

The Royal Western Australian Bowling Association Inc.

Trading as Bowls WA



BY LAWS

as at 8th December 2018 following Constitutional change at December SGM.

Updated 29th June 2020 – Board Meeting re: Affiliation Fee changes

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DEFINITIONS

In these By Laws, unless the subject matter or context otherwise indicates or requires, any words or letters shall have the meaning indicated:-

"Affiliated Bowling Club" means Bowls Clubs referred to in By law 1.1

"Affiliated Multi-Sport Club" means Bowls Clubs referred to in By Law 1.1

"Affiliated Retirement Village and Lifestyle Club" means Bowls Clubs referred to in By Law 1.1

"Appointed Directors" means the Appointed Directors of the Association appointed pursuant to Rules 14.1.3 of the Constitution

"Associated Member" means a member of the Association referred to in By Law 1.2

"Association" means The Royal Western Australian Bowling Association (Incorporated), trading as Bowls WA.

"BA" means Bowls Australia

"Board" means the Directors referred to in By Law 3

"Bowls Management Committee" as referred to in By Law 4.1.3

"Chief Executive Officer (CEO)" means the person referred to in Rule 15 of the constitution

"Committees" means the committees of the Association as referred to in By Law 4

"Country League" means a member of the Association referred to in By Law 1.5.3

"Country League Committee" means a committee as referred to in By Law 4.4.3

"Country Zone" means a member of the Association referred to in By Law 1.5.2

"Country Zone Committee" means a committee comprising of representatives from each of the Country Zones as referred to in By Law 4.1.4 and 4.4.2

"Elected Directors" means the Elected Directors of the Association elected pursuant to Rules 14.1.1, 14.1.2 and 14.1.3 of the constitution and includes the President and Deputy President

"Honorary Member" means a member of the Association referred to in By Law 1.4

"Law" – Laws of the sport of Bowls.

"Life Member" means a member of the Association referred to in By Law 1.3

"Metropolitan Region" means a member of the Association referred to in By Law 1.6.1

"Operational Committees" means the committees referred to in By Law 4.2

"Registered member" means a person as referred to in By Law 1.3

"Special Interest Committees: means the committees referred to in By Law 4.3

"Standing Committee" means the committees referred to in By Law 4.1

1. AFFILIATION

1.1 Affiliated Clubs

1.1.1 (a) To be eligible for affiliation as a Club, the applicant must be incorporated or in the process of incorporation (which process shall be completed within twelve months of applying for affiliation under these By Laws) and meet any other criteria set by the Board from time to time. Subject to these By Laws or any procedures set by the Board from time to time. Subject to this Constitution or any procedures set by the Board from time to time, an application for affiliation by a Club must be:

- 1.1.1.1 in writing in the form prescribed by the Board from time to time
- 1.1.1.2 accompanied by the appropriate fee of fees, if any; and
- 1.1.1.3 lodged with the Chief Executive.

(b) as soon as practicable after the receipt of the application under (1.1.1 a) the Chief Executive shall refer the application to the Board.

(c) Upon an application being referred to the Board, the Board shall, as soon as practicable, determine whether to approve or decline the application.

(d) If the Board approves the application for membership, the Board shall determine the appropriate League (if country) for the applicant Club to join and the Chief Executive shall, as soon as practicable, notify the applicant in writing that it is approved. If approved, membership shall commence upon receipt of confirmation.

(e) If the Board does not approve an application for membership, the Chief Executive shall, as soon as practicable, notify the applicant in writing that their application for membership is not approved. The Board is not required to give reasons for its decision.

RESPONSIBILITIES

Affiliated Bowling Clubs

- (a) Shall provide the Association with a copy of its Constitution, which must be approved by the Association and which must not conflict with the Constitution of BWA or BA.
- (b) Shall provide a copy of the Certificate of Incorporation or Company Registration to the Association.
- (c) Shall provide a copy of the financial accounts as presented to its members at the conclusion of each financial year,
- (d) Shall provide a copy of any amendment, alteration or addition to the Constitution to the Association within two (2) months from the date such amendment, alteration or addition was approved.
- (e) Shall make available to the Association a list of all members of the club, who are entitled at any time to use the greens of the Club,
- (f) Shall have paid the annual affiliation fee for the current year by the date as determined by the Board.
- (g) Shall, when requested, provide current accredited umpires and markers for any competition or game arranged by the Association, Country Zone or League .
- (h) Shall respect the integrity of all graded pennant competitions and events conducted by Bowls WA throughout Western Australia.

