



REGULATIONS

BOWLS NEW SOUTH WALES LIMITED

Corporations Act 2001 (Cth)

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Introduction

These Regulations are:

- made under clause 38 of the Constitution of Bowls New South Wales (Company);
- subject to the Constitution; and,
- are binding on the Company and all Members.

1. Definitions

1.1 Definitions

In these Regulations unless the contrary intention appears, any reference to a Definition as set out in clause 2.1 of the Constitution shall be a reference to how that term is defined in clause 2.1 of the Constitution and the following definitions shall apply unless the contrary intention appears.

Annual Membership Fee means the annual fee payable by Clubs.

Bowling Season means the period from 1 July to 30 June each year.

Bowls-Related Incident means any adverse act or undisciplined behaviour which contravenes policy, rules and/or regulations and which is directly related to the game of bowls, or which brings the game into disrepute.

Championship Event means any bowls event under the control of the Company, including events played at Club, or Region level under the Bowls NSW Conditions of Play.

Constitution means the Constitution of the Company.

Delegate means the person(s) appointed from time to time to act for and on behalf of a Club and to represent the Club at General Meetings of the Company. For unincorporated Clubs the Delegate is the Member.

Financial Member means a natural person who has paid the appropriate membership fees to a Club for the current financial year and who is entitled to play bowls at that Club by virtue of that person's membership of that Club.

National ID Number (NIN) means the number allocated to an Individual Member upon registration with the Company.

Junior Member means an Individual Member under the age of 18 years.

Non-Bowls Related Incident means an adverse act or undisciplined behaviour which contravenes policy, rules and/or regulations but is not directly related to the game of bowls and does not bring the game into disrepute.

Nominated Club means the Club (or unincorporated Club) at which an Individual Member declares their eligibility for the purposes of playing Championship events.

STA means a State or Territory entity recognised as a member of Bowls Australia and includes the Company.

1.2 Clarification of Financial Member

- (a) For the avoidance of any doubt, a Financial Member under the Constitution and Regulations is defined as any person that pays an annual subscription or membership fee to join a Club in any category of membership which specifically entitles that person to play Bowls at that Club on a regular basis.
- (b) All Clubs recognised by the Company as a Club under the Constitution and these Regulations are required to register all Financial Members regardless of whether that person participates in Championship Events or not.
- (c) The definition of Financial Member is not intended to include persons who participate in irregular promotional or open days, charity days or 'barefoot bowls' functions at a Club, or any person who joined as an ordinary member of a registered Club in a 'non-bowling' membership category.
- (d) Any Club that has actively established a category of 'Bowling Membership' which entitles a person to play bowls on a regular basis without being registered with the Company or who knowingly does not register all Financial Members with the Company is in breach of the compliance obligations for membership with the Company. The Board reserves the right to initiate such action as may be available to it under the Constitution or otherwise, against any Club found to be in breach of this requirement.

1.3 Bowling Season

The bowling season shall commence on 1 July and end 30 June each year.

1.4 National Sporting Organisation

The Company recognises Bowls Australia Limited as the National Sporting Organisation (**NSO**) and governing body for the sport of Bowls in Australia.

1.5 International Federation

The Company shall recognise World Bowls Limited as the International Federation (**IF**) and governing body for the sport of bowls.

2. Clubs

Incorporated Clubs

2.1 Eligibility

In accordance with clause 5.1 (a) of the Constitution, to be eligible as a Member of the Company, the applicant Club shall:

- (a) agree to be a Member under the Constitution in accordance with the Act;

- (b) be an incorporated entity;
- (c) have at least one (1) green on land of which it is the owner or has some other secure tenure, and of which the Club either has the control and management or has some agreement or arrangement with the person or body having control and management; and which will have on it at least three (3) rinks laid down in conformity with the Laws of the Sport of bowls;
- (d) have a Constitution and/or Rules which are not inconsistent or in conflict with the Constitution or Regulations of the Company;
- (e) be affiliated with any Region in which it is situated; and
- (f) register all Financial Members with the Company.

