

# Constitution of Australian Tenpin Bowling Seniors Organisation National (Inc)



*Constitution effective from 31<sup>st</sup> August, 2016*

## **Article 1**

### **Name.**

This association will be known as **Australian Tenpin Bowling Seniors Organisation National (Inc.)** A.T.B.S.O.N.

## **Article 2**

### **Purpose**

1. It will be the purpose of this Association to promote and foster the sport of Tenpin Bowling at a competitive level amongst tenpin bowlers aged 45 years and over.
2. This Association will organise an event known as the “Annual Seniors Tournament” and include all events as per National AGM recommendations from the Members. It will also hold the “Australian National Championships,” covering all grades of bowlers.
3. The property and income of the Association shall be applied solely towards the promotion of the objects or purposes of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members of the Association, except in good faith in the promotion of those objects or purposes.
4. All “Annual Seniors Tournaments” Events must have full Tenpin Bowling Australia Limited, Accreditation.

## **Article 3**

### **Fees.**

1. Membership fees will be collected each year for the season commencing 1st June and ending 31st May. Fees will be as set down at the AGM from time to time. (See Bylaw)
2. The A.T.B.S.O.N. shall accept members provided they have been issued with a current A.T.B.S.O. home State, Territory or Zone membership card, plus are a fully registered and financial member of Tenpin Bowling Australia Limited.

## **Article 4.**

### **Meetings**

#### **Annual General Meeting.**

1. The Annual General Meeting of this Association will be held during the National Championships each year, at a venue and time to be decided by the Host State.
2. The Annual General Meeting must be held within four (4) months after the end of the Association’s financial year.
3. Notice of motion forms will be distributed to State Territory and Zone committees a minimum of SIXTY (60) days prior to the Annual General Meeting.
  - i. Distribution will be by way of notification from the A.T.B.S.O.N. National Secretary to all State, Territory or Zone nominated members (usually the State, Territory or Zone Secretary). In turn they will distribute to all financial members of A.T.B.S.O.N. in their respective State, Territory or Zone.

# Constitution of Australian Tenpin Bowling Seniors Organisation National (Inc)



- ii All financial members will be invited to attend the Annual General Meeting or any Extra Ordinary General Meeting.
4. Completed notice of Motion forms (once returned) will be distributed to all State, Territory and Zone Committees, for discussion purposes, a minimum of thirty (30) days prior to the Annual General Meeting.
5. That at each AGM or General Meeting, three (3) delegates from each Australian State, Territory and Zone will be allowed voting rights. The Executive Board, which consists of 5 members, have a single deciding vote where a clear majority can't be reached from the state, territory or zone delegate voting. These representatives will each hold a letter of introduction from their respective State, Territory or Zone committee and must be current financial members of both their State, Territory or Zone and of A.T.B.S.O.N. Three alternates can also be registered in case of accident, illness or such.
6. The Board shall notify all members of the date and time that the Annual General Meeting is to be convened. Members will receive notification a minimum Thirty (30) days before the meeting date by notice to their respective State, Territory or Zone Committee.
7. Nomination forms for election of Officers of the Board to be provided to all State, Territory or Zone Committees, a minimum of Sixty (60) days before said meeting.
8. Such nominations must close with the Secretary, seven (7) days before the meeting date. These nominations will receive priority. However, in the case of there not being enough nominations to fill all vacancies, nominations will be called for from the floor at the meeting concerned.

To be eligible for the office of President, Secretary, Treasurer, Vice Presidents and delegates, nominees must be physically present at the AGM.
9. Election shall be by way of secret ballot at the Annual General Meeting (or at any Extra-Ordinary meeting as may occur). Notice of motion forms, will be issued in the same way and at the same time as nomination forms. Completed notice of motion forms, will be issued to the Board Members at the Directors Meeting to be held before the A.T.B.S.O.N. Annual General Meeting.
10. Notice of motion forms, are to be lodged with the Secretary or in special circumstances any Board Member. Notice of motions, will be accepted at the AGM from the floor in special circumstances. A duplicate of the notice of motion forms should be also lodged with the appropriate State, Territory or Zone Secretary, prior to the A.T.B.S.O.N. Annual General Meeting.
11. The eligibility for nomination and election to the Board of Directors of any person who has previously served as a member of the Board of Directors of A.T.B.S.O.N. and who has been removed for any reason shall be at the discretion of the current Board of Directors.
12. Election of Officers and Directors may be held immediately after reports, at the discretion of the Council of Delegates at the A.T.B.S.O.N. Annual General Meeting.

