

CONSTITUTION OF
INTERNATIONAL BOWLS FOR THE DISABLED INCORPORATED

NAME

The name of the Incorporated Association is **International Bowls for the Disabled Incorporated**, hereinafter referred to as “the Association”.

1 DEFINITIONS

In these rules unless the contrary intention appears:

Act means the Associations Incorporation Act 1985 and amendments of South Australia;

Board means the Board of Management of the Association being comprised of such office bearers and elected or appointed members as prescribed under these rules;

Bowler with a disability means a bowler with a physical, sensory or intellectual disability which is or is likely to be permanent;

Bowls means any form of game or sport using bias bowls;

Delegate means the person elected or appointed from time to time by a Member to act for and on behalf of and to represent that Member at General Assemblies and meetings;

Championship means any bowls championship, competition or series sanctioned by or conducted by or on behalf of the Association;

Event means any competition within a championship;

Financial Year means the period of twelve (12) months ending 30th June in each year;

General Meeting means a general meeting of members of the Association convened in accordance with these rules;

Member means a member of the Association in accordance with clause 6 of these rules;

Office Bearer of the Association means the President, Vice-President or a Member at Large.

Rules mean these Rules of the Association;

Special Resolution means a resolution passed by a majority of not less than three quarters of the members present in person at a general assembly.

2 OBJECTS AND PURPOSES

The objects and purposes of the Association shall be:-

CONSTITUTION OF
INTERNATIONAL BOWLS FOR THE DISABLED INCORPORATED

- 2.1 To be recognised throughout the world and serve as the governing body for bias bowls in any form or manifestation for bowlers with any disability.
- 2.2 To conduct, encourage, promote, advance, standardize, control and administer all forms of bowls for bowlers with a disability throughout the world.
- 2.3 To promulgate, secure and adopt such necessary rules, regulations and bylaws as may be appropriate or necessary for the management, control and conduct of bowls competitions for bowlers with a disability and the classification of bowlers with a disability.
- 2.4 To train, educate, certify, appoint and accredit such classifiers, technical delegates and any other officials necessary for the management, control and conduct of bowls competitions for bowlers with a disability.
- 2.5 To affiliate, liaise and cooperate with World Bowls Ltd and such other organisations as may be desirable in the pursuit of all or any objects of the Association.
- 2.6 To ensure compliance with and incorporate any of the relevant rules and regulations as amended from time to time of World Bowls Ltd.
- 2.7 To represent the Association on all bodies and organisations concerned with bowls for bowlers with a disability at international level.
- 2.8 To foster, regulate, promote, control, grant approval and sanction regional, international and World bowls competitions and championships for bowlers with a disability.
- 2.9 To review and determine any matters relating to bowls for bowlers with a disability which may arise or be referred to it by a Member and act as the final arbiter on all matters pertaining to the conduct of the sport including disciplinary matters.
- 2.10 To promote bowls for people with a disability without favour or discrimination due to racial, gender, religious, political, economic or disability reasons.
- 2.11 To encourage and promote performance enhancing drug free competition in collaboration with the World Anti-Doping Association (WADA).
- 2.12 To pursue through itself or others such commercial arrangements including sponsorship, marketing and service opportunities as are appropriate to further the objects of the Association.
- 2.13 To apply the property and resources of the Association towards the fulfilment and achievements of these objects.
- 2.14 To operate with and promote at all times mutual trust and confidence between the Association and the Members in pursuit of these objects.
- 2.15 To undertake and do all things or activities which are necessary, incidental or conducive to the achievement of these objects.

3 POWERS

For the purposes of furthering the objects as set out above the Association has, in addition and without prejudice to the powers conferred by Section 25 of the Act (as amended) power to:

CONSTITUTION OF
INTERNATIONAL BOWLS FOR THE DISABLED INCORPORATED

- 3.1 Subscribe to, become a member of or co-operate with any other organisation whether incorporated or not whose objects are similar in whole or part to those of the Association so long as that other organisation prohibits the distribution of its income and property among its Members at least to the extent provided under the Association's constitution and rules.
- 3.2 Impose and set subscriptions, fees and levies on Members.
- 3.3 Solicit, receive and accept donations, grants, subsidies, subscriptions, fees, levies, sponsorships, bequests, endowments, gifts, investments and loans of money or property whether real, personal or intellectual and whether subject to any special trust or not for any or in such manner as is allowed by law.
- 3.4 Draw, make, accept, endorse, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable and transferable instruments in such manner as the Board may determine from time to time.
- 3.5 Invest and deal with any monies of the Association not immediately required for the objects of the Association in such manner as may from time to time be determined by the Board.
- 3.6 Appoint, hire, employ, remove, replace or reinstate such staff, employees, volunteers, consultants or other persons in and for the carrying out of the objects of the Association and to pay them in return for services rendered such salaries, wages, fees, gratuities or honorariums as appropriate or necessary.
- 3.7 Engage in the provision of goods and services incidental to and conducive to the objects of the Association whether or not the provision of such goods and services is for a profit.
- 3.8 Produce, develop, create, license and otherwise exploit, use and protect the intellectual property of the Association.
- 3.9 Do all such acts and things as are incidental, conducive or subsidiary to all or any of the objects of the Association.

4 APPLICATION OF INCOME

- 4.1 The income and property of the Association shall be applied solely towards the promotion of the objects of the Association as set out in this constitution.
- 4.2 Except as prescribed in this constitution no portion of the income or property of the Association shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise to any Member and no remuneration shall be paid or given by the Association to any Board Member or Delegate of the Association.
- 4.3 Nothing contained in clauses 5.1 and 5.2 shall prevent payment in good faith to any Member, Board Member, Officer or Delegate of the Association for:
 - (i) any services actually rendered to the Association whether as an employee or otherwise;
 - (ii) goods supplied to the Association in the ordinary and usual course of operation;
 - (iii) interest on money borrowed from any person or Member;
 - (iv) rent for premises demised or let to the Association by any person or Member;
 - (v) any out-of-pocket expenses incurred by any person or Member on behalf of the Association; or
 - (vi) any other reason;provided that any such payment shall not exceed the amount ordinarily payable between commercial parties dealing at arm's length in a similar transaction.
- 4.4 Any expenses incurred shall be approved by at least two members of the Board.

CONSTITUTION OF
INTERNATIONAL BOWLS FOR THE DISABLED INCORPORATED

5 MEMBERSHIP

- 5.1 Membership is open to representative national organisations of bowls (National Federations) for bowlers with a disability from the participating nations of the world recognised by World Bowls Ltd., who are empowered to select national representative teams and who provide and organise bowls to international standards and have objects and purposes similar to the Association.
- 5.2 Where a nation has one or more Federation which represent its disability groups participating in bowls, these Federations may be member organisations of the Association provided their interests do not overlap.
- 5.3 Application for membership shall be made in such manner or form as is determined from time to time by the Board who will examine the degree to which it satisfies the requirements relating to constitution, recognition in its country, qualifications and suitability of the organisation. Upon acceptance of the application by the Board and upon payment of the first annual subscription (if any) the applicant shall be a member of the Association.
- 5.4 Any organisation accepted for membership is deemed by reason of its application to have agreed to abide by and be bound by the constitution and rules of the Association as may be varied from time to time during the term of its membership.
- 5.5 Members shall be represented at General Assemblies and meetings by their Delegate who has been elected or appointed by the Member and shall have the right to be present and debate for and on behalf of that Member.
- 5.6 Subject to the constitution, rules and bylaws of the Association, Members shall have the right to enter their bowlers in all competitions and championships sanctioned by the Association, to nominate persons for the Board and committees and to participate in all activities of the Association.
- 5.7 National Federations shall maintain details of each individual bowler in a central register available to the Board.

6 SUBSCRIPTIONS AND FEES

- 6.1 Fees, including annual membership fees payable by Members, shall be such sum (if any) as shall be determined by the Board and approved by the Members at the General Assembly.
- 6.2 Membership fees shall be paid within ninety (90) days of the date of the General Assembly at which they are determined. All other fees or levies shall be paid within ninety (90) days of their imposition.
- 6.3 Any Member which has not paid all monies due and payable to the Association within the prescribed time shall, subject to the Board's discretion, have all rights under this constitution suspended and cease to be a Member of the Association, provided that the Board may reinstate such membership on such terms and conditions as it thinks fit.

7 RESIGNATION

- 7.1 A Member may resign from membership of the Association by giving notice thereof in writing to the Executive Officer of the Association. Any member so resigning shall be liable for any outstanding subscriptions which shall be recoverable as a debt due to the Association.