2.2 Application for new Membership

- (a) Club Membership is not automatic. Subject to 2.1, all applications from clubs, including those formed through amalgamation, must be referred to and approved by Bowls NSW.
- (b) The Board may refuse to grant membership to a Club, if in the opinion of the Board the Club does not meet the criteria for Membership as outlined in Regulation 2.1.
- (c) If an application to become a Club is refused, subject to eligibility requirements as set out in Regulation 2.1, the Board may use its discretion to accept that Club as an unincorporated Club represented by a Delegate.
- (d) If an application to become a Club is refused, the Board is not obliged to give reasons and there is no appeal from such decision.

2.3 Procedure for re-affiliation of Membership

- (a) Membership re-affiliation is not automatic. In accordance with clause 6.3 of the Constitution, a Club must re-affiliate their membership annually by lodging the following with the Company:
 - (i) all Annual Fees payable to the Company, within one (1) month of invoice being received;
 - (ii) a copy of the Club Annual Report;
 - (iii) an Annual Membership Return using the approved method;
 - (iv) an Annual Club Update of all contacts and office bearers using the approved method; and
 - (v) Constituent documents to which changes have been made since the previous re-affiliation.
- (b) A Club failing to renew Membership as per the procedure set out above may have its Membership with the Company discontinued by the Board under clause 7.3(a) of the Constitution.

2.4 Financial Responsibilities

- (a) All Clubs must pay all monies due and payable to the Company.
- (b) Any Club that has not paid all amounts payable within one (1) month of receiving the Annual Membership Fee invoice shall be considered an Unfinancial Member with the Company and all Individual and Affiliate Members of that Club shall be ineligible to enter or play or officiate in Championship Events until the outstanding dues are paid. Membership of any Club failing to make such payment may be revoked by the Company.
- (c) A Club failing to settle any account other than Annual Fees with the Company within three (3) months from the date of invoice shall have its Membership suspended until the outstanding dues are paid.
- (d) Any Club experiencing financial difficulty in settling accounts may request to enter a payment arrangement with the Company, with written application to the Board. Whilst the Club remains within the terms of the arrangement, the Club shall be deemed to be a Member of the Company.

Unincorporated Clubs

2.5 Eligibility

In accordance with clause 5.1(b) of the Constitution, the Company may recognise an unincorporated Club. The applicant unincorporated Club shall:

- (a) be represented by an appointed Delegate who shall be the member of the Company for the purposes of the Constitution;
- (b) be a recognised sub-club of an incorporated Registered Club;
- (c) have at least one (1) green on land of which it is the owner or has some other secure tenure, and of which the Club either has the control and management or has some agreement or arrangement with the person or body having control and management; and which will have on it at least three (3) rinks laid down in conformity with the Laws of the Sport of bowls;
- (d) have a Constitution and/or Rules which are not inconsistent or in conflict with the Constitution or Regulations of the Company;
- (e) be affiliated with any Region in which it is situated; and
- (f) register all Financial Members with the Company.

2.6 Application for new Membership

- (a) Membership is not automatic. The Board may consider and approve applications from an appointed Delegate of any new unincorporated Club, or any unincorporated Club established as a result of amalgamation to become an unincorporated Club subject to Regulation 2.5.
- (b) The Board may refuse to grant membership to an appointed Delegate, if in the opinion of the Board the unincorporated Club does not meet the criteria for Membership as outlined in Regulation 2.5.

- (c) If an application is refused, the Board is not obliged to give reasons and there is no appeal from such decision.

2.7 Procedure for re-affiliation of Membership

The procedure for re-affiliation of Membership shall be the same as per Regulation 2.1 with the unincorporated Club's nominated Delegate responsible for lodging all documents.

2.8 Financial Responsibilities

- (a) Unincorporated Clubs must pay all monies due and payable to the Company. The appointed Delegate shall ensure that the Club is financial, however carries no individual financial liability on behalf of the Club.
- (b) An unincorporated Club that has not paid all amounts payable within one (1) month of receiving the annual fee invoice shall be considered unfinancial with the Company and all Individual and Affiliate Members of that unincorporated Club shall be ineligible to enter or play or officiate in Championship Events until the outstanding dues are paid. Membership of any unincorporated Club failing to make such payment may be revoked by the Company.
- (c) An unincorporated Club failing to settle any account other than Annual Fees with the Company within three (3) months from the date of invoice shall have its Membership suspended until the outstanding dues are paid.
- (d) Any unincorporated Club experiencing financial difficulty in settling accounts may request to enter a payment arrangement with the Company, with written application to the Board. Whilst the Club remains within the terms of the arrangement, the Club shall be deemed to be a Member of the Company.