# Constitution of Australian Tenpin Bowling Seniors Organisation National (Inc)



13. Any un-financial member shall forfeit his/her right to speak and vote at any meeting.

## **Board of Directors.**

1. The Board of Directors will meet at such time and places as decided by the Board. Board members will be given a minimum of 30 days notice of such meeting.
2. A quorum for committee meetings will be 75% of elected members.
3. A committee meeting if required will be called by the President or if for any reason he/she is unavailable by any of the Vice Presidents.

## **Extra Ordinary General Meeting.**

1. An Extra Ordinary General Meeting of all members of the organisation will be called by the President on receipt of a written request from a minimum twenty (20) financial members or by the President if the Board deems any matter urgent enough that it should be dealt with before the next scheduled Annual General Meeting.
2. Such written request for a meeting must set out the reasons for convening an Extra Ordinary General Meeting.
3. An Extra Ordinary General Meeting must be held within thirty-five days (35) of receipt of such a request. (See "Voting by proxy at an Extra Ordinary General Meeting.")
4. In the case of an Extra Ordinary General Meeting being convened all State, Territory or Zone Secretary's and Board Members must be given a minimum thirty days (30) notice of such meeting.

## **Voting by Proxy at the AGM.**

1. Voting by Proxy or by mail in any form what so-ever, will not be permitted at the Annual General Meeting. Only votes cast by members physically present at this meeting will be permitted. The approval of a minimum of seventy-five percent (75%) of eligible voters will be required to enact any business arising.

## **Voting by Proxy at an Extra Ordinary General Meeting.**

1. Voting by Proxy will be permitted in the case of an Extra Ordinary General Meeting to a maximum of 3 (Three) votes per State, Territory or Zone plus the votes allowed by the executive Board (see article 4 c) These votes may only be lodged in a way which can carry the signature of the voter. (I.e. by mail, facsimile, email or such) Conference telephone calls may be used if the matter is deemed to be urgent.
2. The approval of a minimum of seventy-five percent (75%) of eligible voters will be required to enact any business arising.

## **Quorums.**

# Constitution of Australian Tenpin Bowling Seniors Organisation National (Inc)



1. A quorum at an Annual General Meeting or an Extra-Ordinary General Meeting will be, five (5) States, Territories or Zones with a minimum fifteen (15) State, Territory or Zone delegates plus the votes allowed by the executive Board (see Article 4 c) entitled to vote at those meetings.
2. The approval of a minimum of seventy-five percent (75%) of eligible voters attending the meeting will be required to enact any business arising.

## **Article Five.**

### **National Organisation and Governance.**

1. The control of this Association will be vested in the Board of Directors.
2. The Board of Directors of the A.T.B.S.O.N. shall consist of a President, Male Vice President, Female Vice President, Secretary, Treasurer or a combined Secretary / Treasurer. An assistant Secretary or an assistant Secretary / Treasurer may be appointed, and in such case, may be a member of the Board of Directors.
3. A Public Officer will also be appointed.
4. The President, Vice Presidents, Secretary and Treasurer or Secretary / Treasurer combined, shall be the Executive Committee and Trustees of the A.T.B.S.O.N.