Affiliated Multi-Sport Clubs

A Multi-Sport Club is a club by any name which provides facilities for its members to participate in:-

- (i) the game of bowls under the auspices of the Association: and
- (ii) at least two (2) separate competitive sports (other than bowls) under the auspices of other Recognised Sport Associations, the General Management Committee of which is representative of the various sports (including bowls), the facilities for which are provided by the club.

A Multi-Sport Club:

- (a) Shall provide a copy of the Constitution and By Laws of the Club to BWA when the Bowls Section of the Club applies for affiliation.
- (b) Shall provide a copy of the Certificate of Incorporation to the Association.
- (c) Shall provide a copy of the financial accounts as presented to its members at the conclusion of each financial year,
- (d) Shall provide a copy of any amendment, alteration or addition to such rules within two months from the date such amendment, alteration or addition was passed.
- (e) Shall make available to the Association a list of all members of the club, who are entitled at any time to use the greens,
- (f) Shall have paid the annual affiliation fee for the current year by the date as determined by the Board.
- (g) Shall, when requested, provide current accredited umpires and markers for any competition or game arranged by the Association, Country Zone or League .
- (h) Shall respect the integrity of all graded pennant competitions and events conducted by Bowls WA throughout Western Australia.

Affiliated Retirement Village and Lifestyle Clubs

A Retirement Village or Lifestyle Club is a Retirement Village or Lifestyle Complex with bowling greens that may have a Club affiliated with BWA and under the Village Rules provides access to the greens for all residents.

A Retirement Village or Lifestyle Club:

- (a) Shall provide a copy of the Constitution and By Laws of the Club to BWA when the Bowls Section of the Club applies for affiliation.
- (b) Shall provide a copy of the Certificate of Incorporation to the Association.
- (c) Shall provide a copy of any amendment, alteration or addition to such rules within two months from the date such amendment, alteration or addition was passed.
- (d) Shall make available to the Association a list of all members of the club, who are entitled at any time to use the greens.
- (e) Shall have paid the annual affiliation fee for the current year by the date as determined by the Board.
- (f) Shall, when requested, provide current accredited umpires and markers for any competition or game arranged by the Association, Country Zone or League ,
- (g) Shall respect the integrity of all graded pennant competitions and events conducted by Bowls WA throughout Western Australia.
- (h) Shall provide a copy of the Village Rules that allow access to the greens by all residents.

1.2 Associated Members

Associated Members are bodies or groups who are not eligible for affiliation as a Club, Country Zone or League and whose objects include the fostering and promotion of the game of bowls. Examples are social bowling clubs and retirement village clubs who do not qualify for affiliated membership.

RESPONSIBILITIES

Associated members:

- (a) Shall provide a copy of the rules of the group to BWA when applying for Associated Membership.
- (b) Shall provide a list of all members of the group, who are entitled at any time to use the greens of an affiliated Club.
- (c) Shall have paid the annual fee for the current year by the date determined by the Board.

Note: it should state in the minutes that the group applying understands that it does **NOT** meet any of the other membership criteria offered by BWA i.e. Affiliated Clubs, Multi Sport Clubs, Retirement Villages and Lifestyle Villages and Life Members.

Membership of an Associated club does NOT confer any of the rights usually associated with membership of an Affiliated club.

Cost

The group (Associated club) shall pay an annual fee to the Association as determined by the Board.

Benefits

BWA will provide the following to the Associated Member.