2.9 Rights and responsibilities of all Clubs

- (a) All Clubs have rights and obligations as per a Club Constitution (clause 40 of the Constitution).
- (b) All Clubs must at all times have an appointed Delegate.
- (c) Should the appointed Delegate resign or cease to be a Member due to disciplinary action taken by the Company or a Club as an Individual Member, the Club must appoint a new Delegate and notify the Company of its new appointed Delegate within seven (7) days.

3. Other Categories of Members

3.1 Bowling Combinations - Eligibility

- (a) The Board may recognise, approve or otherwise endorse Bowling Combinations and/or Groups as per clause 5.1(f) of the Constitution.
- (b) Any special interest, competitive or social-oriented bowling group that participates as a group on a regular or semi-regular basis may apply to be recognised as a Bowling Combination.
- (c) Bowling Combination members may be registered with the Company as an Individual

Member.

- (d) Member Clubs and unincorporated Clubs are not eligible to also be Bowling Combinations.

3.2 Application as a Bowling Combination

Applications to be recognised by the Company as a Bowling Combination shall be made in writing to the Board.

3.3 Annual Membership Fees

Annual Membership Fees for Bowling Combinations shall be determined by the Board each year and distributed via Circular.

3.4 Rights and responsibilities of a Bowling Combination

Bowling Combinations may be:

- (a) Recognised by the Company
- (b) Entitled to play at any Club or unincorporated Club, subject to permission from the Club, rink space availability and payment of Club green fees, if any; and
- (c) Granted access to Company services, resources and assistance where deemed appropriate by the Board or management.

4. Annual Membership Fee

Unless otherwise specifically stated within Regulation 4 any reference to a Club shall apply to both a Club and unincorporated Club.

4.1 Annual Membership Fees

- (a) Annual Membership Fees shall be determined by the Board in March each year and shall be notified to all Clubs.
- (b) In determining the Annual Membership Fee, the Board shall consider the CPI% for the preceding December Financial quarter.
- (c) The Annual Membership Fee shall be due and payable on 1 July each year and if such payment is not made within thirty (30) days of that date, the Club shall be considered an Unfinancial Member with the Company and all Individual and Affiliate Members of that Club shall be ineligible to enter or play or officiate in Championship Events until the outstanding dues are paid. Membership of any Club failing to make such payment may be revoked by the Company.
- (d) If any sum of money remains due owing and payable by any Club, the Board may at its discretion recover that sum of money in such fashion as it deems appropriate.
- (e) The Annual Membership Fee shall be a fixed amount for all Clubs and unincorporated Clubs, and except as outlined in Regulation 4.2 shall not be adjusted on the basis of

capitation or registration of new Individual Members.

4.2 Review or Adjustment of Annual Membership Fee

- (a) A Club may request a review of its Annual Membership Fee based on:
 - (i) Severe financial hardship, evidenced by financial accounts; and/or
 - (ii) Genuine significant membership decline through transfer or attrition; and/or
 - (iii) The extent to which any new member initiatives have been explored/implemented.
- (b) A Club's Annual Membership Fee may be adjusted if the Club:
 - (i) Amalgamates with another Club;
 - (ii) Has a significant influx of Individual Members (who are existing Members of the Company) through transfer from another Club.
- (c) The Board may in its discretion delay or waive, either in part or in full, the payment of any Annual Membership Fee by any Club upon such terms and conditions and for such period as it determines or upon such terms and conditions it otherwise thinks fit and appropriate.

5. Board

5.1 Election of Chair

- (a) In accordance with clause 18.6 of the Constitution, the Board shall appoint from its number a Chair who may be referred to as President.
- (b) The procedure of appointment of the Chair shall be as below:
 - (i) The Board shall meet immediately following the AGM of the Company (same day).
 - (ii) The CEO shall temporarily take the control of the Meeting and the position of Chair shall be declared vacant.
 - (iii) The CEO shall call for nominations from the Directors present.
 - (iv) Directors may nominate another Director. That Director can accept or refuse this nomination.
 - (v) If there is only 1 nomination for the position, then that Director shall be appointed as the Chair of the Company.
 - (vi) If there are 2 or more nominations received for the position, all candidates shall be provided the opportunity to speak on their nomination, after which a Secret Ballot shall be taken.