## **Article Six.**

### **Duties of the Board.**

#### **The President.**

The President will be the Chief Executive Officer of the A.T.B.S.O.N. performing all duties usually pertaining to that office including specifically;

1. He / She will preside over all meetings of the Association and all Board Meetings.
2. He / She will see to the enforcement of all the objects, provisions and purposes of the Association.
3. He / She will make a monthly check to verify the correctness of the bank balance of all the Association's accounts.
4. He / She will be the President of Committees, or shall nominate one to take His / Her place if the Vice Presidents are unable to do so.
5. He / She may appoint any Committees deemed necessary unless these appointments are otherwise provided for.

#### **The Vice Presidents.**

1. In the absence of the President, One of the Vice Presidents will perform all the duties of the President and will also, on request of the President, assist in the performance of the Presidents duties or perform such tasks as the President may from time to time request.

# Constitution of Australian Tenpin Bowling Seniors Organisation National (Inc)



## The Secretary.

The Secretary will perform those duties assigned by the President, the Board of Directors and directions from the Annual General Meeting including specifically;

1. He / She will keep a permanent record of proceedings of all Meetings of the Organisation and the Board of Directors.
2. He / She will conduct all correspondence of the Organisation.
3. He / She will keep a true record of scores from the Annual Interstate Challenge conducted by this Organisation for a period of two years.
4. He / She shall on behalf of the association keep and maintain the register of members in accordance with section 27 of the Act and that register shall be so kept and maintained at his or her place of residence.
5. He / She shall cause the name of a person who dies or who ceases to be a member under rule (e), 8 (a) or 9 to be deleted from the register of members referred to in sub rule (1).
6. He / She will keep a true record of all award winners on an ongoing basis for historical purposes.
7. He / she will, pursuant to Schedule 1, Clause 13 of the act maintain custody of all records, books, documents and securities of ATBSO.

## The Treasurer.

The Treasurer will;

1. He / She will receive all dues, fees, monies or property donated or paid to this Association.
2. He / She will table all current books of account or bank statements at every meeting of the Board of Directors for verification.
3. All monies received by the Treasurer, must be banked in the account of the National Organisation within five (5) working days of such receipt.
4. The Treasurer shall supply to the Board of Directors a balance sheet together with financial report at each meeting.
5. Any financial member of the A.T.B.S.O.N. shall have the right at any reasonable time to inspect without charge the books, documents, records and securities of the association in the presence of any available Board member / members.
6. The bank account of this Association will be in the name of "Australian Tenpin Bowling Seniors Organisation National (Inc)" and will be a cheque account that will require any two of three nominated signatures from the Board of Directors to operate. The President will be one of the signatories.

## Board of Directors.

1. The Board of Directors will carry out the purpose and objectives of this Organisation by transacting its business and enforcing its rules and regulations under the direction of and with the approval of the Annual General Meeting.

ATBSO Constitution – as from 31<sup>st</sup> August 2016

*This is the annexure of 11 pages marked "A" referred to in the Form 5 signed by me Daniel Francis Kirkwood and dated 30<sup>th</sup> September, 2016*

# Constitution of Australian Tenpin Bowling Seniors Organisation National (Inc)



## Article Seven.

### Elections, Terms and Vacancies.

1. The Board of A.T.B.S.O.N. will consist of Line Officers elected at the Annual General Meeting.
2. To be eligible for election to the Board of Directors the nominee must be a financial member of the Association in good standing and be present at the Annual General Meeting.
3. The length of term of the office for all Board Members shall be two years. Terms shall be set so that elections of these positions alternate annually and create continuity of board members.
4. If agreed to, the outgoing President will remain as a Board Member for 12 months in a non-voting advisory capacity.
5. Newly elected Board Members shall commence their duties immediately on election. Retiring Board Members may be invited to attend meetings in an advisory capacity until the next following A.T.B.S.O.N Annual General Meeting.
6. The office of a member of the Board shall become vacant if: The person dies, is convicted of a criminal offence, ceases to be a member of the association, is proven to be derelict in their duties or resigns.
7. If a member of the Board is accused in writing of failing in the proper performance of his/her duties by any financial member of the Association the Board of Directors will conduct an investigatory meeting, within two weeks from the receipt of the allegation.