- Acknowledgment that the group is officially recognised by BWA and comes under the BWA umbrella in the organisational structure
- Recognition of the membership and the number of members in the BWA Annual Report and on the web page
- Access to BWA coaching clinics for the members
- Appropriate access to Jack Hi, website etc for promotional opportunities
- Assistance with grants if appropriate
- Invitation to attend BWA AGM (no voting rights)
- Access to BWA policies and procedures
- Support for State Teams and Squads (e.g. blind and deaf) with selection and other relevant policies
- Use of BWA logo and intellectual property where appropriate
- Assistance with any behavioural issues and conflict resolution

Please note that BWA is not able to provide insurance except for the bowlers above pennant level.

1.3 Life Members

Life Membership is conferred on any person who has demonstrated outstanding service to bowls. Life Membership is conferred in accordance with Rule 13.11 of the Constitution.

1.4 Honorary Members

A person may by resolution of the Board be admitted as an Honorary Member of the Association. An example may be the Patron.

1.5 Metropolitan Regions, Country Zones and Leagues

1.5.1 Metropolitan Regions

The metropolitan area is divided into four (4) BWA Metropolitan Regions of which clubs are members:

Eastern Region
Northern Region
Southern Region
South Coastal Region

1.5.2 Country Zones

The country area is divided into four (4) BWA Country Zones outside the Metropolitan Region as defined but within the State boundary. Leagues are members of the Zone. Due to isolation, some clubs and the Pilbara League are not included in Country Zones.

Eastern Bowling Zone
Northern Bowling Zone
Southern Bowling Zone
South Western Bowling Zone

1.5.3 Country Leagues

Country Leagues are a combination of two or more country clubs affiliated with the Association.

2. CLUB AFFILIATION FEES

CLUB AFFILIATION FEES shall be paid in the following manner:

Affiliated Bowling Clubs and Affiliated Multi-Sport Clubs

2.1 Annual Affiliation Fees

- (i) After the 1st November all clubs will be provided with an invoice showing the forthcoming season's affiliation fee. The club fee will be calculated by dividing the TOTAL AFFILIATION FEE as set by the Board (See 2.1(ii) by the TOTAL NUMBER OF MEMBERS (Metropolitan or Country as relevant) with PLAYING RIGHTS as denoted within the Bowls Link system. This will provide a per head fee which will then be apportioned to each individual club's Playing Rights membership to attain the Total Club Affiliation Fee for that year. (Note Rule 11.1 – BWA Constitution)
- (ii) Individual Metropolitan Club Fees will be an apportionment of the total set metropolitan affiliation fee and individual Country Club fees will be an apportionment of the total set country affiliation fee as determined by the Board and communicated to clubs in early March of each year
- (iii) The Club Affiliation Fee will be payable by 30th November annually.
- (iv) Clubs are to accurately maintain their membership register as per their Constitution, noting as required within the Bowls Link system. For clarity each club member who has been noted as having PLAYING RIGHTS at their club will incur a fee. PLAYING RIGHTS will generally be provided to club members who qualify for their Club Championships, Pennant and other Bowls WA competitions.
- (v) If an Affiliated Club wishes to seek financial relief from the annual fee, the following is required:
 - The annual fee must be paid in full,
 - The Club will forward to the Chief Executive Officer a full explanation as to why relief should be considered
 - The Chief Executive Officer will take the request to the Audit, Risk and Finance Committee for consideration
 - The Audit, Risk and Finance Committee will consider the matter, make a determination and inform the Club in writing within 7 days of making its decision, which shall be final.
 - Applications for relief must be received by 30th November in the year relief is sought.

2.2 Playing Rights and Fees for new or transferred members

If a club were to attract new or transferred members after the closing date (15th October) for Affiliation, no additional fee will be charged. However, clubs will risk the imposition of significant penalties if they are shown to have purposely withheld the inclusion of members with Playing Rights on the Bowls Link system until after the closing date (15th October).

Notations

- In the best interest of bowls the Board may grant to any club an exemption from payment of fees for such time as it deems necessary. The Board may appoint the Chief Executive Officer, Board member or nominated representative of the Association to inspect any club register of members at any time. Any club which fails to pay its affiliation fee when due, or omits to supply particulars of its membership shall be denied all privileges of the Association until such time as it complies with this ruling.