- (vii) The CEO shall act as the returning officer and count ballots once returned.
- (c) The candidate with the highest number of votes shall be appointed as the Chair of the Company.
- (d) If there are only two candidates and those candidates receive an equal number of votes, a further ballot will be held to break the tie. If after the further ballot those candidates still have an equal number of votes then the Board may either direct that the successful candidate be drawn by lot or that the appointment process be adjourned for 72 hours after which time the Board would reconvene and go through the above process again.
- (e) Election of Deputy Chair
 - (i) The same process shall be followed for the Election of Deputy Chair.
 - (ii) The Deputy Chair must be different gender to the Chair, unless otherwise determined by the Board.
- (f) Term of Chair and Deputy Chair

The term of the Chair shall be one (1) year until the following AGM.
- (g) Voting

All ten (10) Directors are eligible to vote for both positions – equally Directors may abstain from voting.

5.2 Eligibility and Criteria

- (a) A person who is an employee or officer of the NSO, the Company or a Region may not hold office as a Director.
- (b) The CEO of the Company is ineligible to be elected or appointed as a Director for a period of three (3) years after concluding their position.
- (c) A Director who accepts a disqualifying position (as defined in Regulation clause 4.2(a) must notify the other Directors of that fact immediately and is deemed to have vacated office as Director.
- (d) A person elected or appointed as a Director at the time of holding a disqualifying position must immediately resign from that disqualifying position.
- (e) To be eligible as a Director a person must demonstrate the following:
 - (i) Board experience or sound knowledge of the role of a Director, and
 - (ii) business experience – management level or above; or
 - (iii) bowls administration experience.

5.3 Elected Directors

(a) Core Competencies

Competencies to be an Elected Director shall be developed to identify a well-rounded Board that can best achieve and advance the Objects of the Company; The Board shall include Directors who:

- (i) are Individual Members of the Company;
- (ii) have demonstrated bowls administration experience in key roles at Club, Region or State level;
- (iii) demonstrated commitment to strong governance principles and an understanding and appreciation of the duties and responsibilities of the role of a Director, demonstrated by membership of the Australian Institute of Company Directors (AICD), relevant education or experience serving on or working with other Boards of Directors;
- (iv) have a variety of management and leadership skills including marketing, financial, communications, legal, human resource development, strategic planning, risk management, and or government relations;
- (v) are team players with a demonstrated track record of working collaboratively with diverse stakeholders; and
- (vi) have networks with key stakeholders in the sports industry, business and government sectors.

(b) Eligibility

A nomination for an Elected Director position will not be considered if the prospective candidate:

- (i) Has previously been an employee of the Company or RNSWBA or WBNSW.
- (ii) Does not possess any of the core competencies in Regulation 4.3(a).
- (iii) Has ever been suspended or expelled from a Club or unincorporated Club.
- (iv) Is now or has been in the previous seven years, declared bankrupt.
- (v) Is currently in paid employment by WBL, the NSO or the Company.
- (vi) Is related (by blood, partnership, or marriage) to another member of the Board.
- (vii) Is not an Australian citizen or permanent resident of Australia.
- (viii) An Elected Director shall not simultaneously hold a position with any Region Association or Committee of the Company.

5.4 Term of Appointment for Election of Directors

Directors will be elected according to clause 15 of the Constitution for a period of three years, with a maximum of three consecutive full terms and shall not be eligible for election or appointment as a Director until the next AGM following the date of conclusion of their last term as an elected Director.

6. Committees

6.1 Committees

(a) Operational Committees

- (i) The Operational Committees of the Company shall be established by the Board to perform such functions as delegated by the Board from time to time. The Operational Committees shall be;
 - Junior Bowls Committee;
 - Match Committee;
 - Selection Committee; and
 - Umpires Committee.
- (ii) Each Operational Committee outlined in Regulation 6.1(a)(i) shall be appointed by the Board and report through the Chief Executive Officer.

(b) Board Committees

Board Committees may be established from time to time to meet strategic objectives.
Board Committees may be established for a specified period.