If, after hearing from both the accused and the accuser at that meeting the accusation is seen by a two thirds majority of the Board of Directors to be sustained, the accused Board Members position will be declared vacant. If the accused refuses to attend any such meeting, then that meeting will go ahead in their absence.

8. If a vacancy occurs in any position within the Board of Directors, it will be filled in the following manner.
  - i. The President: The vacancy will be filled by one of the Vice Presidents, chosen by the remaining Board members.
  - ii. The Vice President, Secretary and/or Treasurer: The vacancy will be filled by a person elected by the remaining Board members.
  - iii. The committee may co-opt any willing financial member who possesses the skills necessary to carry out the duties of the position.
  - iv. All such appointments will be until the next AGM, where the position will again be declared vacant. The position will then be by election at that AGM and will be for the remainder of the existing term required to continue with the two year terms.



# Constitution of Australian Tenpin Bowling Seniors Organisation National (Inc)



## **Article Eight.**

### **Membership**

1. Membership will be open to all bowlers aged 45 and over who are current members of their State, Territory or Zone ATBSO organisations plus, are a fully registered and financial member of Ten Pin Bowling Australia Limited.
2. The Board of Directors of this Association will have the right to refuse or grant membership to any applicant without being bound to give any reason for such decision provided that, the Board of Directors will not capriciously refuse such application.
3. Any person refused membership, has the right of appeal to the Board of Directors of this Association.

## **Article Nine.**

### **Changes to the Constitution.**

1. This Association may make changes to this constitution at an Annual General Meeting, or at an Extra Ordinary General meeting of members called for this purpose, provided that: The Secretary receives in writing any proposed changes to the Constitution at least THIRTY (30) days prior to the meeting or in the case of an Extra Ordinary General meeting THIRTY-FIVE (35) days prior to the meeting and:
2. In the case of an Annual General Meeting such changes must be approved by a minimum five represented States, Territories or Zones and carried by a minimum of seventy-five (75%) percent of eligible voting members physically present at the meeting.
3. In the case of a Special General Meeting voting may be by proxy (see “voting by proxy” article four.)
  - i. A minimum of 5 States, Territories or Zones must participate in any Special General Meeting.
  - ii. The subject matter of a Special General Meeting must be circulated to all States, Zones and Territories a minimum of Twenty-one (21) days before such meeting for member discussion and direction.
  - iii. The consent of 75% of eligible voters participating is needed to enact any business arising from the Special General Meeting.
4. The A.T.B.S.O.N. may adopt, alter or remove By-Laws (Which must not be inconsistent with the rules of the Association) as it deems necessary at an Annual General Meeting or at an Extra Ordinary General Meeting called especially for this purpose provided that the Secretary receives in writing any proposed changes to the By-Laws a minimum of thirty-five (35) days before that meeting.
5. The By-Laws of the A.T.B.S.O.N. (if any) must not conflict with the Tournament Rules and Regulations of the A.T.B.S.O.N.

# Constitution of Australian Tenpin Bowling Seniors Organisation National (Inc)



## **Article Ten.**

### **Tournament Director.**

1. The Tournament Director of the National Challenge or of the National Masters Tournament or of any other Tournament run by the ATBSO Australia has sole discretionary powers during the Tournament / Tournaments.
2. The Tournament Director is answerable to the Executive Board of the A.T.B.S.O.N for his / her actions.
3. The Tournament Director is on duty for the entire Tournament. His alternate appointed by the Executive Board has Tournament powers in the absence of the Tournament Director when not on the premises. The alternate Tournament Director is still under the direction of the appointed Tournament Director.
4. The Tournament Directors decision in any matters arising out of the Tournament under his jurisdiction shall be deemed final and no correspondence will be entered into other than that which is called for under the A.T.B.S.O.N. rules and regulations.
5. It shall be compulsory for the Tournament Director to place before the Executive of the A.T.B.S.O.N. in writing, any problems which arise or arose from the Tournament.
6. Should the Tournament Director be unsure of his / her standing, He / She will consult the Executive Board before the final decision is made.

