



TUGGERANONG VIKINGS BOWLS CLUB INC.

(AO6340)

2022 CONSTITUTION

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1. PRELIMINARY

Definitions and Interpretations

- 1.1 Unless the context of subject matter otherwise indicates or requires:
 - (a) "the Act" means the ACT Associations Incorporation Act 1991.
 - (b) "Licensed Club" means the local management structure of the Vikings Group.
 - (c) "Bowls ACT" means Bowls ACT Incorporated.
 - (d) "Club" means the Tuggeranong Vikings Bowls Club Incorporated under this present name or any change thereof that may be registered under the Act.
 - (e) "Public Officer" means an ACT resident, appointed under section 57 of the Act.
- 1.2 The Secretary will act as the Public Officer of the Club and discharge the duties of that office as required under section 57 of the Act. In the event that the position of Public Officer becomes vacant, a replacement must be appointed within 14 days of the vacancy occurring, and the ACT registrar-general is to be advised under section 67 of the Act.
- 1.3 The provisions of the Legislation Act 2001 apply to and in respect of these rules in the same manner as those provisions would apply if these rules were an instrument made under the Act. The Constitution cannot be altered except by special resolution passed in accordance with section 70 of the Act.

2. NAME OF THE CLUB AND CLUB COLOURS

- 2.1 The name of the club is the TUGGERANONG VIKINGS BOWLS CLUB INC (hereinafter called the Club).
- 2.2 The colours of the Club are Red, White and Black.

3. OBJECTS AND PURPOSES

- 3.1 As an affiliated sporting club of the Licensed Club, promote and advance the game of lawn bowls.
- 3.2 As a member of Bowls ACT, to conform with the requirements of its rules and regulations.
- 3.3 To promote and maintain an enjoyable competitive, recreational and social environment for members, through the playing of lawn bowls, organising social functions, and other activities that are conducive to advancing these purposes.

4. STRUCTURE

- 4.1 The affairs of the Club shall be administered by the Management Committee (hereinafter called the Committee).
- 4.2 The Club shall be registered as a member of Bowls ACT.
- 4.3 The Club shall affiliate with the Licensed Club.

5. ELIGIBILITY FOR MEMBERSHIP

- 5.1 Application for membership of the Club shall be limited to financial members of the Licensed Club or a junior under the age of eighteen (18) years.

6. CLASSES OF MEMBERSHIP

The membership of the Club shall consist of:

- 6.1 **AFFILIATED MEMBERS** - An affiliated member is a person who has attained the age of eighteen (18) years, who has applied for and has been accepted for either full or pensioner membership of the Club. Affiliated members shall be entitled to enter bowling events and championships organised by the Club and Bowls ACT. Affiliated members may also vote and nominate for any office in the Club.

- 6.2 JUNIOR MEMBERS - A junior member is a person under the age of eighteen (18) years who has applied for and has been accepted for junior membership of the Club. Junior members shall not be entitled to stand for office or vote at any meetings of the Club. Junior members shall be entitled to enter events and championships organised by the Club and Bowls ACT.
- 6.3 LIFE MEMBERS - A member who has rendered meritorious service to the Club may, on the recommendation of the Committee, be elected as a Life Member of the Club at any Annual General Meeting (AGM) of the Club. Acceptance of the proposal will be by a simple majority vote. Every Life Member, including those recognised by the previous Tuggeranong Vikings Lawn Bowls Club and the Vikings Bowls Club, shall be entitled to all of the privileges of an affiliated member but without being liable for annual Club subscriptions or annual registration fees.
- 6.4 ASSOCIATE MEMBERSHIP is available for bowlers currently registered as a full bowling member of another bowling club. Associate members are entitled to participate in club social bowls, non-championship tournaments and in the social activities of the Club. This membership is honorary in character and infers no right of participation in Club management or in Club championships.
- 6.5 SOCIAL (NON-BOWLING) MEMBERSHIP is available for persons who would like to participate in the social activities of the Club. Social members shall not be entitled to vote or nominate for any office in the Club.