2.2.1 Non-pennant playing clubs

- (i) Clubs that do not participate in pennants will be charged an initial base affiliation fee for the 2019/2020 financial year,
- (ii) In succeeding year's the Fee payable will be determined by the Board, notwithstanding (Rule 11.1 of the BWA Constitution).

2.3 Membership Fees – Associated Members

The Board shall set the Associated Members fees, each year to coincide with the budget setting process of the Association.

Fees shall be paid in the following manner:-

Associated Members

- (i) The annual fee period is 1 May – 30 April.
- (ii) Associated Members are to annually provide a register of members to Bowls WA.
- (iii) Bowls WA will send a tax Invoice to the Associated Members which is to be paid by 30th September.
- (iv) The fee paid by new Associated Members affiliating with BWA after the 1st January would cover the balance of the current year and the new upcoming year.

3. BOARD

The Board shall comprise the President, Deputy President, Six Elected Directors and a maximum of two Appointed Directors.

THE PRESIDENT

- (i) The President together with the Chief Executive Officer shall determine the dates and times of meetings and formulate the agenda for such meetings.
- (ii) Shall chair or appoint a representative to chair meetings of the Board; control and manage the proceedings and implement the Constitution and By Laws of the Association.
- (iii) Shall preside over the Board with impartiality and promote the public image of the Association. The President shall be a member of the Finance, Audit & Risk Committee and ex officio to all other Committees.

The job description is held in the Corporate Governance File.

DEPUTY PRESIDENT

- (i) Shall support the President in all activities of the Association and shall assume the responsibilities of the President in his/her absence.
- (ii) Shall monitor the operations of the Operational Committees of the Association which are:
 - Umpires Committee
 - Greens and Infrastructure Committee
 - High Performance and Coaching Committee
 - Fixtures and Events Committee

The job description is held in the Corporate Governance File.

GENERAL DIRECTORS

Director's nominations must include details of skills and expertise to support their nominations.

Directors shall, at the first Board meeting following the Annual General Meeting or at the first board meeting following their election, be allocated a Standing or Operational Committee portfolio.

The number and composition of Portfolios and Committees shall be determined from time to time as necessary. The Director, where they are the Chairperson of a Portfolio or Committee is responsible for any matter pertaining to their Portfolio and shall report to the Board as required.

Of the six (6) Directors elected to the Board, one shall be responsible for the interests of country bowlers and assume the role of Director of Country. Should no Elected Director be deemed able to fulfil this role, the Board will appoint a suitable Director as per Rule 14.1.4 of the Constitution. This appointment will be made in consultation with the Country Committee.

The following Committees (known as Standing Committees) are mandatory:

- (a) Finance, Audit & Risk
- (b) Club Development
- (c) Bowls Management
- (d) Country
- (e) Governance and People Development

A Charter for each Portfolio and Committee is included in the Corporate Governance File.

General Director Responsibilities

- (i) Responsible for the forward planning of their respective Committees or Portfolio.
- (ii) Carry out duties and responsibilities according to the Bowls WA Rules and Policies.
- (iii) Prepare reports or minutes containing recommendations relating to their portfolio(s) and forward these prior to Board Meetings.
- (iv) To supervise their respective committees in implementing the Operational Plan.
- (v) The Directors will at all times work as a team and not as individual specialists in their own field and be prepared to be of assistance to each other if and when requested.

4. COMMITTEES

4.1 Standing Committees

4.1.1 Finance, Audit & Risk

The Finance Committee shall comprise a minimum membership of three members from the Board, one of whom shall be the President. One of the Board members who has been allocated the Finance portfolio shall be the Chair of the Committee. The Committee will review all financial information to be presented to the Board, making recommendation's as required, including assisting in the preparation of the budget and approval of various levels of expenditure. On behalf of the Board, the Committee also has a role to categorize risk and ensure that strategies to minimize or mitigate these are put in place and implemented, including the adherence to Australian Accounting Standards as advised by the Association's appointed Auditor..

