



BAY ISLANDS GOLF CLUB – CONSTITUTION

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Table of Contents	Page Number
Words and Expressions to have meaning in the Act	1
Name	1
Objects	1
Powers	1
Classes of Members	1
Membership	3
Joining Fees	3
Membership Fees	3
Admission and rejection of members	3
When membership ends	3
Appeal against rejection or termination of membership	4
Register of members	4
Secretary	5
Membership of Management Committee	5
Electing the Management Committee	6
Resignation or removal from office of Management Committee	6
Vacancies on Management Committee	6
Functions of Management Committee	7
Meetings of Management Committee	8
Delegation of Management Committee powers	9
Acts not affected by defects or disqualifications	9
Resolutions of Management Committee without meeting	9
Annual General Meetings	9
Business to be conducted at Annual General Meeting	10
Special General Meeting	10
Notice of General Meeting	10
Quorum for, and adjournment of, General Meeting	11
Procedure at General Meeting	11
By-Laws	12
Alteration of Rules	12
Common Seal	13
Funds and Accounts	13
Documents	14
Financial Year	14
Distribution of surplus assets to another entity	14
BY LAWS:	
Change of Class of Membership	15
Re-admission to Membership	15
Visitors	15
Special Resolutions	15
Funds and Accounts	15
Application of Property	15
Code of Conduct	15
Discipline	16

ASSOCIATIONS INCORPORATION REGULATIONS 1999

WORDS AND EXPRESSIONS TO HAVE MEANING IN THE ACT

1. A word or expression that is not defined in these rules, but is defined in the Associations Incorporation Act 1981 has, if the context permits, the meaning given by the Act.

NAME

2. The name of the incorporated association is **The Bay Islands Golf Club Incorporated**. In these Rules the Bay Islands Golf Club Incorporated shall be called 'the Association'

OBJECTS

3. The objects of the Association are:
 - (i) To make and maintain provision to enable its members, guests and other approved persons to play golf.
 - (ii) To promote golf.
 - (iii) To provide food, refreshments, accommodation and all things incidental to the playing of golf for the members, guests and other approved persons.

POWERS

4. (1) The Association has the powers of an individual.
 - (2) The Association may, for example:
 - (a) enter into contracts; and
 - (b) acquire, hold, deal with and dispose of property; and
 - (c) make charges for services and facilities it supplies; and
 - (d) do other things necessary or convenient to be done in carrying out its affairs.
 - (3) The Association may also issue secured and unsecured notes, debentures and debenture stock for the Association.

CLASSES OF MEMBERS

5. (1) The membership of the association shall consist of ordinary full or part time members, and any of the following classes of members:
 - (a) associate members;
 - (b) life members;
 - (c) honorary life members;
 - (d) social members;
 - (e) country members;
 - (f) junior members.

(2) The number of members of all classes is unlimited.

(3) The Qualification for each of the above classes shall be:

- **General** – to be eligible for any class of membership, a person shall be interested in the game of golf and promoting the interests of the Association and its members. Applicants shall pay such fees and follow such application procedures as are set out herein and shall comply generally at all times with the requirements of these regulations.
- **Associate Members** – Such persons shall be interested in playing the game of golf on a regular and continuing basis.
- **Life Members** – A life member is an Associate Member but has paid the appropriate full Life Membership fee.
- **Honorary Life Members** – An Honorary Life Member shall be a financial member of any class who, by reason of outstanding loyal service to the Association and all its members is recommended to such position by resolution of the Management Committee and then appointed by the Association in General Meeting.
- **Social Members** – Such persons shall hold an interest in the game of golf and the welfare of the Association although being restricted from full participation in the game of golf.
- **Country Members** – Shall be persons whose principal place of residence is more than 40 kilometres from the Association's registered address.
- **Junior Members** – Junior members must be less than 18 years of age and admitted to this class at any ordinary resolution of the Management Committee

(4) The membership rights in each class are as follows:

- **Associate Members**

To attend and vote (one vote per member) at all general meetings of the Association.

To use all the facilities of the Association at all times as set by the Management Committee and to participate in any and all competitions for which they are otherwise eligible (subject at all times and in cases to the rules validly imposed pursuant to these regulations).

To stand for and be elected to the Management Committee or any sub committee thereof.

To nominate or propose new persons for membership to any class of membership of the Association.