7. APPLICATION FOR MEMBERSHIP

- 7.1 A person wishing to apply for membership of the Club shall make application in writing by completing an "Application for Membership" form. Each applicant shall be proposed by one (1) financial member and seconded by another financial member of the Club.
- 7.2 The Secretary will notify applicants of the result of their application, as soon as practicable after the Committee meeting at which their application was considered.
- 7.3 When an application for membership has been accepted, the new member shall, within thirty (30) days of receipt of notification, pay the due subscription. Otherwise, the membership shall automatically become null and void.
- 7.4 New members who pay annual Club subscriptions in the fourth quarter of the financial year, shall not be required to pay any further annual subscriptions during the following year.
- 7.5 Restrictions shall not be imposed on any applicant by virtue of religious or political beliefs, gender, nationality or race.
- 7.6 The Secretary shall be responsible for regularly updating its list of registered bowlers in the Bowls ACT Bowlslink system, and pay the annual affiliation fees and any levies imposed on the Club. This must be in accordance with Bowls ACT procedures and systems.

8. CESSATION OF MEMBERSHIP

- 8.1 A person ceases to be a member of the Club if that person:
- (a) resigns from membership of the Club;
 - (b) is expelled from the Club; or
 - (c) fails to renew membership of the Club or the Licensed Club.
- 8.2 Where a person ceases to be a member, the Secretary shall arrange for an appropriate entry to be made in the register of members.

9. SUBSCRIPTION AND LEVIES

- 9.1 The amount of annual Club subscriptions due and payable for each membership shall be such as the Committee determines from time to time.

- 9.2 An annual affiliation fee shall be additional to, and submitted with, the Club subscription by each member (except Life members – sub-rule 6.3). The annual affiliation fee will be remitted by the Club to Bowls ACT.
- 9.3 Green fees, championship fees and pennant levies shall be as determined by the Committee.

10. FINANCIAL YEAR

- 10.1 The financial year of the Club shall be aligned as practicable, with the financial year of Bowls ACT.
- 10.2 All fees for the ensuing year are due and payable on or before the commencement of each financial year. Failure to renew membership within one (1) calendar month of the due date may cause that person to be required to make a new application for Club membership, at the Committee's discretion.

11. FINANCIAL ARRANGEMENTS AND ACCOUNTS

11.1 Sources of funds

- (a) The funds of the Club will be derived from fees, donations and such other sources of income as the Committee determines.

11.2 Application of funds

- (a) The funds and property of the Club must be applied solely towards the promotion of the objects and purposes of the Club as set out in rule 3.
- (b) No portion of the funds or property of the Club is to be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise to any member, but this does not preclude payment to a member in good faith for expenses incurred or services rendered.
- (c) The Committee will put in place policy concerning the use of credit and debit cards, the application of cash, and authority for the expenditure of funds. This policy shall include, but not be limited to sub-rule 11.2 (d).
- (d) The delegated signatories for the Club's funds management are the President, Treasurer and Secretary. Expenditure shall be approved by any two (2) of the delegated signatories and paid either by electronic funds transfer or by cheque or cash:
- (i) payments made through electronic funds transfer are to be checked against supporting documentation by any one (1) of the delegated signatories; and
 - (ii) cheques, contracts and other negotiable instruments are to be processed in accordance with current sound financial practices.

- 11.3 The Club shall ensure that all monies are deposited with such financial institutions as the Committee may approve.

- 11.4 The Committee may approve supplementary funding to top up monies raised by members for charitable donations.

- 11.5 The Club must keep financial records that:

- (a) correctly record and explain its transactions, financial position and performance; and
- (b) enable financial statements to be prepared as required by the Act.

12. MANAGEMENT COMMITTEE

- 12.1 The entire management of the club shall be entrusted by the members to a Committee consisting of:

PRESIDENT (Male or Female)

Two VICE PRESIDENTS (1) Male (1) Female

SECRETARY (Male or Female)

TREASURER (Male or Female)

Two BOWLS ORGANISERS (1) Male) (1) Female

Two COMMITTEE MEMBERS (Male or Female)

- 12.2 At every AGM the office bearers shall retire from office but shall be eligible for re-election if nominated.
- 12.3 An office bearer will be required to vacate their office if they are suspended or expelled under sub-rule 23.5, or fail to attend three consecutive meetings without approval of the Committee, or are unable to fulfil their duties.
- 12.4 For relevant requirements under the Act, the President, Vice Presidents , Secretary and Treasurer are the executive officers of the Club.