(c) Chairs Committee

- (i) The Chairs Committee shall consist of the Chair of each Operational Committee and the CEO and shall meet once a quarter or as otherwise required and will act as an information sharing forum between the Committees of the Company and the CEO.
- (ii) Each of the Committee Chairs shall attend and provide a report on activities for the quarter and proposals for activities in the next quarter, which will also be presented to the Board.

(d) Miscellaneous Appointments

At the first meeting of the Board, following the AGM, the Board may appoint suitable persons to fill the undermentioned positions:

- (i) Delegates to NSO;
- (ii) Representative on the Body Corporate 309 Pitt St (1);
- (iii) Representative to Body Corporate of 289 King St (1);
- (iv) Representative on the State Council of Clubs NSW (1 plus alternative);
- (v) Official Representation Coordinator (1);
- (vi) Representative on the Commonwealth Games NSW (1);

6.2 Election and Appointment of Committees

- (a) Each Committee shall comprise the number of members as determined by the Board from time to time.
- (b) Any Individual Member may, when nominations are called for, submit an Expression of Interest setting out details of their experience and any qualifications they may have to fill a position on any Operational or Board Committee.
- (c) The Board shall consider nominations received and shall elect the required number of members to each Committee.
- (d) The Committee shall elect a Chair from amongst themselves at their first meeting and submit for Board approval. If the Committee does not appoint a Chair, the Board will appoint one.
- (e) Unless otherwise determined by the Board, the elected Committee Chair may hold the position of Chair for a maximum term of three (3) years.
- (f) The Board may, if a casual vacancy arises on a Committee or otherwise at their discretion:
 - (i) amend or alter the function of any Operational or Board Committee; and/or
 - (ii) appoint additional committee members, or remove, or make redundant existing Committee members on any Operational or Board Committee or Miscellaneous Appointments

6.3 Qualifications and other Requirements for Committee Membership.

Committees which require specific qualifications for Committee Members are as set out in *Regulation Table 1*

Under exceptional circumstances, the Board may vary these qualifications and other requirements.

Regulation Table 1

	Committee	Qualifications and Other Requirements
	All Committees	<p>Excellent verbal and written communication skills.</p> <p>Ability to work in a team environment.</p> <p>Sound knowledge and understanding of the current Conditions of Play and the Laws of the Sport.</p> <p>A current Working With Children police check.</p> <p>Availability to attend any Bowls NSW events as required.</p>
(i)	Match	Match Committee experience at Club, Zone, District or Region level for a minimum of two (2) years.

		Extensive experience working with BowlsLink Software.
(ii)	Selection	Selection Committee experience of at least three (3) years at District, Zone or Region level.
(iii)	Umpires	Hold current, or be prepared to gain, Presenter and Assessor Accreditation or be an ITO. Extensive knowledge and understanding of the current Conditions of Play and laws of the sport.
(iv)	Junior Bowls	Extensive experience or similar in coaching / teaching children.

6.4 Committee Terms of Reference

The above Regulation Table 1 states specific requirements for each committee and is to be used in conjunction with the Terms of Reference listed below.

Additional Terms of Reference will be determined by the Board annually and will be advertised with the call for Expressions of Interest each year.

- (a) An Individual Member can only hold a position on one (1) Operational Committee at any one time unless otherwise determined by the Board.
- (b) Directors are ineligible to hold a position on an Operational Committee.
- (c) Unless otherwise determined by the Board, a Committee shall not have more than two (2) members from the same Region.
- (d) All Committees shall come under the authority and direction of the Board, and report through the CEO.
- (e) The duties of each Committee are as set out in the Terms of Reference which the Board shall determine from time to time.
- (f) All committee members are required to sign agreements and any other relevant documents as determined by the Board, annually.
- (g) Selectors are ineligible to hold a position as a Selector with a Region Association.

6.5 Operational and Board Committee Meetings

- (a) At any meeting of an Operational or Board Committee, a quorum is constituted by:
 - (i) one-half of the total Committee Members, plus one being present; or
 - (ii) the whole number next above one-half of the total Committee Members being present.
- (b) Each Committee shall meet as often as required and minutes of all such meetings kept shall be circulated through the Chief Executive Officer to all members of the Committee and the Board.
- (c) Decisions of all Committees will be made by majority vote. If the vote is even the motion is lost. The Chair does not have a casting vote.
- (d) Meetings can be held face to face or via technology as deemed appropriate and agreed upon by Committee members and the CEO.
- (e) At the conclusion of a meeting, the next meeting date shall be set.
- (f) Absence from three consecutive meetings may result in the need for reconsideration of Committee Membership.