- **Life Members** – All the powers and privileges of an Associate member provided that an initial Life Membership fee be paid.
- **Honorary Life Members** – All the powers and privileges of an Associate Member save that the payment of all future membership subscriptions shall be waived for life.
- **Social Members** – To use (subject to the rules validly made pursuant to these regulations) the Association's house facilities only.
- **Country Members** – To use such facilities of the Association at such times and on such conditions as may be determined by the Management Committee upon accepting the application for such membership and to participate in any and all competitions for which they are otherwise eligible.
- **Junior Members** – To use the clubhouse and golf course other than any bar area or any other area where liquor is sold and supplied, or gaming machines are present (except specially designated areas) but will be permitted to participate in Association competitions on such terms and conditions and subject to such restrictions and payment of fees as the Management Committee may, from time to time determine.

Notwithstanding the foregoing the Management Committee may at any time invite any member from any of the above classes of member to attend to be heard at a General Meeting of the Association and such members shall at all times be subject to the direction of the President. Members under the age of 18 years may not vote, nor are they eligible for election to Management Committee positions.

MEMBERSHIP

6. (1) An applicant for membership of the Association must be proposed by 1 member of the Association (the proposer) and seconded by another member (the seconder).
- (2) An application for membership must be -
 - (a) in writing; and
 - (b) signed by the applicant and the applicant's proposer and seconder; and
 - (c) in the form decided by the management committee.

JOINING FEES

7. A joining fee shall be payable by an applicant to any class of membership of the Association at the time and in the manner as specified by the Management Committee, and shall be in such sum as the members from time to time at any general meeting by ordinary resolution determine.

MEMBERSHIP FEES

8. (1) The membership fee for each class of membership -
 - (a) is the amount decided by the members from time to time at a general meeting; and
 - (b) is payable when, and in the way, the management committee decides.

ADMISSION AND REJECTION OF MEMBERS

9. (1) The management committee must consider an application for membership at the next meeting of the committee held after it receives -
 - (a) the application; and
 - (b) the appropriate membership fee for the application.
- (2) The management committee must decide at the meeting whether to accept or reject the application.
- (3) If a majority of the management committee members present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member to the class of membership applied for.
- (4) The secretary of the association must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision.
- (5) The decision of the Management Committee as to acceptance or rejection of an application for any class of membership shall be final and binding and no appeal shall lie to any body, person or institution whatsoever.

WHEN MEMBERSHIP ENDS

10. (1) A member may resign from the association by giving a written notice of resignation to the secretary.
- (2) The resignation takes effect on
 - (a) the day and at the time the notice is received by the secretary; or
 - (b) if a later day is stated in the notice - the later day.
- (3) The management committee may terminate a member's membership if the member -
 - (a) is convicted of an indictable offence; or
 - (b) does not comply with any of the provisions of these rules; or
 - (c) has membership fees in arrears for at least 2 months; or
 - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Association.
- (4) Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- (5) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the committee must give the member a written notice of the decision.

APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

11. (1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the person's intention to appeal against the decision.
- (2) A notice of intention to appeal must be given to the secretary within one month after the person receives written notice of the decision.
- (3) If the secretary receives a notice of intention to appeal, the secretary must, within 3 months after the day of receipt, call a general meeting to decide the appeal.
- (4) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (5) Also, the management committee and the committee members who rejected the application or terminated the membership must be given an opportunity to show why the application should be rejected or the membership should be terminated.
- (6) An appeal must be decided by a vote of the members present at the meeting.
- (7) If a person whose application has been rejected does not appeal against the decision within one month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the application fee paid by the person.

REGISTER OF MEMBERS

12. (1) The management committee must keep a register of members.
- (2) The register of members must include the following particulars for each member -
 - (a) the full name and residential address of the member;
 - (b) the date of admission as a member;
 - (c) the date of death or resignation of the member;
 - (d) details about the termination or reinstatement of membership;
 - (e) any other particulars the management committee or the members at a general meeting decide.
- (3) The register must be open for inspection at all reasonable times.
- (4) However, before a member may inspect the register, the member must apply to the secretary to inspect it.

SECRETARY

13. (1) If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the association within one month after the vacancy.
- (2) The secretary must be an individual residing in Queensland or in another State but not more than 65 km from the Queensland border, who is -
 - (a) a member of the association elected by the association as secretary; or
 - (b) any of the following persons appointed by the management committee-
 - (i) a member of the association's management committee; (ii) a member of the association;
 - (iii) another person.
- (3) The management committee may appoint and remove an appointed secretary at any time.