13. POWERS AND DUTIES OF THE COMMITTEE

- 13.1 The Committee subject to these Rules and to any resolution passed by the Club in general meeting shall:
- (a) control and manage the affairs and activities of the Club;
 - (b) approve the Club's bowls program and monitor its implementation;
 - (c) monitor the activities of the Club's sub-committees;
 - (d) keep members informed of its activities and seek their views on such activities by virtue of meetings, the club notice board, electronic mail and announcements on playing days; and
 - (e) liaise with Bowls ACT and the Licensed Club as required in the management of the affairs and activities of the Club.
- 13.2 The Committee is empowered to make or alter duty statements for Committee positions, functions of sub-committees, and any policies and procedures related to the conduct of the business of the Club and the carrying out of its activities.
- 13.3 The Committee may establish, and delegate any of its functions or powers to a sub-committee, for example, a disciplinary sub-committee, as provided for in 23.3. Any such appointment or delegation may be revoked at any time.
- 13.4 Should the Committee require the services of other persons for the efficient management of its activities, such persons may be co-opted by the Committee. Any such appointment or delegation may be revoked at any time.
- 13.5 Casual vacancies on the Committee may be filled by resolution of the Committee and the appointment shall be for the remainder of the term of the vacated office.

14. DELEGATE TO BOWLS ACT

- 14.1 The Club shall have two delegates to Bowls ACT who shall be:
- (a) the President; and/or
 - (b) a Vice President; and/or
 - (c) the Secretary.

15. AGM AND QUORUM

- 15.1 The AGM of the Club shall be held at a place, time and date to be fixed by the Committee each financial year, in accordance with section 69 of the Act.
- 15.2 Notice of the AGM and duty statements shall be sent out by electronic mail and placed on the Club notice board at least twenty-one (21) days before the meeting, calling for nominations for positions on the Committee and for notices of motion and any other business to be transacted.

- 15.3 All business and notices of motion to be dealt with at the AGM shall be in writing, signed by the proposer and seconder, and be handed to the Secretary at least fourteen (14) days prior to the date set for the meeting.
- 15.4 The business of the AGM shall be to:
- (a) take the names of members present and eligible to vote;
 - (b) confirm the minutes of the last preceding AGM;
 - (c) deal, as required, with any business arising from the minutes of the previous AGM;
 - (d) receive Committee reports on the activities of the Club during the last preceding financial year;
 - (e) approve the reviewed financial accounts;
 - (f) elect members of the Committee;
 - (g) appoint or confirm a reviewer for the financial accounts of the Club;
 - (h) deal, as required, with any notices of motion;
 - (i) finalise the appointment of any standing sub-committee as required; and
 - (j) deal with matters of general business.
- 15.5 Except where special resolution is required, a resolution shall be passed by a simple majority vote of members eligible to vote and who vote on the resolution.
- 15.6 A quorum for an AGM shall consist of forty (40) eligible financial members or fifteen percent (15%) of the total number of eligible financial members, whichever is the lesser.
- 15.7 In the event of there being no quorum present thirty (30) minutes after the time fixed, those members who are in attendance may adjourn the meeting to a date decided upon by them. If there is no quorum at such later meeting, those members present and entitled to vote shall be deemed to be a quorum and may transact the business for which the meeting was called.

16. NOMINATIONS FOR OFFICE

- 16.1 At least twenty-one (21) days before the date fixed for the AGM, the Secretary shall call for nominations for the Committee positions.
- 16.2 Nominations of persons for election as members of the Committee shall be in writing signed by the nominee and two (2) financial members entitled to vote and shall be delivered to the Secretary at least fourteen (14) days before the date fixed for the AGM. Such nominations shall be posted on the notice board.
- 16.3 Candidates may withdraw their consent to nomination at any time by lodging with the Secretary, a notice of withdrawal. Any withdrawal of a nomination shall be posted on the notice board if time permits, otherwise it shall be notified to the AGM.
- 16.4 The positions for which nominations are required at the AGM are listed at Paragraph 12.1.
- 16.5 No member of the Club shall hold more than one (1) administrative position in the Club except where that person may be required to be a member of a standing committee or ad-hoc committee.