6.6 Budgets of Operational and Board Committees

- (a) Each Committee Chairman shall submit to the CEO, by 1 March each year, details of planned or proposed activities for the coming financial year for consideration and approval by the Board.
- (b) Once a plan and budget have been approved by the Board, each Committee Chairman will be responsible for their implementation.

7. Employees

7.1 Chief Executive Officer

- (a) Specific duties

The Chief Executive Officer shall:

- (i) have the power to employ and terminate employees of the Company from time to time, subject to legislative requirements if any.
- (ii) as far as practicable, but always at the discretion of the Board, attend all Board meetings and all General Meetings;
- (iii) prepare the agenda for all Board and General Meetings in consultation with the Chair;
- (iv) facilitate the recording and preparation of minutes of the proceedings of all Board meetings and General Meetings;

- (v) regularly report to the Board on the activities of, and issues relating to, the Company;
- (vi) be the official spokesperson for the Company, and as such reply to any and all questions raised through the media, government, or Company Members with regard to the position of the Company and any directive of the Board concerning any specific or general event or set of circumstances;
- (vii) perform any duty as required by the Constitution or the Act.
- (viii) keep all Registers in accordance with the Act; and
- (ix) oversee the activities of employees of the Company.

(b) Authority of Delegation

The Chief Executive Officer may from time to time appoint an employee or employees of the Company to undertake any or all of the following duties:

- (i) keep a faithful record of all business transacted at meetings of the Board and the Company;
- (ii) keep a list of the names and addresses of all Officers;
- (iii) call meetings of the Board and the Company in accordance with the Constitution;
- (iv) attend any or all meetings of the Board and the Company and to cause Minutes of all proceedings at those meetings to be kept and properly entered in books provided for that purpose;
- (v) submit the Minutes of any such Meetings for confirmation at the next appropriate Meeting;
- (vi) convene, coordinate and liaise with Operational Committees, and to report to the Board on the activities of these Committees;
- (vii) coordinate sponsorship and promotion of Bowls in New South Wales;
- (viii) attend at and report to the Board at Meetings of the Board on various matters associated with the game of Bowls;
- (ix) issue Press Releases from time to time and otherwise provide information concerning Company Events to the media;
- (x) establish and maintain a register of Clubs and affiliated Regions specifying the contact details of such Club, or Region. The register shall be kept at the principal place of administration of the Company;
- (xi) keep custody and control; of all records, books and other documents relating to the Company; and
- (xii) perform such duties and have other such responsibilities as may be specified by the Board from time to time.

8. Regions

8.1 Region Associations

- (a) For the purpose of competition and effective administration of the sport in NSW and surrounds, the Company shall establish sixteen (16) geographical Regions.
- (b) In accordance with clause 44 of the Constitution, established Regions shall be recognised by the Company.
- (c) For the purposes of competition, the sixteen (16) Regions recognised by the Company shall be named as set out in the Regulations Table 2 below.

Regulation Table 2

Central Coast Bowls
Greater Newcastle Bowls
Hunter Valley Bowls
Illawarra Bowls
Manning Great Lakes Bowls
Metro North-East Bowls
Metro North-West Bowls
Metro South-East Bowls
Metro South-West Bowls
Mid North Coast Bowls
Mid-West Bowls
Nepean Highlanders Bowls
North West Bowls
Northern Rivers Bowls
Riverina Murray Bowls
South East Bowls

8.2 Compliance of Region Associations

- (a) Each Region Management Committee shall forward to the Company:
 - (i) The Annual Report and Financial Statement of the Region Associations within one month of the date of the Annual General Meeting being held;
 - (ii) A copy of the minutes for all general meetings and any other regular meeting of delegates (or Management Meetings) held by the Region Association, as soon as they become available for circulation;
 - (iii) A current copy of the Region Constitution and Regulations (By-Laws) if any

amendments are made;

- (iv) Any current administration information and details of all Officials and Committees and meeting dates, as requested; and
- (v) Accurate statistics and information regarding participation in Championship Events at Region level, including number of entrants and results.