MEMBERSHIP OF MANAGEMENT COMMITTEE

14. (1) The management committee of the Association consists of a president, vice-president, treasurer, secretary and any other members the association that members elect or appoint at a general meeting.
- (2) A member of the management committee, other than the secretary, must be a member of the association.
- (3) At each annual general meeting of the association, the members of the management committee must retire from office, but are eligible, on nomination, for re-election.

ELECTING THE MANAGEMENT COMMITTEE

- 15 (1) A member of the management committee may only be elected as follows -
- (a) any two members of the association may nominate another member (the candidate) to serve as a member of the management committee;
 - (b) the nomination must be
 - (i) in writing; and
 - (ii) signed by the candidate and the members who nominated him or her; and
 - (iii) given to the secretary at least 14 days before the annual general meeting at which the election is to be held;
 - (c) each member present at the annual general meeting may vote for any number of candidates, not more than the number of vacancies;
 - (d) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- (2) A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the association for at least seven days immediately preceding the annual general meeting.
- (3) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

16 Resignation or Removal from Office of Management Committee Member

- (1) A management committee member may resign from the committee by giving written notice of resignation to the secretary.
- (2) The resignation takes effect on:
- (a) the day and at the time the notice is received by the secretary; or
 - (b) if a later day is stated in the notice - the later day.
- (3) A member may be removed from office at a general meeting of the association if a majority of the members present at the meeting vote in favour of removing the member.
- (4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (5) A member has no right of appeal against the member's removal from office under this section.

17 Vacancies on Management Committee

- (1) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the association to fill the vacancy until the next annual general meeting.
- (2) The continuing members of the management committee may act despite a casual vacancy on the management committee.

- (3) However, if the number of committee members is less than the number fixed under these rules as a quorum of the management committee*, the continuing members may act only to:
- (a) increase the number of management committee members to the number required for a quorum; or
 - (b) call a general meeting of the association.

* For the number of members to form a quorum, see section 19 (Meetings of management committee)

FUNCTIONS OF MANAGEMENT COMMITTEE

18. (1) Subject to these rules or a resolution of the association members carried at a general meeting, the management committee:
- (a) has the general control and management of the administration of the affairs, property and funds of the association; and
 - (b) has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent.
- (2) The management committee may exercise the powers of the association -
- (a) to borrow, raise or secure the payment of amounts in a way the association members decide; and
 - (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in anyway, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the association's property, both present and future; and
 - (c) to purchase, redeem or pay off any securities issued; and
 - (d) to borrow amounts from members and pay interest on the amounts borrowed; and
 - (e) to mortgage or charge the whole or part of its property; and
 - (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association; and
 - (g) to provide and pay off any securities issued; and
 - (h) to invest in a way the members of the association may from time to time decide.
- (3) For sub-section (2)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by -
- (a) the financial institution for the association; or
 - (b) if there is more than one financial institution for the association - the financial institution nominated by the association.

9 Meetings of Management Committee

- (1) Subject to subsections (2) to (16), the management committee may meet and conduct its proceedings as it considers appropriate.
- (2) The management committee must meet at least once every month to exercise its functions.
- (3) The committee must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the committee.
- (5) If the secretary receives a written request signed by at least 33% of the management committee members, the secretary must call a special meeting of the committee.
- (6) A request for a special meeting must state:
 - (a) why the special meeting is being called; and
 - (b) the business to be conducted at the meeting.
- (7) At a management committee meeting, more than 50% of the members elected or appointed to the committee as at the close of the last general meeting of the members, form a quorum.
- (8) A question arising at a committee meeting is to be decided by a majority vote of committee members present at the meeting and, if the votes are equal, the question is decided in the negative.
- (9) A management committee member must not vote on a question about a contract, or proposed contract, with the association if the member has an interest in the contract or proposed contract, if the member does vote, the member's vote must not be counted.
- (10) The secretary must give each management committee member at least 14 days notice of a special meeting of the committee.
- (11) A notice of a special meeting must state:
 - (a) the day, time and place of the meeting; and
 - (b) the business to be conducted at the meeting.
- (12) The president, or if there is no president, or if the president is not present within ten minutes after the time fixed for a management committee meeting, the vice-president is to preside as chairperson at the meeting.
- (13) If the president and the vice-president are absent from a management committee meeting, the members may choose one of their number to preside as chairperson at the meeting.
- (14) If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called on the request of committee members, the meeting lapses.
- (15) If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called other than on the request of committee members, the meeting is to be adjourned to:
 - (a) the same day, time and place in the next week; or
 - (b) a day, time and place decided by the committee.
- (16) If, at the adjourned meeting mentioned in subsection (15), a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.