17. VOTING AT AN AGM

- 17.1 If the number of nominations received for individual positions on the Committee are equal to and fill the available vacancies, the members nominated shall be taken to be elected.
- 17.2 Should more than one nomination be received for an individual position on the Committee, an election by secret ballot shall be held during the meeting.
- 17.3 Tally clerks shall be appointed by the Committee and they shall tabulate any ballot papers under the supervision of the returning officer in private. Following the count, the results will be reported by the returning officer at the AGM.

- 17.4 In the event of an equal number of votes being recorded in a secret ballot, a draw shall be made by the returning officer to determine the result.
- 17.5 Only eligible financial members can nominate for office and vote at meetings for the election of office bearers.
- 17.6 No absentee, proxy or postal votes shall be permitted.
- 17.7 Any vacancy for which no nominations have been received may be filled at the AGM, or failing this, at a subsequent meeting of the incoming Committee.

18. DECLARATION OF A POLL AT AN AGM

- 18.1 The results of the polls at sub-rule 17.3 shall be declared by the returning officer at the AGM, at the conclusion of the reporting procedures of the outgoing Committee.
- 18.2 The successful candidates so named will take office at the completion of such declaration and will hold office until the next AGM of the Club or until resignation or vacation of such office within the current year.

19. COMMITTEE MEETINGS AND QUORUM

- 19.1 The Committee may meet at such times as it considers expedient but no less than six (6) times in any one financial year.
- 19.2 Committee meetings shall be held at a time and place as determined at the previous meeting.
- 19.3 The President or Secretary may summon an emergency meeting of the Committee by giving at least forty-eight (48) hours notification before the time appointed for the holding of the meeting.
- 19.4 A resolution shall be passed by a majority vote of the members at the meeting.
- 19.5 A quorum for a Committee meeting shall be five (5) members and the quorum for an emergency meeting shall be three (3) members.

20. GENERAL MEETINGS AND QUORUM

- 20.1 A general meeting of the Club may be convened by the Committee, whenever it thinks fit, or by a petition lodged with the Secretary from at least fifteen (15) financial members.
- 20.2 The Secretary shall notify members of a general meeting by electronic mail and the Club notice board at least twenty-one (21) days before the meeting. The notification shall outline the nature of the business to be transacted at the meeting.
- 20.3 Except where special resolution is required, a resolution shall be passed by majority vote of members eligible to vote at the meeting. No absentee, proxy or postal votes shall be permitted.
- 20.4 A quorum for a general meeting shall consist of forty (40) eligible financial members or fifteen per cent (15%) of the total number of eligible financial members, whichever is the lesser.
- 20.5 In the event of there being no quorum present thirty (30) minutes after the time fixed, the nature of the business will be deemed to have lapsed.

21. PRESIDING MEMBER

- 21.1 In the absence of the President, a Vice President shall preside at all Club meetings and in so doing, preserve order and enforce the rules of procedure.
- 21.2 In the absence of the President / Vice Presidents, the members present may elect another member of the Committee to preside at the meeting.