8 EXPULSION OF MEMBER

- 8.1 The Board may terminate or suspend the membership of any Member of the Association upon receipt of an allegation or grievance in writing that the member has breached, failed, refused or neglected to comply with a provision of the constitution, rules or bylaws of the Association, acted in a manner unbecoming or prejudicial to the objects and interests of the Association or brought the Association into disrepute.

CONSTITUTION OF
INTERNATIONAL BOWLS FOR THE DISABLED INCORPORATED

- 8.2 In the event that the Board is to make a determination on a matter of complaint against a Member, the Member shall be furnished a copy of the allegation made and be given at least twenty-eight (28) days' notice of the time at which such charge is to be considered by the Board in order that the Member may attend and be heard or enter a defence or evidence in writing.
- 8.3 The determination of the Board shall be communicated to the Member in writing and in the event of an adverse determination the Member shall, subject to clause 9.4 herein, cease to be a Member of the Association fourteen (14) days after the date of posting the determination of the Board.
- 8.4 Any Member whose membership has been terminated or suspended shall have the right to appeal to World Bowls Ltd, such appeal to be instituted by notice in writing addressed to the Executive Officer and delivered to the registered office of the Association within twenty-eight (28) days of being served notification of the decision of the Board.
- 8.5 In the event of an appeal under clause 9.4 herein the appellant's membership of the Association shall not be terminated or suspended unless World Bowls Ltd. upholds the determination of the Board and in such event membership will be terminated at the date of the appeal decision.

9 BOARD OF MANAGEMENT

- 9.1 Subject to the Act and these rules the affairs of the Association shall be managed and controlled by a Board of Management comprising the President, Vice-President, and two (2) Members at Large. They shall be joined by the Players' Representative, Classification Officer and the Executive Officer and they shall have the same rights and privileges as other Board Members.
- 9.2 At General Assemblies where elections are held all the members of the Board shall retire but shall be eligible for re-election.
- 9.3 The Players' Representative shall be elected by the bowlers assembled at the time of the General Assembly where elections are held.
- 9.4 The Classification Officer and Executive Officer shall be appointed by the Board.
- 9.5 The Board may appoint a natural person to fill a casual vacancy and such board member shall hold office until the next General Assembly of the Association.
- 9.6 No person shall be eligible to stand for election unless nominated in writing on the appropriate form and lodged with the Executive Officer of the Association no later than ninety (90) days prior to the date of the General Assembly. The nomination shall be signed by the President of the proposing Member, which shall be financial and of good standing.
- 9.7 Notice of all persons seeking election to the Board shall be given to all Members of the Association with the notice calling the General Assembly at which the election is to take place.
- 9.8 The Board shall meet on two (2) occasions in each calendar year and on such other occasions as may be directed by the President or when requested in writing by four (4) members of the Board.
- 9.9 The Executive Officer shall give at least thirty (30) days' notice of all Board meetings to all Board members.
- 9.10 The quorum for any meeting of the Board shall be three (3).
- 9.11 Questions arising at a meeting of the Board shall be decided by a majority of votes and a determination of a majority of Board members present and entitled to vote shall for all purposes be deemed a determination by the Board. Each member of the Board shall be entitled to one (1) vote but in the case of an equality of votes the person presiding shall be entitled to a casting vote in addition to a deliberative vote.
- 9.12 The Board may function validly notwithstanding any vacancies so long as its number is not reduced below the quorum.

CONSTITUTION OF
INTERNATIONAL BOWLS FOR THE DISABLED INCORPORATED

- 9.13 The President shall preside at all Board meetings or in the President's absence the Vice-President or one (1) of the Board members elected by those present.
- 9.14 A member of the Board having a direct or indirect financial interest in a contract or proposed contract with the Association must disclose the nature and extent of that interest to the Board as required by the Act and shall not vote with respect to that contract or proposed contract. A member of the Board must disclose the nature and extent of his or her interest in the contract at the next General Assembly of the Association.
- 9.15 The Board shall appoint a Public Officer as required by the Act.
- 9.16 The Board may by special resolution at a Board meeting remove an Office Bearer or Board Member from office where that person is:
- (i) disqualified by the Act;
 - (ii) expelled under these rules;
 - (iii) permanently incapacitated by ill health;
 - (iv) absent without apology from three (3) consecutive meetings of the Board of which notice has been provided.