4.1.2 Club Development

The Committee is comprised of up to (5) persons nominated in accordance with its Charter, at least one of whom shall be a Director who shall act as Chair. The role of the committee is the provision of support and assistance to clubs and their members, in whatever form that may take in order to achieve long term sustainability on and off the green. In addition the Committee is responsible to the Board for the ongoing personal and professional development of the Board, Staff and Committee Volunteers of the Association.

4.1.3 Bowls Management

The Bowls Management Committee shall be chaired by a Director and is charged with the overarching responsibility for the game of bowls in Western Australia. This committee will comprise a member appointed by the Country Committee , the Chairpersons of the four Operational Committees, and two men and two women elected by the metropolitan clubs.

4.1.4 Country

The Country Committee shall consist of members elected annually from each of the country zones and is responsible for strategic and operational matters pertaining to regional Western Australia. The Chairperson of the Committee shall be the Director allocated to the portfolio.

4.1.5 Governance and People Development

The Governance Committee shall comprise up to three members from the Board, one of whom shall be the Chair. The Committee is responsible to the Board for the recommending of any additions and/or amendments to Committee Charters, By Laws or the Constitution, ensuring that appropriate levels of Governance are maintained. The Committee is responsible to the Board for the ongoing personal and professional development of the Board, Staff and Volunteers and the recommendation for addition and/or amendment to Committee Charters, By Laws and the Constitution, in addition to ensuring appropriate levels of Governance are in place. .

Each Standing Committee may co-opt members as the need arises.

Separate Charters for each of these Standing Committees is included in the Corporate Governance file.

4.2 Operational Committees

4.2.1 Umpires Committee

The Committee is responsible for ensuring the adherence to the Laws which control the sport of bowls as described in the *Laws of the Sport of Bowls* and associated to that the training, coordination and development in all its forms of officiating throughout the state of Western Australia.

4.2.2 Greens and Infrastructure

The Greens and Infrastructure Committee is responsible for Playing Facilities, Club Conditions and the provision of assistance for Facility Planning.

4.2.3 High Performance and Coaching

The High Performance and Coaching Committee is responsible for all matters relating to the representative teams of Bowls WA, in addition to the delivery of Coach Education in all its forms throughout Western Australia. ..

4.2.4 Fixtures and Events Committee

The Fixtures and Events Committee is responsible for the conduct and coordination of Bowls WA events, including the Metropolitan Pennant Competition(s).

Separate Charters for each Operational Committee is included in the Corporate Governance File.

4.3 Special Interests

The Board may appoint persons or committees to deal with special interests or tasks on a needs basis. Such persons or

committees will be responsible for reporting to the Board or to a nominated Board Director.

4.4 Metropolitan Region League and Zone Committees

4.4.1 Metropolitan Regional Committees (refer to By Law 1.5.1)

Metropolitan Regional Committees consist of the delegates of the clubs within their region. A Charter is included in the Corporate Governance File.

4.4.2 Country Zone Committees (refer to By Law 1.5.2)

Country Zone Committees consist of delegates from each League within the zone.

4.4.3 Country League Committees (refer to By Law 1.5.3)

Country League Committees consist of delegates from the clubs within the League.

4.5 Nominations for Club Development (Standing Committee) and Operational Committees

- (i) Nominations for a position on a committee are open to every active member of an affiliated club.
- (ii) The Association shall call for nominations for committee positions at least sixty (60) days prior to the Annual General Meeting.
- (iii) Nominations must be signed by the nominee and proposed and seconded in writing by an active member of an affiliated club, in addition to receiving the endorsement of the nominees Home Club Executive.
- (iv) Nominations shall close 35 days prior to the Annual General Meeting.

4.6 Nominations for the representatives of Metropolitan Clubs on the Bowls Management Committee.

- (a) Nominations will be called for by the Association at least sixty (60) days prior to the Annual General Meeting and shall close thirty five (35) days prior to the Annual General Meeting,
- (a) Nominees must be proposed and seconded by active members of an Affiliated Club and, endorsed by the Executive of the Home Club of the nominee and signed by the nominee,
- (b) A maximum of one member of each gender per club can be elected or appointed to the committee,
- (c) If there are more nominations than positions available then nominations received will be sent to clubs not more than ten (10) working days after nominations closed with supporting documents and ballot papers,
- (d) Every affiliated metropolitan club is entitled to one vote and this shall be cast by post and received by the close of business seven (7) days prior to the Annual General Meeting,
- (e) The successful appointees will be those receiving the most votes from clubs.
- (f) If there are insufficient nominees to fill the positions, the Board will appoint representatives to fill the vacancies while maintaining the gender balance of two men and two women.

