

BOWLS NEW ZEALAND Incorporated

Incorporated Society Number 665375

Constitution

Adopted at the Bowls NZ AGM on the 13th of September 2025



BOWLS
NEW ZEALAND
AOTEAROA

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BOWLS NEW ZEALAND Incorporated

Constitution

PART I – OBJECTS & POWERS

1. Name

- 1.1. The name of the governing body for the Game of Bowls in New Zealand is Bowls New Zealand Incorporated, which is abbreviated in this Constitution as Bowls NZ.

2. Interpretation

In this Constitution, unless the context otherwise requires:

“Affiliation Fee” or “Membership Fee” means a fee payable by each Club to Bowls New Zealand and the Centre as specified at the Bowls New Zealand and Centre AGM’s.

“AGM” means an Annual General Meeting of Bowls New Zealand convened pursuant to Rule 24.1 (Annual General Meeting).

“Appointed Personnel” means any individuals who are appointed by the Board, a Centre Board or the executive of a Club (as the case may be) to positions of responsibility (and who are not employees or Officers) and includes coaches, green keepers, selectors, umpires, tournament directors.

“Board” means the body of persons comprising the Board of Bowls NZ established under this Constitution to carry out the business and affairs of Bowls NZ.

“Board Member” means any person elected or co-opted to the Bowls NZ Board in accordance with this Constitution.

“Board Selection Panel” means the panel constituted to appoint Board Members pursuant to this Constitution

“Bowls NZ” means Bowls New Zealand Incorporated.

“Bowls NZ Constitution” means the constitution of Bowls New Zealand.

“Bowls NZ Judicial Committee” means the Bowls New Zealand judicial committee established in accordance with the Bowls New Zealand Regulations or, in the absence of such Bowls New Zealand Regulations, as determined by the Bowls New Zealand Board.

“Bowls NZ Regulations or Domestic Regulations or Regulations” means the regulations of Bowls New Zealand made in accordance with the Bowls New Zealand Constitution. All Bowling Clubs and these members are bound by these regulations.

“Casual Member” means a person who participates in any bowling event or competition held by or at a Bowling Club who is not a Playing Member, Limited Playing Member, or a Non-Playing Member. A casual member may use the club facilities for a one-off bowling event/function or the specified limited period of the event/function.

“Centre” and “the Centre” means an incorporated society comprising of all Clubs and other Members having jurisdiction and authority in respect of the Game of Bowls within a Centre District.

“Centre Board” means the management committee, board, or other committee, however described, of the Centre that is responsible for the governance of the Centre.

“Centre District” means a geographical area classified by Bowls NZ in the Centre District Register in which each Centre has authority and responsibility for the administration of the Games of Bowls.

“Centre District Register” means the register maintained by Bowls NZ pursuant to this Constitution recording the details of boundaries and Members of Centres within each Centre District.

“Chairperson” has the meaning specified in Rule 18.6 (Chairperson).

“Chief Executive” means the person appointed by the Board to carry out the directions of the Board as an employee of Bowls NZ in association with the other employees of Bowls NZ.

“Club” means a bowling club that is a Member of a Centre, and by virtue of such membership, is also a Member of Bowls NZ. For the purposes of this Constitution a Club also includes any section or division of a club, whether or not incorporated (provided that Rule 8.2.1(b) has been complied with), (such as a Cosmopolitan or Charter Club) which section or division promotes and holds bowls competitions, even where such club or group is not a member of Bowls NZ.

“Club or Centre Decision” means a decision of the board, management committee or other equivalent governing body or any sub-committee of a Club or Centre about a member or Official of a Club or Centre regarding a Dispute or Misconduct conducted by that Club or Centre.

“Constitution” when used in relation to Bowls NZ means this Constitution together with any amendments.

“Contact Details” means a physical or electronic address and a telephone number.

“Contact Person” means a person holding the position of contact person for Bowls New Zealand Incorporated, being the person, the Registrar of Incorporated Societies can contact when needed.