10 POWERS AND FUNCTIONS OF THE BOARD

Subject to the Act and the rules of the Association the Board shall have the power to:

CONSTITUTION OF
INTERNATIONAL BOWLS FOR THE DISABLED INCORPORATED

- 10.1 Carry out the objects and purposes of the Association and exercise all the powers of the Association save those which must, under the Act and these rules, be exercised by the Association in general meeting.
- 10.2 Cause correct financial accounts and books and administrative records to be kept showing a true record of the affairs of the Association.
- 10.3 Make any necessary alteration, amendments or additions to the by-laws of the Association for the efficient management and conduct of the Association and Championships.
- 10.4 Present at each annual general meeting and General Assembly a report of the affairs of the Association and audited accounts of the Association prepared in accordance with and accompanied by such statements as may be required by the Act.
- 10.5 Present at each General Assembly a report of the affairs of the Association and audited accounts of the Association prepared in accordance with and accompanied by such statements as may be required by the Act.
- 10.6 Employ or engage staff or agents as it thinks fit and determine their remuneration and conditions of employment.
- 10.7 Conduct commercial activities that are incidental and conducive to the objects of the Association.
- 10.8 Enter into any other contract or agreement it considers necessary or desirable.
- 10.9 Appoint such committees or sub-committees for such purposes and with such powers as it determines from time to time;
- 10.10 Deal with other matters which may arise which are not specifically provided for in these rules.

11 ANNUAL GENERAL MEETING

- 11.1 The annual general meeting of the Association shall be held within five (5) months after the end of the financial year of the Association at a date, time and place and in a manner determined by the Board.
- 11.2 All Members shall be entitled to attend the annual general meeting and be represented by their Delegate.
- 11.3 The business at the annual general meeting shall be:
 - (iii) to confirm the minutes of the last preceding annual general meeting and of any special general meetings held since that meeting;
 - (iv) to receive from the Board a report of the proceedings of the Association and audited financial statements for the preceding year;
 - (v) to deal with any other business which has been submitted to the Executive Officer in writing no later than ninety (90) days preceding the annual general meeting;
 - (vi) to deal with any other business requiring consideration by the Association in general meeting.

12 SPECIAL GENERAL MEETING

- 12.1 The Board must convene a special general meeting when:
 - (i) the Board passes a resolution to that effect;
 - (ii) upon receipt of a requisition for a special meeting from at least one third of the Members of the Association.

CONSTITUTION OF
INTERNATIONAL BOWLS FOR THE DISABLED INCORPORATED

- 12.2 Every requisition for a special general meeting must be signed by all of the relevant Members and must clearly state the purpose of the meeting.
- 12.3 The Board shall determine the date, time and place of such meeting within thirty (30) days of receipt of such requisition and issue notice of the meeting to all members not less than thirty (30) days prior to the date of the meeting clearly stating the purpose for which it was called.
- 12.4 No business shall be brought forward or discussed at the special general meeting except for the purpose such meeting has been convened.

13 GENERAL ASSEMBLY OF NATIONS

- 13.1 A General Assembly of Members shall be convened approximately every four (4) years at the same time and place as the World Championships of the Association.
- 13.2 All Members shall be entitled to attend the General Assembly and be entitled to vote.
- 13.3 The business at the General Assembly of Nations will be:
 - (i) to confirm the minutes of the last preceding General Assembly and of any special general meetings held since that meeting;
 - (ii) to receive from the Board a report of the proceedings of the Association and audited financial accounts for the preceding four (4) years;
 - (iii) to deal with any other business which has been submitted to the Executive Officer in writing no later than ninety (90) days preceding the General Assembly;
 - (iv) to elect or re-elect Board members who have been nominated according to these rules;
 - (v) to deal with any other business requiring consideration by the Association in general meeting.

CONSTITUTION OF
INTERNATIONAL BOWLS FOR THE DISABLED INCORPORATED

14 NOTICE OF MEETINGS

- 14.1 No less than thirty (30) days' notice of any general meeting, special general meeting or General Assembly shall be given to Members. The notice shall set out where and when the meeting will be held and particulars of the nature and order of business to be transacted at the meeting.
- 14.2 Notice may be given by the Association to any member by serving the Member with the notice personally or by sending it by post or email to the address appearing in the register of members.
- 14.3 Where a notice is sent by post or email services the notice shall be deemed to be effected if it is properly addressed to the Member.