4.7 Nominations for Regional, League and Zone Administration Committees

Nominations for Regional, League and Zone Administration Committees will be in accordance with the relevant Charter and the relevant League and Zone By Laws.

4.8 Vacancies

- (i) Casual vacancies on committees can be filled at any time with nominees approved by the Board.
- (ii) Any casual vacancy can only be filled for the remainder of the term.

4.9 Terms of Office

All Committee positions shall be for a 2 year term. The term commences from the date of endorsement at the Annual General Meeting.

4.10 Chairperson of Committees

- (i) The Chairperson of all Operational Committee's will be determined as stated in their Charter.
- (ii) Standing Committee's will have a Board Member as Chairperson.

5. DISCIPLINE

5.1 Complaints made to the Board against a Player, Administrator or Official.

The Board may reprimand, suspend or expel an Affiliated Club (as described in Rule 6 of the Constitution) or an individual member of an Affiliated Club in accordance with Rules 8 and 20 of the Constitution. In addition the Board has the power to review any

decision made by an affiliated club in relation to the conduct of a player, administrator or official and take such further action as deemed necessary.

The alleged offender may continue in the sport of bowls (whether as a club, player, administrator, or official) until there is an adverse determination by the Disciplinary Panel (see below) which excludes them from participation.

- (i) An allegation against an Affiliated Club or member thereof of behavior which is not in the best interest of the game or which brings the sport into disrepute shall be in writing and lodged with the Chief Executive Officer. Any allegation considered to be vexatious, trifling or frivolous shall not be acted upon.
 - (ii) An allegation must be received within 10 days of the alleged offence or in the case of the Board reviewing a club's determination within ten (10) days of that decision.
 - (iii) The Chief Executive Officer shall refer the allegation to the President or the nominated representative from the Board who shall appoint a Bowls WA Disciplinary Panel. The Panel shall conduct a hearing within 21 days of receipt of the written allegation. At the President's or the nominated representative's discretion an extension of that period may be granted.
 - (iv) The Disciplinary Panel shall be responsible for conducting the hearing by adhering to the following procedures:
 - Notify the complainant of the time, date and place of the hearing and advise that they are entitled to have present and be heard, such witnesses to support the allegation as required and these witnesses shall be subject to examination by the Disciplinary Panel.
 - Notify the alleged offender of the allegation and the time, date and place of the hearing. The alleged offender shall be entitled to have present and be heard, such witnesses as required in their defence and these witnesses shall be subject to examination by the Disciplinary Panel.
- Note: Written witness statements are acceptable
- (v) If the alleged offender pleads guilty to the allegation no further investigation is required and the Disciplinary Panel will recommend a penalty to the Board.
 - (vi) If the alleged offender chooses to defend the allegation, the Disciplinary Committee shall proceed with the hearing. The alleged offender may be represented by an affiliated club member who is not legally qualified.
 - (vii) Should the defendant or their representative fail to appear at the hearing without providing an acceptable explanation, the allegation shall proceed in their absence and any penalty imposed be equally binding as if the affiliated club or its member had been present.
 - (viii) The hearing shall not be restricted by the Rules of Evidence and the Affiliated Club and/or its Member will be subject to, and submit unreservedly to jurisdictions, procedures, penalties and appeal mechanism set out in these By Laws.
 - (ix) The Disciplinary Panel will present and submit their findings and recommendation to the Board for approval.
 - (x) The Chief Executive Officer shall notify the parties of the outcome.