“CPI” means the Consumer Price Index issued by Statistics New Zealand which is a measure of the price change of goods and services purchased by private New Zealand households.

“Day” means any day of the week (including Saturday, Sunday, and public holidays). Where an action is required to be done within a specified time (such as 30 Days) this means clear days, so it should be calculated by excluding the date of notice (or other relevant action) and the date of the meeting (or other relevant activity).

“Delegate” means a person elected to represent the Centre at General Meetings in accordance with this Constitution.

“Delegates Elected Member” means the Delegates Elected Member of Bowls NZ, elected pursuant to this constitution.

“Disputes and Complaints” means a situation where a Member has a grievance or difference about the meaning or effect of any rule, provision, decision, policy, practice, right, privilege or direction determined by another Member. A Dispute shall not include any grievance or difference about the meaning or effect of any rule of the Bowls New Zealand Anti-Doping and Anti-Match Fixing Domestic Regulations, any decision of the Bowls New Zealand Board, or a matter which involves an allegation of Misconduct.

“Financial Year” means the period from 1 July to 30 June in each year, unless otherwise determined by the Board.

“Former Constitution” means the constitution of Bowls NZ which was in place immediately prior to the adoption of this Constitution.

“Game of Bowls” means the game played on outdoor or indoor flat greens and defined in more detail by the Laws of the Sport.

“General Meeting” means either an AGM or a SGM of Bowls NZ.

“Governing Documents” means this Constitution, and the Bowls NZ Regulations.

“Honorary Life Member” means a person who has been granted honorary life membership of Bowls NZ pursuant to this Constitution.

“Individual Member” means a person who is a member of Bowls NZ, and/or a Centre and/or a Club pursuant to this Constitution and includes Life Members, Playing Members, Limited Playing Members, Non-Playing Members and Casual Members.

“Intellectual Property” means all rights and goodwill in any copyright works, business names, names, trademarks (or signs), logos, designs, patents or service marks relating to Bowls NZ or any event, or any competition or bowls activity or programme of or conducted, promoted or administered by Bowls.

“Interests Register” means the Register held and maintained by the Secretary in which is recorded the information referred to in this Constitution.

“International Level” means during, or in connection with, a Game(s) of Bowls held between New Zealand and another country, or a region situated outside of New Zealand, or which involves individuals who are Appointed Personnel appointed by the Board, Officers, appointed or elected in accordance with this Constitution, and/or National Representatives, whether or not connected to a Game(s) of Bowls.

“Laws of the Sport” means the laws for playing the Game of Bowls as approved by World Bowls.

“Limited Playing Member” means a person who wishes to play bowls at their Club only. The rights and privileges of membership as a Limited Playing Member shall be specified in the Club constitution, regulations and/or rules of the Club, but cannot extend beyond specific club tournaments and events. A Limited Playing Member may not participate in club championships, centre or national events.

“Life Member” means any person who has been granted life membership of Bowls NZ pursuant to this Constitution, and any person who was granted life membership of Bowls NZ under the former Constitution of the Bowls NZ (unless their membership has been terminated by Bowls NZ or they have resigned from membership).

“Member” means a Centre, Club, Individual Member, Honorary Life Member and such other members of Bowls NZ as specified in this Constitution.

“Membership Year” means each twelve month period from 1 July to 30 June.