DELEGATION OF MANAGEMENT COMMITTEE POWERS

20. (1) The management committee may delegate the whole, or part of its powers, to a subcommittee consisting of the association members considered appropriate by the committee.
- (2) A subcommittee may only exercise delegated powers in the way the management committee decides.
- (3) A subcommittee may elect a chairperson of its meetings.
- (4) If a chairperson is not elected, or if the chairperson is not present within ten minutes after the time fixed for a meeting, the members present may choose one of their number to be chairperson of the meeting.
- (5) A subcommittee may meet and adjourn as it considers appropriate.
- (6) A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.
- (7) The President or Vice-President shall be ex-officio members of all sub-committees and be heard and vote therein.

ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

21. (1) An act performed by the management committee, a subcommittee or a person acting as a member of the management committee, is taken to have been validly performed.
- (2) Subsection (1) applies even if the act was performed when:
- (a) there was a defect in the appointment of a member of the management committee, subcommittee or person acting as a member of the management committee; or
 - (b) a management committee member, subcommittee member or person acting as a member of the management committee was disqualified from being a member.

RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING

22. (1) A written resolution signed by each member of the management committee for the time being entitled to receive notice of a committee meeting, is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.
- (2) A resolution mentioned in subsection (1) may consist of several documents in like form, each signed by one or more members of the committee.

ANNUAL GENERAL MEETINGS

23. Each Annual General Meeting must be held -
- (a) at least once each year; and
 - (b) within three months of the end of the Association's previous financial year.

BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING

24. The following business must be conducted at each annual general meeting:
- (a) receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the association for the last financial year;**
 - (b) receiving the auditor's report on the financial affairs of the Association for the last financial year;
 - (c) presenting the audited statement to the meeting for adoption;
 - (d) electing members of the management committee;
 - (e) appointing an auditor.
 - (f) transacting any special business of which notice shall have been given in accordance with these rules.
 - (g) general business.

SPECIAL GENERAL MEETING

25. (1) The secretary may only call a special general meeting by giving each member notice of the meeting within 14 days after
- (a) being directed to call the meeting by the management committee; or
 - (b) being given a written request signed by:
 - (i) at least 33% of the members of the Association presently on the management committee; or
 - (ii) at least the number of ordinary members of the association equal to double the number of members of the association presently on the management committee plus 1; or
 - (c) being given a written notice of an intention to appeal against the decision of the management committee:
 - (i) to reject an application for membership; or
 - (ii) to terminate a person's membership.
- (2) A request mentioned in the previous subsection must state -
- (a) why the special general meeting is being called; and
 - (b) the business to be conducted at the meeting.

NOTICE OF GENERAL MEETING

16. (1) The secretary may call a general meeting of the Association.
- (2) The secretary must give at least 14 days notice of the meeting to each association member.
- (3) The management committee may decide the way in which the notice must be given.
- (4) However, notice of the following meetings must be given in writing:
- (a) a meeting called to hear and decide the appeal of a member against the rejection or termination of the member's membership by the management committee; or
 - (b) a meeting called to hear and decide a proposed special resolution of the association.
- (5) A notice of a general meeting must state the business to be conducted at the meeting.

QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING

27. (1) Subject to subsection (5), at a general meeting the number of members equal to double the number of members of the Association presently on the management committee plus 1 form a quorum.
- (2) No business may be conducted at a general meeting unless a quorum of members is present when the meeting proceeds to business.
- (3) If a quorum is not present within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the association, the meeting lapses.
- (4) If a quorum is not present within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the association, the meeting is to be adjourned to:
 - (a) the same day, time and place in the next week; or
 - (b) a day, time and place decided by the management committee.
- (5) If at an adjourned meeting, a quorum under subsection (1) is not present within 30 minutes after the time fixed for the meeting, the members present form a quorum.
- (6) The chairperson may, with the consent of any meeting at which a quorum is present, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (7) If a meeting is adjourned under subsection (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (8) The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- (9) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