5.2 PENALTIES

The penalties which may be imposed by Bowls WA include:

- (i) a reprimand;
- (ii) suspension of such activities, on such terms and for such period as is considered fit;
- (iii) exclusion or disqualification from a particular activity, event or events;
- (iv) disqualification for such period as is considered fit;
- (v) expulsion;
- (vi) any other penalty considered appropriate in the circumstances

No penalty shall be imposed prior to the hearing and determination by the Disciplinary Panel.

5.3 EFFECT OF PENALTY

An Affiliated Club member expelled by Bowls WA under Rule 8 or Rule 20 shall be ineligible to enjoy any privileges of the Association. Such benefits shall include all amenities to play or watch bowls from any area under the control of a club.

5.4 APPEALS

If an Affiliated Club or club member wishes to lodge an appeal a fee of \$250 will apply.

An Affiliated Club or club member found guilty of the allegation by the Disciplinary Panel may appeal

- (i) the conviction;
- (ii) the severity of the penalty, by lodging with the Chief Executive Officer within twenty one (21) working days of the conviction, written grounds for appeal.
- (iii) On receipt of an application for appeal the Chief Executive Officer will notify the Board and the President shall call a meeting of the Board which shall hear the appeal within a period of twenty one (21) working days. A 75% majority of Board members present shall be required to vary the decision.
- (iv) The Board shall have power to:
 - (a) reverse the findings
 - (b) decrease the penalty
 - (c) increase the penalty
- (v) The finding of the Disciplinary Panel will remain current and in place until varied or otherwise by the Board,
- (vi) The decision of the Board shall be final.
- (vii) After a period of one year for suspension and five years for expulsion has elapsed an Affiliated Club or Club Member previously suspended or expelled by BWA for a longer period may apply to the Board to have the penalty withdrawn. If a Club Member is successful they may then apply to join a club as a full member but their application must state that they have previously been suspended or expelled from membership by BWA.
- (viii) Failure to give notice of the previous breach may result in further suspension or expulsion if considered necessary.

6. ADVICE OF CLUB DISCIPLINARY ACTION

6.1 Suspension or Expulsion of a Club Member

When a Club Member has been suspended or expelled for a **breach of club rules**, the club shall advise the Chief Executive Officer of the Association within seven (7) working days providing details of the suspension or expulsion including the length of the penalty.

The Chief Executive Officer will advise the Board of the notification of suspension or expulsion.

Given this is a breach of club rules and for the avoidance of doubt, the Club Member in question may continue playing bowls at competitions and events below pennant level (see Metropolitan General Conditions - Eligibility 2.2 iii) at clubs other than their "home" club where the suspension applies **or** transfer "home" club status to another club, subject however to rules defining transfers between clubs.

Should the Club Member in question seek to transfer "home" club status, the club he/she wishes to transfer to, must be informed of the suspension/expulsion and the details relating to it.

6.2 Inter Club Disciplinary Action

In any competition, if in the opinion of the Committee of a participating Club, a Club Member commits an offence that is a violation of the Laws of the Sport of Bowls or of these Rules, it shall be reported to the club member's Home Club.

Within (7) days of receipt of the report the Home Club shall advise the Complainant Club of its findings. If the Complainant Club is not satisfied with the action of the Home Club it may appeal to the Board of the Association as per Rule (5.1) in these By Laws.

7. CLEARANCES (RULE 22)

7.1 INTERSTATE CLEARANCES

7.1.1 Any person having been an active member of an affiliated bowling club in another Australian State or Territory within the past two years seeking membership of a Club in this State, shall lodge with their application a clearance from their State or Territory. The club shall forward such clearance forthwith to the Association.

7.1.2 Any active member of an affiliated bowling club in Western Australia seeking membership of a club in another State or Territory shall apply to BWA for a clearance.

7.2 INTRASTATE CLEARANCES

7.2.1 Active Members require clearances between clubs in Western Australia, which are activated through the *Bowls Connect* transfer system. However should any club claim that an outgoing active member is in financial dispute with their club, then they must contact Bowls WA setting out their dispute with the member. The President and / or Chief Executive Officer shall appoint a mediator to resolve the dispute and the member may not play for any other club until the dispute is resolved.

7.2.2 Eligibility to play in events is subject to the rules governing Field of Play.