## **Article Eleven.**

### **Dissolution.**

1. If upon the winding up of this Association there remains after satisfaction of all debts and liabilities any property whatsoever, the same shall not be paid or distributed among the members but shall be given or transferred to;
  - i. Another like Association incorporated under the act;
  - ii. For charitable purposes.
2. Which incorporated association or purposes, as the case requires shall be determined by the resolution of the members when authorising and directing the Board under section 33 (3) of the act to prepare a distribution plan of the surplus property of the Association.
3. In the winding up or dissolution of the Association, the Commissioner of Taxation shall be advised of the date of dissolution within 30 days of the dissolution.

### **Common seal of Association.**

1. The Association shall have a common seal on which its corporate name shall appear in legible characters.
2. The common seal of the Association shall not be used without the express authority of the Board and every use of that common seal shall be recorded in the minute book referred to in rule 18.



## Constitution of Australian Tenpin Bowling Seniors Organisation National (Inc)



3. The affixing of the common seal of the Association shall be witnessed by any two of the President, the vice Presidents, the Secretary or the Treasurer.
4. The common seal of the Association shall be kept in the custody of the Secretary or any such other person as the Board from time to time decides.

# Constitution of Australian Tenpin Bowling Seniors Organisation National (Inc)



## Record of Constitutional Amendments

Section	Text	Add/Remove/Change	When
Article 4 Section 10	If a Notice of Motion is submitted and withdrawn or rejected, it cannot be submitted again for <b>three</b> years	Added	AGM, 2005
Article 4 Section 8	To be eligible for the office of President, Secretary, Treasurer, Vice Presidents and delegates, nominees must be physically present at the AGM.	Added	AGM, 2006
Article 7 Section 8 Paragraph 4	All such appointments will be until the next AGM, where the position will again be declared vacant. The position will then be by election at that AGM and will be for the remainder of the existing term required to continue with the two year terms.	Added	AGM, 2013
Article 4 Section 10	If a Notice of Motion is submitted and withdrawn or rejected, it cannot be submitted again for <b>three</b> years	Removed	Extra Ord Meeting, July, 2015
Article 4 Section 5	In Article 4, Section 5, it states that at each AGM or General Meeting, each state, territory or zone will be allowed 3 delegates with voting rights. In addition, the Executive Board will each have a vote with a maximum of five (5) votes for any state, territory or zone.	Removed and added: <u>The Executive Board, which consists of 5 members, have a single deciding vote where a clear majority can't be reached from the state, territory or zone delegate voting.</u>	AGM 2 <sup>nd</sup> Sept 2015.
Article 3 – Fees 1.	To change the season, start and end dates to coincide with the National members' database season. Commencing 1st August and ending 31st July	Removed and added: Being June 1 <sup>st</sup> and ending May 31 <sup>st</sup> of the calendar year	AGM 31 <sup>st</sup> Aug 2016

# Constitution of Australian Tenpin Bowling Seniors Organisation National (Inc)



## Bylaws of the ATBSO

1. Moved that as from 2009, the home state for that year's Seniors Week, be asked to forward a complete priced itinerary to the National Board for distribution and information. This must be sent by the end of April to allow states to budget

**Accepted and Passed by Members at the AGM 28th Aug. 2008**

2. That from the beginning of the next membership due date to increase the fees paid to ATBSO from \$5 to \$7 per bowler in order to allocate an extra \$2 towards the expenses of the National Tournament Secretary's expenses".

**Accepted and Passed by Members at the AGM 26th Aug 2010**

3. To increase the membership fees from \$7 to \$11 to include the Directors and Officers **Insurance cover**. (It was requested that the invoice should state that the amount invoiced to the state included the Directors and Officers insurance. This was **Noted** and **Agreed**. It was noted that some of the cover may not be necessary and therefore the costs could be reduced. The President agreed to refer the policy to an alternative insurance broker to reduce the next policy cost.)

**Accepted and Passed by Members at the AGM 31<sup>st</sup> Aug 2016**