PROCEDURE AT A GENERAL MEETING

28. (1) Subject to these rules, at each general meeting -
 - (a) the president, or if there is no president, or if the president is not present within 15 minutes after the time fixed for the meeting, or is unwilling to act, the vice-president is to preside as chairperson; and
 - (b) if the vice-president is absent or unwilling to act as chairperson, the members present must elect one of their number to be chairperson of the meeting; and
 - (b) the chairperson must conduct the meeting in a proper and orderly way; and
 - (c) each question, matter or resolution must be decided by a majority of votes of the members present; and
 - (d) each member present and entitled to vote is entitled to one vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote; and
 - (e) a member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting; and
 - (f) voting may be by a show of hands or a division of members, unless at least 20% of the members present demand a secret ballot; and

- (h) if a secret ballot is held, the chairperson must appoint two members to conduct the secret ballot in the way the chairperson decides; and
 - (i) the result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held; and
 - (j) a member must vote in person -
 - (i) on a show of hands, each person present who is a member has one vote; and (ii) in a secret ballot, each member present has one vote;
 - (k) the secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting and general meeting are entered in a minute book; and
 - (l) the secretary must ensure the minute book for each general meeting is open for inspection at all reasonable times by any financial member who previously applies to the secretary for the inspection.
- (2) To ensure the accuracy of the minutes recorded under subsection (1) (k) -
- (a) the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy; and
 - (b) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and
 - (c) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association, that is a general meeting or annual general meeting, verifying their accuracy.

BY-LAWS

29. (1) The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.
- (2) A by-law may be set aside by a vote of members at a general meeting of the association.

ALTERATION OF RULES

30. (1) Subject to the Associations Incorporation Act 1981, these rules may be amended, repealed or added to by a special resolution carried at a general meeting, provided that notice of the intended alteration shall have been given to the secretary at least twenty-eight (28) days before the general meeting is called and at which the special resolution for such alteration is to be moved. Any such notice shall be posted in a conspicuous place in the Clubhouse at least fourteen (14) days before the date appointed for the general meeting to discuss the notice.
- (2) However an amendment, repeal or addition is valid only if it is registered by the chief executive,

COMMON SEAL

31. (1) The management committee must ensure the association has a common seal.
- (2) The common seal must be:
 - (a) kept securely by the management committee; and
 - (b) used only under the authority of the management committee.
- (3) Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by -
 - (a) the secretary; or
 - (b) another member of the management committee; or
 - (c) someone appointed by the management committee.

FUNDS AND ACCOUNTS

32. (1) The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.
- (2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
- (3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- (4) If an amount of \$100 or more is paid by cheque, the cheque must be signed by any 2 of the following:
 - (a) the president;
 - (b) the secretary;
 - (c) the treasurer;
 - (d) another member authorised by the management committee for the purpose.
- (5) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed 'not negotiable'
- (6) A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
- (7) All expenditure must be approved or ratified at a management committee meeting.
- (8) The treasurer shall (subject to the management committee), exercise a general supervision over the accounts and finances of the association and must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared -
 - (a) the income and expenditure for the financial year just ended;
 - (b) the association's assets and liabilities at the close of the year;
 - (a) the mortgages, charges and securities affecting the property of the association at the close of the year.
- (9) The auditor must examine the statement prepared under subsection (8) and present a report about it to the secretary before the next annual general meeting following the financial year for which the audit was made.
- (10) The income and property of the association must be used solely in promoting the association's objectives and exercising the association's powers.

DOCUMENTS

33. The management committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

FINANCIAL YEAR

34. The financial year of the association closes on 31 March in each year.

DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

35. (1) This section applies if the association:
- (a) is wound-up under part 10 of the Act;*** and
 - (b) it has surplus assets.
- (2) The surplus assets must not be distributed among the association members.
- (3) The surplus assets must be given to another entity:
- (a) having objects similar to the association's objects; and
 - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
- (4) In this section – 'surplus assets' has the meaning given by section 92(3)**** of the Act.