22. DISPUTE RESOLUTION

- 22.1 Where a member feels aggrieved by the actions of another member, or the Club, that member may lodge a written request with the Secretary for dispute resolution.
- 22.2 The Secretary shall, as soon as practicable, organise dispute resolution between the parties concerned. The meeting will be conducted by a grievance officer, appointed by the Committee and who is acceptable to both parties.
- 22.3 If the dispute involves a grievance between a member and the Club, an executive officer of the Committee, will represent the Club. Any agreements made by this executive officer, will be binding on the Club.
- 22.4 At the dispute resolution meeting:
- (a) The parties to the dispute, must in good faith, meet and discuss the issues and, if possible, resolve the matter.
 - (b) If the issues cannot be resolved between the parties, the grievance officer shall give due consideration to each parties view of the issues and determine the outcome of the dispute.
- 22.5 Following the dispute resolution meeting:
- (a) The grievance officer, as soon as is reasonably practicable, will notify each party to the dispute, in writing, about the decision and give reasons for the decision.
 - (b) Either party may appeal against the decision of the grievance officer, in writing, to the Secretary, within seven (7) days after receiving notification of the decision.
- 22.6 If an appeal is lodged in accordance with sub-rule 22.5 (b) in a dispute between members, the Secretary will forward copies of the written appeal and the grievance officer's written decision, to the Committee for consideration and final resolution.
- (a) The Committee may request additional information from either party in the dispute, and/or the grievance officer, if required.
 - (b) The decision made by the Committee, will be final and binding.
- 22.7 If the appeal is lodged in accordance with sub-rule 22.5 (b) in a dispute between a member and the Club, the Secretary will forward copies of the written appeal and the grievance officer's written decision, to an independent person acceptable to both the Committee and the member concerned.
- (a) The independent person may request additional information from either party in the dispute, and/or the grievance officer, if required.
 - (b) The decision made by the independent person, will be final and binding.

23. DISCIPLINING OF MEMBERS

- 23.1 There are grounds for disciplinary action against a member who has:
- (a) breached, or failed, refused or neglected to comply with, a provision of these rules or a policy made by the Committee; or
 - (b) acted in a manner unbecoming of a member or prejudicial to the interests of the Club or another member.
- 23.2 Where a written complaint is received by the Committee, it must consider whether the matter is of sufficient gravity to warrant disciplinary action. If disciplinary action appears warranted, the member concerned will be given notification in writing, by the Secretary, of the allegation.
- 23.3 A member receiving such notification shall be afforded the opportunity of making oral and/or written representations to a disciplinary sub-committee appointed by the Committee in defence of the allegations. Such representations must be made within

fourteen (14) days after receipt of the notification, or within a further period of time as agreed to by the disciplinary sub-committee.

- (a) The disciplinary sub-committee shall consist of three (3) impartial members.
 - (b) A chair shall be elected from within the membership of the sub-committee.
- 23.4 The disciplinary sub-committee shall give due consideration to such representations made by the member in their defence. Any decision made on the offence, shall be by unanimous agreement of the disciplinary sub-committee. If unanimous agreement cannot be reached, the allegations will be overturned.
- 23.5 If the disciplinary sub-committee considers the member's explanation of the alleged conduct is unsatisfactory, or if the member has made no explanation of their conduct, the disciplinary sub-committee may, by resolution:
- (a) for minor offences:
 - (i) issue an official reminder of acceptable behaviour
 - (ii) issue an official reprimand
 - (b) for major and repeat offences:
 - (i) suspend the member from membership of the Club for such period as the disciplinary sub-committee may deem fit; or
 - (ii) request the member to resign from membership of the Club and if the member does not resign within fourteen (14) days, the disciplinary sub-committee may expel the member from the Club.
- 23.6 The Secretary shall, as soon as practicable, give the member written notification of the decision and inform the member of their right of appeal.
- 23.7 A resolution to suspend or expel the member under sub-rule 23.5 will not take effect until the end of any appeal period:
- (a) if an appeal is not lodged, the appeal period will end seven (7) days after receiving notification of the decision of the disciplinary sub-committee under sub-rule 23.5.
 - (b) if an appeal is not lodged, and the member is suspended or expelled, the Secretary shall, as soon as practicable, inform Bowls ACT.
 - (c) if an appeal is lodged, the appeal period will end after a decision is made by the Committee in accordance with sub-rule 24.4(c).

24. RIGHT OF APPEAL OF A DISCIPLINED MEMBER

- 24.1 Any member who has been suspended or expelled under the provisions of sub-rule 23.5 shall have the right to appeal to the Committee against the decision of the disciplinary sub-committee.
- 24.2 An appeal against the decision of the disciplinary sub-committee must be made in writing by the member within seven (7) days after receiving notification of the decision from the Secretary.
- 24.3 The Committee shall convene a meeting with the member if an appeal is lodged with the Secretary in accordance with sub-rule 24.2.
- 24.4 At the meeting:
- (a) no business other than the question of the appeal shall be transacted;
 - (b) the disciplinary committee and the member shall be given the opportunity to make representations in relation to the appeal orally and/or in writing; and
 - (c) after hearing the representations, the Committee shall give due consideration on the question whether the resolution made by the disciplinary sub-committee under the provisions of sub-rule 23.5 should be confirmed or revoked and/or whether to reduce

or increase the penalty in severity. Any decision made on the matter, shall be by unanimous agreement of the Committee.