“Misconduct” means, but shall not be restricted to, situations where a Member:

- a) breaches any provision of the Laws of the Sport;
- b) deliberately loses or attempts to lose a Game of Bowls or plays unfairly; unless it is match fixing in which case the Bowls NZ Anti-Match Fixing Domestic Regulation shall apply;
- c) alters a bowl after it has been stamped by a registered bowls tester without submitting it for retesting and restamping;
- d) at any event, function or activity of Bowls NZ, or of any Centre, or of any Club, or whilst on the property of Bowls NZ, any centre or any Club, uses any profane, indecent or improper language;
- e) at any time or place engages in offensive or insulting behaviour towards Bowls NZ, any Centre, any Club or any member of any Centre or Club, or any person acting for or on behalf of Bowls NZ, a Centre or a Club;
- f) breaches:
 - i. any provision of the Constitution, or the constitution of any Centre or any Club;
 - ii. this Regulation or the regulations (other than the Bowls NZ Anti-Doping Regulation), by-laws or other rules (however described) of Bowls New Zealand or a Centre or any Club;
 - iii. any policies of Bowls NZ or the Centre, or any Club;

- iv. any reasonable direction of the Club, Centre, or Bowls NZ (or person authorised on their behalf);
- v. any decision of a General Meeting, the Board or the Bowls NZ Judicial Committee or any decision of any equivalent bodies at any Centre or any Club;
- g) acts in a manner which brought, or could bring, Bowls NZ, or the Centre or any Club into disrepute;
- h) acts in a manner unbecoming of a Member, or which is prejudicial to the Objects and/or the objects of Bowls NZ and/or a Centre and/or a Club;
- i) fails or refuses, for a period of one calendar month to pay any fine or monetary penalty imposed by Bowls NZ, and/or the Centre and/or a Club or any authority under the jurisdiction of Bowls NZ or a Centre; and/or a Club
- j) aids or abets any of the conduct specified in (a) to (i) above.

“National Event” means a bowls event held by, or under the auspices of, or administered by Bowls New Zealand and held at a Centre or Club venue as determined by Bowls NZ. National Events may be held on an open, invitation, or limited entry basis. A National Event shall be deemed to start at the commencement of the official opening, manager’s meeting or pre-event briefing immediately preceding the event (whichever is the earlier) and shall end at the conclusion of the official closing, prize giving or official Bowls NZ function for the event (whichever is the latter).

“National Representative” means a player or other member of a Bowls Team or Bowls Side which has been selected by Bowls NZ to play bowls in an event or competition as a representative of New Zealand and also includes an Umpire or Official selected by Bowls NZ to represent New Zealand.

“Non-Playing Member” means a person who does not wish to play bowls at a Club but who wishes to enjoy an on-going association with the Club including participating in social activities at the Club.

“Objects” means the objects of the Club as specified in Rule 4 (Objects) of this Constitution.

“Officer” means an individual who is appointed or elected to a position of office as defined within the constitution of Bowls NZ a Centre or a Club, (for example president, board member, secretary, member of a committee, but who are not Appointed Personnel.

“Official” means any individuals who are Appointed Personnel or Officers.

“Ordinary Resolution” means a resolution passed by a majority of the votes properly cast by those Voting Members present and entitled to vote at the General Meeting at which the vote is occurring.

“Playing Member” means a person who wishes to enjoy the playing and non-playing rights and privileges of being a member of a Club, including life members, and students. Only playing members are entitled to play at other affiliated Clubs and to enter Club Championships, Centre, Regional and/or National tournaments and events.

“President” means the President of Bowls NZ elected in accordance with this Constitution.

“Privacy Officer” means the person appointed by the Board to address privacy matters for Bowls NZ.

“Register of Members” means the register described in this Constitution.

“Rules” means the rules of this Constitution.

“Safety Officer or Health & Safety Officer” means the person appointed by the Board to address Health & Safety matters at Bowls NZ.

“Secretary or Centre Secretary” in relation to a Centre or a Club means the Secretary or equivalent officer of the Centre or Club respectively.

“Selection Panel” means the panel constituted to appoint Board Members pursuant to this Constitution.

“Special General Meeting or SGM” means a Special General Meeting of Bowls NZ convened in accordance with this Constitution.

“Special Resolution” means a resolution passed by two-thirds of the votes properly cast by those Voting Members present and entitled to vote at the General Meeting at which the vote is occurring.