Each Region may be required to pay on an annual basis an equal proportion of any relevant Company Insurance Policy Premium for which they receive a coverage benefit.

A Region failing to comply with this Regulation 8.2 without the written approval of the Board, may be deemed to be ineligible to enter players, teams or sides in any or all representative or Championship Events until such time that outstanding dues or matters are resolved.

8.3 Region Constitutions

- (a) A Region shall not make amendments or addition to its constitution, unless:
 - (i) A draft of the amendment or addition has been delivered to the Board at least 28 days before making the amendment or addition; and
 - (ii) The Board has approved the amendment or addition.
- (b) The Board may suspend or terminate the affiliation of a Region should a Region fail to comply with Regulation 8.3(a).
- (c) The Board may refuse to grant affiliation to or may terminate the affiliation of a Region if the Constitution of the Region permits any Individual Member to share in its profits.

9. Disciplinary Proceedings

This clause aligns with NSO's National Integrity Framework (2024) including its Complaints, Disputes and Discipline Policy (2024).

9.1 Disputes, Grievances, Complaints and Discipline

Where a dispute, grievance, complaint, or other disciplinary matter falls within the authority of NSO's Member Protection Policy (MPP) it shall be dealt with in accordance with the procedures provided in the MPP.

9.2 Disciplinary Action by a Club or Region

- (a) For a Bowls Related Incident
 - (i) If an Individual Member, through the due process of a disciplinary hearing conducted by any Club, or Region is found guilty of an incident or misconduct which:
 - a. directly relates to the game of bowls; and/or

- b. occurs during the course of a Championship Event; and/or
- c. is deemed by the proceedings to have brought the game of bowls into disrepute;

that Individual Member shall be ineligible to play or officiate at any level of bowls at any Club for a period which shall be equal to the term of suspension imposed by the hearing up to a maximum period of one (1) year from the date of the disciplinary hearing, whichever is the earlier.

- (ii) An Individual Member who is under an order of suspension or expulsion, or who has resigned their membership of a Club because of an impending disciplinary hearing or citation for a Bowls-Related Incident shall not be eligible to apply for or receive a Club Clearance/Transfer to another Club or Interstate Clearance to another STA.

(b) Notification of Bowls Related Incident

- (i) A Disciplinary Notification Form must be completed and signed by the Club, or Region imposing the disciplinary penalty and sent to the Company Office (C/- the Chief Executive Officer) within fourteen (14) days from the date of the disciplinary hearing, or otherwise from the date of any subsequent appeals being resolved.
- (ii) Any notification received outside of a fourteen (14) day period shall not be accepted and no sanction under 9.2.1 shall be imposed unless otherwise determined by the Board.
- (iii) Details which must be notified to the Company on the Disciplinary Notification Form are:
 - Full Name and ID Number of the disciplined Bowling Member/s;
 - Date and venue of Disciplinary Hearing and/or Appeal Hearing if any;
 - Confirmation that the Disciplinary Hearing was conducted in compliance with any relevant clauses of the Club, or Region Constitution and/or the Company Disciplinary Policy;
 - Name of Club, or Region that conducted the Hearing;
 - Confirmation that the incident or misconduct was Bowls related in accordance with Regulation 9.2 (a); and,
 - Any other documentation deemed relevant.
- (iv) The Company shall confirm the term of suspension or expulsion in writing with the Club and relevant Region Association of the Individual Member. It shall be the responsibility of the Club to notify the Individual Member of any sanction imposed under 9.2(a).

(c) Disciplinary Action for Non-Bowls Related Incident

If an Individual Member is:

- (i) suspended or expelled by a Club for an incident, which is deemed by a disciplinary hearing, not to be directly related to the game of bowls and/or not to bring the game of bowls into disrepute, it is at the discretion of that Club as to whether the Individual Member is permitted to play or officiate at their Club during the term of suspension; or
- (ii) under a term of suspension at their Nominated Club for a Non-Bowls Related Incident, the Individual Member may be eligible to enter and play in Championships Events at the absolute discretion of their Nominated Club regardless of the venue.

9.3 Appeals

- (a) Any appeal shall only be based on an express denial of procedural fairness by the Club, or Region responsible for the disciplinary hearing.
- (b) The Appeal process shall be set out in accordance with the Member Protection Policy.