- 24.5 The decision of the Committee will be final and binding and if the member is suspended or expelled, the Secretary shall, as soon as practicable, inform Bowls ACT.

25. SERVICE OF NOTICES

- 25.1 For the purpose of disciplinary action under rules 23 & 24, a notice may be served by or on behalf of the Club upon any member either personally or by sending it by registered mail or by electronic means to the member at the member's address shown in the register of members.
- 25.2 Where a document is forwarded to a member by registered mail, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the member at the time at which the document would have been delivered in the ordinary course of post or where, in the case of electronic means of communication, the business day following the date of transmission.

26. INDEMNITY

- 26.1 The Club shall indemnify every member of the Committee against any costs, losses and expenses incurred by them or by reason of any contract entered into or act or thing lawfully done by such member in their capacity as a member of the Committee. It shall be the duty of the Committee to arrange immediate reimbursement of all such costs, losses and expenses as may be incurred by any such member.

27. LIABILITY OF MEMBERS

- 27.1 The liability of each member to contribute towards the payment of debts and liabilities of the Club for the costs, charges and expenses of the winding up of the Club, is limited to the amount, if any, unpaid by the member for annual subscriptions.

28. ALTERATIONS TO CONSTITUTION

- 28.1 The rules of this Constitution shall not be altered except by special resolution carried by a majority of three-quarters of the vote at an AGM or general meeting called for that purpose.
- 28.2 Notices of Motion to alter the Constitution shall:
- (a) be submitted in writing to the Secretary;
 - (b) bear the handwritten signature of the proposer and seconder above or beside their typewritten or hand printed names; and
 - (c) set out in full the proposed alteration including:
 - (i) a reference to the page and rule number in the Constitution; and
 - (ii) an indication of the effect the proposed alteration or amendment will have on any other rules in the Constitution and list these items.
- 28.3 If the members pass a special resolution to alter the Constitution, the Secretary shall, not later than thirty (30) days after the resolution is passed, lodge with the ACT registrar-general:
- (a) a notice setting out the particulars of the alteration; and
 - (b) a declaration by at least two (2) executive officers of the Club, to the effect that a special resolution was duly passed by the members of the Club in accordance with the Act.

29. CUSTODY AND INSPECTION OF DOCUMENTS

- 29.1 Except as otherwise provided in these rules, the Secretary and Treasurer must keep in their custody or under their control, all records and other relevant documents of the Club.
- 29.2 Relevant documents are those that relate to the incorporation and management of the Club, such as, financial records submitted to the AGM, code of conduct and policy documents.
- 29.3 All accounts, books and other relevant documents must be available for inspection by any member upon any reasonable request to the Secretary. Approval may be refused if the documents relate to the membership records, minutes of Committee meetings, commercial or legal matters.
- 29.4 Committee approval is required for the removal of original documents (or photocopies of them) from the place of inspection. The Committee will provide the member with an estimate of costs, to be paid by the member, if the request involves large numbers of photocopying to be undertaken.

30. DISSOLUTION OF CLUB AND DISPERSAL OF ASSETS

- 30.1 The Club shall not be dissolved except at a special general meeting of the members specially convened for the purpose and by a special resolution carried by a majority of three-quarters of the votes recorded in respect of same.
- 30.2 If upon the winding up or dissolution of the Club there remains after the satisfaction of all its debts and liabilities and any property whatsoever, the same shall not be paid to or distributed among the members of the Club, but shall be given or transferred to some other institution or institutions having objects similar or in part similar to the objects of the Club and which also prohibit the distribution of its or their property among its or their members. Such institution or institutions to be determined by the members of the Club at or before the time of dissolution or in default thereof by the Chief Judge of such court as may have or acquire jurisdiction in the matter.