*** Part 10 (Winding-up) of the Act

**** Section 92 (Distribution of surplus assets) of the Act

BY LAWS OF THE BAY ISLANDS GOLF CLUB

1. CHANGE OF CLASS OF MEMBERSHIP

A member of any class may, at any time, apply to the Management Committee for admission to a different class (not being an Honorary member). The Management Committee may, by Ordinary Resolution, accept such an application and upon payment by the applicant of the difference between the then current joining fee for their existing class, and the then current joining fee for the new class and, upon payment of the difference the yearly subscription paid by the applicant for the current year and, the yearly subscription payable by the member of the new class, such applicant shall be admitted to the new class. PROVIDED THAT should the joining fee or yearly subscription for the new class be less than the joining fee or subscription for the class to which the member already belongs. No refund shall be made.

2. RE-ADMISSION TO MEMBERSHIP

Any former member, excluding those whose membership has been terminated under Clause 9 of the Constitution, wishing to rejoin the Association shall be subject to acceptance in accordance with Clause 8 of that Constitution but shall not be required to pay the joining fee unless such entrance fee has been increased since the date of the original acceptance of that former member and, in that case, only the difference shall be payable.

3. VISITORS

The Management Committee may at any time upon payment of such fees that may be prescribed by it and upon compliance with any such further condition as may be laid down by the Management Committee, allow or invite any visitors (including Social Golfing Clubs) to attend and to play golf on the facilities of the Association and to use the clubhouse facilities and to determine for such purposes such rules and regulations as may be necessary from time to time for the effective control of the use of the course facilities by such visitors.

4. SPECIAL RESOLUTIONS

- (1) A resolution is a special resolution if it is passed by a majority of not less than three quarters of such members entitled under the rules to vote as may be present at any General Meeting, of which notice specifying the intention to propose the resolution was given in accordance with these rules.
- (2) At any General Meeting to which subsection one (1) relates unless a poll is demanded, a declaration by the Chairperson that the resolution has been carried is conclusive evidence of the fact.

5. FUNDS AND ACCOUNTS

The Payment or part payment of any Secretary, Manager or other officer or employee of the Association will not be made by way of commission or allowance from or upon the receipts of the Association for liquor sold or supplied or from any other source whatsoever.

6. APPLICATION OF PROPERTY

The income and property of the Association however derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association, provided that nothing herein contained shall prevent the payment in good faith or interest to any such members in respect of monies advanced by that member to the Association, or otherwise owing by the Association to that member, or of remuneration to any officers or servants of the Association provided that further than nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent reasonably and proper rent for premises demised or let to the Association. A member shall not be entitled to any benefit or advantage from the Association which is not shared equally by every member thereof.

9. CODE OF CONDUCT

This informs and alerts members that:

- You are fully responsible and accountable for proven unacceptable behaviour on the course, in the clubhouse or representing the club.
- Excessive swearing & bad language is not only unacceptable but will not be tolerated.
- A member must not intimidate or act aggressively towards another member.
- A member should not place in jeopardy club revenue or cause damage to club property.
- A member should not behave in such a manner that creates an anti-social atmosphere for visitors and patrons to our clubhouse and course.
- All members must accept full responsibility for their actions.

Should any breach of our 'Code of Conduct' be proven, then the Management Committee has no alternative but to charge a member under Clause 10, if deemed appropriate, membership and use of the club's facilities will be terminated completely.

10. DISCIPLINE

The Management Committee may, at its discretion, impose suspension for a period of not more than 3 months in matters of discipline, where termination is not considered warranted.

Where suspension is applied it shall take effect immediately from the date it is signed and remain in force until midnight on the date specified for its expiry.

No action is to be taken under this By Law unless documentary evidence of the offence(s) is produced, (i.e. incident book, corroborated letter of complaint).

Suspension may be mandatory in cases of:

- A. Verbal harassment or abuse of a staff member
- B. Refusal to obey a request to leave the premises
- C. Consistent refusal to obey any smoking legislation.
- D. Violence
- E. Threatened Violence

Such suspension to take effect immediately and to continue till the next management committee meeting to which the member is to be invited to state their case.

Following the member stating their case disciplinary action will be debated and decision made.

Any non-attendance without apology for absence will result in suspension or termination at the discretion of the Committee .

11. EXCEPT WHERE A PENALTY MUST BE IMPOSED THE COMMITTEE HAS AVAILABLE TO IT THE FOLLOWING ALTERNATIVE PENALTY OPTIONS.

- Impose a warning
- Reprimand the member
- Impose a suspended penalty
- Any other such penalty that the committee considers appropriate.