10. Administrative Operations

Unless otherwise specifically stated within Regulation 10 any reference to a Club shall apply to both an Incorporated Club and an unincorporated Club.

10.1 Nominated Club

- (a) In accordance with the Company Conditions of Play and NSO Affiliation and Eligibility to Play Policy an Individual must nominate one (1) Club for the purpose of competing and eligibility to compete in Championship Events. This shall be known as their Nominated Club.
- (b) An Individual may be a member of one or more Clubs however shall only have one Nominated Club. An individual need only be registered with the Company at their Nominated Club.
- (c) If an Individual wishes to change their Nominated Club during the Bowling Season, they must receive written permission to do so from the State Match Committee, in addition to paying the appropriate transfer fee.

10.2 Club Clearance/Transfers

- (a) Any Individual who wishes to change their Nominated Club to another Club within NSW (new Club), must complete and lodge with the Company a clearance/transfer application and pay the appropriate fee, if they:
 - (i) are currently registered with the Company as an Individual Member; and
 - (ii) have been registered with the Company as an Individual Member or Registered Player of a Club in the past twelve (12) months.
- (b) An Individual may not participate in Championships Events at their new Club, until a fully completed Clearance/Transfer application (which has been approved by an authorised

official at the Club they are transferring from) has been lodged and processed with payment of the applicable fee at the Company Office.

- (c) A Clearance/Transfer application which is lodged, and which is not paid within fourteen (14) days shall lapse and the new Club shall be notified by email that the Clearance/Transfer has not been processed.
- (d) Any Individual who is unable to obtain approval for a Clearance/Transfer from an authorised official from the Club they are transferring from, may not participate in Championship Events at their new Club without the written approval of the Company and payment of the applicable fee.
- (e) A Club may not reasonably refuse to sign or otherwise withhold approval for an Individual's Transfer Application if the Individual has fulfilled all financial obligations to the Club, is not under an order of suspension or expulsion and has not resigned their membership because of disciplinary proceedings in accordance with Regulation 9.
- (f) The Club Clearance/Transfer Fee shall be determined by the Board from time to time.

10.3 Interstate Clearance

- (a) In accordance with the NSO Eligibility and Affiliation Policy, any Individual who wishes to change their nominated Club to another Club affiliated with another STA must complete and lodge an Interstate Clearance form at the office of the STA they are transferring to.
- (b) There shall be no fee for an Interstate Clearance.

10.4 Interstate Pennant Declaration

- (a) In accordance with the NSO Eligibility and Affiliation Policy, an Individual may be permitted to compete in an Interstate Pennant competition controlled by another STA for a Club affiliated with that STA without changing their Declared Club, however must complete and lodge an Interstate Pennant Declaration form at the office of the STA they are transferring to.
- (b) There shall be no fee for an Interstate Pennant Declaration.

10.5 Obligations of Club to ensure Clearance/Transfer/Declaration Compliance

- (a) It shall always be the responsibility of a Club to ensure that all players representing the Club or otherwise competing in Championship Events for the Club are eligible under the Conditions of Play and that all procedures have been completed and all appropriate fees paid prior to competing. Clubs not fulfilling this obligation may be subject to sanctions or disciplinary action.
- (b) Clubs are responsible for the compliance and checking of their own membership lists to comply with Regulation 9.

11. Bowls Operations

- (a) All Individual Members competing in Championships Events must comply with the Championship Event Attire Policy and National Logo Policy as in force in New South Wales.

- (b) Clubs, and Regions must purchase attire from Official Licensed Manufacturers in accordance with the BA Logo Policy.
- (c) Designs for Club and Region attire must be submitted to the Company and will be assessed before formal approval.

12. Intellectual Property and Trademarks

- (a) The Board has sole rights to approve the use of any Company intellectual property including but not only trademarks (IP) and may, at its discretion, set and charge a fee for such use.
- (b) Any person (including Regions and Clubs) who wishes to use Company IP must first receive approval in writing from the Board (or its nominee).
- (c) Applications to use any Company IP must be submitted to the Chief Executive Officer, in writing, stating full details of its intended use.
- (d) Use of Company IP without the prior approval of the Board may lead to such other legal action or penalty as may be determined by the Board.