennant games in any one pennant season; and
 - 4.3.2.3 may only participate in more than three (3) pennant games upon registration as a Full or Junior/Student Member of Bowls SA

4.4 Reciprocal Playing Rights -Temporary Members

- 4.4.1 A visitor to a Member Club who is a member of an interstate or overseas bowling club that is under the jurisdiction of the World Bowls Board or Bowls Australia shall, upon receipt of a Pennant Permit issued by Bowls SA and registration with Bowls SA, be permitted, during the current season only, to play pennants for that Member Club, and be eligible to play in Bowls Australia, Bowls SA and Member Club events for which they are qualified, without completion of the clearance process from their interstate or overseas club.

4.5 Clearances

- 4.5.1 In the event of a Member of a Member Club being cleared to another Member Club the membership for the current year is transferred with the clearance.
- 4.5.2 Playing rights shall not be granted to anyone for whom a Clearance is required or the Clearance process is incomplete.
- 4.5.3 The Board may, subject to appeal, impose a penalty, on an Association or a Member Club in contravention of clause 4.5.2 (clause above).
- 4.5.4 Any member who is refused a Clearance may appeal to Bowls SA who shall require that the Member Club state in writing the reason for such refusal.
- 4.5.5 The Board shall hear any evidence adduced by the appellant and the refusing

Member Club and may either determine that the Clearance has been refused without reasonable cause and grant the Clearance, support the Member Club's refusal, or make any other determination it deems fit.

- 4.5.6 The Clearance Fee payable to Bowls SA shall be as determined by the Board from time to time.
- 4.5.7 An Intra-State Clearance is required for any Financial Members with Full registration of another Member Club of Bowls SA within the preceding two years, who wishes to transfer their Bowls SA nominated membership to another Bowls SA Member Club.
- 4.5.8 Clearances resulting from the closure of a Member Club or merger with another Member Club shall be dealt with as follows:
 - 4.5.8.1 On written advice from the Member Club which is closing or merging, Bowls SA will process Clearances for all Members wishing to transfer their Bowls SA nominated membership to another Member Club or the merged Member Club.
 - 4.5.8.2 In this instance payment of a Clearance Fee is not applicable.
- 4.5.9 When a Member Club relocates to share the facilities of another Member Club but retains its own identity, those members who retain their membership with their existing Member Club shall not require a Clearance.
- 4.5.10 A member requesting a Clearance to another State or Territory Member Club must apply for such through the relevant Bowls Australia process.
 - 4.5.10.1 A player shall not be eligible to play in any competition controlled by the current or new State or Territory Association, or controlled by Bowls Australia, until the relevant Bowls Australia process has been completed and the clearance has been accepted by the new State or Territory Association.
- 4.5.11 A player wishing to register with a Club in another State or Territory Association to which they are currently registered only for the purpose of playing Pennants must complete an Interstate Pennant Declaration form declaring that they are not under an order of suspension or expulsion and has not resigned their membership because of disciplinary proceedings.
- 4.5.12 Players wishing to change their nominated Member Club for the purposes of playing Championships in a different State or Territory Association must submit an Interstate Clearance form.

4.6 Pennant Permits

- 4.6.1 A fully registered member of Bowls SA may apply to play on an annual basis in a mid-week (Monday–Friday inclusive) pennant competition or Saturday (including

Friday night) pennant competition for a Member Club other than the member's nominated Member Club provided:

- 4.6.1.1 The member's nominated Member Club does not participate in a similar (Men/Women) mid-week (Monday–Friday inclusive) pennant competition or Saturday (including Friday night) pennant competition;
- 4.6.1.2 Both Member Clubs involved consent by completing and submitting a Pennant Permit Request Form with the appropriate Pennant Permit fee, in accordance with the following requirements:
 - 4.6.1.2.1 Where the instigating Member is a member of a Member Club in the same Association, the Pennant Request and appropriate Pennant Permit fee is submitted to the Association for approval.
 - 4.6.1.2.2 Where the instigating Member is wishing to obtain a Pennant Permit with another Association, the Pennant Permit request is to be submitted to both the relevant Associations for approval, with the Pennant Permit fee to be submitted to the origin Association. In this instance, the form should be submitted to the origin Association first with payment of the Pennant Permit Fee, and then if the approval is granted, provided to the destination Association for finalisation.
- 4.6.2 A Pennant Permit Request Form is only valid during the pennant season in which it was approved.
- 4.6.3 In extenuating circumstances, the Board of Bowls SA may waive the above provisions.
- 4.6.4 The Pennant Permit Fee shall be as determined by the Board from time to time.