15 PROCEEDINGS AT GENERAL MEETINGS

- 15.1 A quorum at any general meeting, special general meeting or General Assembly shall be one-third of the Members of the Association present and entitled to vote.
- 15.2 The President shall preside as Chairperson at meetings of the Association.
- 15.3 If the President is not present within fifteen (15) minutes after the time appointed for holding the meeting or he or she is present but declines to or retires from the chair the Members present may choose a Board member or one of their own number to be Chairperson of that meeting.
- 15.4 If within sixty (60) minutes after the time appointed for holding a special general meeting a quorum of members is not present a meeting convened at the request of members shall lapse. In any other case the meeting shall stand adjourned to the next day at the same time and place and if at such adjourned meeting a quorum is not present within sixty (60) minutes of the time appointed for holding the meeting the members present shall form a quorum.

16 VOTING

- 16.1 Each Nation at General Assemblies and meetings will have one vote. Where multiple member organisations from the same nation exist these organisations are to agree on a vote by mutual agreement. If no mutual agreement between these organisations can be reached that nation is to abstain from voting.
- 16.2 At any meeting a motion put to a vote shall be decided on a show of hands and a declaration by the Chairperson of the meeting that a resolution has been carried or lost.
- 16.3 If a poll is demanded by the Chairperson of the meeting or by five (5) Members present in person it shall be taken in such a manner as the Chairperson directs.
- 16.4 The result of such poll shall be the resolution of the meeting except that in the case of a special resolution a majority of not less than three quarters of the Members present in person at the meeting is required.

17 MINUTES

- 17.1 Proper minutes of all proceedings of meetings of the Association shall be made available within one month after the relevant meeting and entered into electronic minute books kept for that purpose.
- 17.2 The minutes kept pursuant to this rule shall be signed by the Chairperson of the meeting at which the proceedings took place or by the Chairperson of the next succeeding meeting.
- 17.3 Where minutes are entered and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all proceedings at the meeting shall be deemed to have been duly held and that all appointments made at a meeting shall be deemed to be valid.

18 AUDIT

CONSTITUTION OF
INTERNATIONAL BOWLS FOR THE DISABLED INCORPORATED

- 18.1 At each General Assembly the Members present are to appoint a person as auditor of the Association.
- 18.2 The auditor is to hold office until the next General Assembly and is eligible for re-appointment.

19 RULES

- 19.1 Subject to approval by a special resolution of the Members present in person at a meeting of the Association these rules may be altered, including alteration to the Association's name, or be rescinded and replaced by substitute rules. Such an alteration shall be registered with the Corporate Affairs Commission as required by the Act.
- 19.2 The registered rules shall bind the Association and every member to the same extent as if they had respectively signed and sealed them and agreed to be bound by all the provisions thereof.

20 COMMON SEAL

- 20.1 The Association shall have a common seal upon which its corporate name shall appear in legible characters.
- 20.2 The seal shall not be used without the express authorisation of the President and every use of the seal shall be recorded in the minutes of the subsequent Board meeting.
- 20.3 The seal shall be kept in the custody of the Executive Officer

21 LIABILITY OF MEMBERS

- 21.1 The liability of the Members of the Association is limited.

22 MEMBERS' CONTRIBUTIONS

- 22.1 Every Member of the Association undertakes to contribute to the assets of the Association in the event of it being wound up for payments of the debts and liabilities of the Association and the costs, charges and expenses of winding up and for an adjournment of the rights of contributors among themselves such amount as may be required not exceeding one dollar (\$1.00).

23 DISTRIBUTION OF PROPERTY ON WINDING UP

- 23.1 If upon winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any assets or property the same shall not be paid or distributed amongst the Members of the Association but shall be given or transferred to some body or bodies having objects and purposes similar to the objects and purposes of the Association and which prohibits the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Association by these rules and which is also not carried on for profit and which is similarly exempt from income tax.
- 23.2 Such body or bodies are to be determined by the Members of the Association in general meeting at or before the time of dissolution and in default thereof by such judge of the relevant Supreme Court or such other court as may have or acquire jurisdiction in the matter and if effect cannot be given to these provisions such surplus assets shall be distributed to some charitable institution which is a fund, authority or institution referred to in sub-section 78(1)(a) of the Income Tax Assessment Act of 1936 as amended.