“Sports Tribunal” means the Sports Tribunal of New Zealand established under the Sport and Recreation New Zealand Act 2002 and continued under the Sports Anti-Doping Act 2006.

“Sub-Centre” means a Sub-Centre defined and recognised by a Centre pursuant this Constitution.

“Voting Members” means those persons entitled to vote at General Meetings of the Centre as specified in this Constitution.

“World Bowls” means the international federation responsible for governing the Game of Bowls internationally, of which Bowls NZ is a member.

Construction: In this Constitution:

- a) a gender includes all other genders;
- b) the singular includes the plural and vice-versa;
- c) any reference to legislation includes any regulation, order-in-council or other instrument issued or made under that legislation, and any modification or re-enactment of that legislation, or any legislation enacted in substitution of that legislation;
- d) any agreement includes that agreement as modified, supplemented, innovated or substituted from time to time;
- e) a reference to persons includes bodies corporate;
- f) a reference to a person includes the legal personal representatives, successors and permitted assigns of that person; and
- g) headings and the contents page are for reference only and are to be ignored in construing this Constitution.

3. Registered Office and Contact Persons

- 3.1. The registered office of Bowls NZ shall be at such place as determined by the Board or CEO from time to time.
- 3.2. The Board appoints the CEO (or nominee) to be the Contact Person, subject to those persons meeting the eligibility criteria set out in the Incorporated Society Act 2022.

4. Objects

- 4.1. The objects of Bowls NZ are:
 - a) To lead, promote and advance the Game of Bowls in all its forms in New Zealand, and at all levels including nationally, regionally, and at Centre and Club levels.
 - b) To enhance, develop and promote membership of Bowls NZ, Centres and Clubs.
 - c) To control and regulate the playing and administration of the Game of Bowls by all persons both within New Zealand and through national and regional representation overseas.
 - d) To manage the financial affairs of Bowls NZ consistent with best business practice.
 - e) To encourage and promote the Game of Bowls so it is free from doping.
 - f) To consider and deal with all matters submitted to Bowls NZ in accordance with this Constitution.
 - g) To promote at an administrative level the amalgamation of women’s and men’s bowls in New Zealand.

- h) To regulate the holding of and lay down the conditions of all competitions and championships both local and international within its jurisdiction.
- i) To distribute and enforce the Laws of the Sport within its jurisdiction and to determine, alter or rescind, as necessary, any Domestic Regulations.
- j) To maintain and improve the playing surfaces of bowling greens in New Zealand.
- k) To make, alter or rescind Regulations for any purposes provided for in this Constitution.
- l) To provide for, control and regulate a uniform test for bowls for use in games played under its jurisdiction and control in accordance with the Laws of the Sport.
- m) To promote good relations with other sporting bodies and sports-related organisations.
- n) To maintain membership of the relevant international bowling organisations including World Bowls.

5. Powers

5.1. The powers of Bowls NZ shall be:

- a) To purchase, lease, hire or otherwise acquire and hold real and personal property, rights and privileges;
- b) To control and raise money, including to borrow, invest, loan or advance monies and to secure the payment of such by way of mortgage, or charge over all or part of any of its real and personal property;
- c) To sell, lease, mortgage, charge or otherwise dispose of any property of Bowls NZ and to grant such rights and privileges of such property as it considers appropriate;
- d) To construct, maintain and alter any buildings, premises or facilities and carry out works it considers necessary or desirable for the advancement or improvement of such buildings, premises or facilities;
- e) To determine, raise and receive money by subscriptions, donations, fees, levies, the sale of goods and services gate charges, sponsorship, government funding or otherwise;
- f) To determine regulations, policies and procedures for the governance, management and operations of bowls in New Zealand;
- g) To make and enforce Regulations to prohibit doping and to recognise World Bowls, The Sport Integrity Commission and Sports Tribunal of New Zealand as the relevant entities to resolve all anti-doping violations committed by members of Bowls NZ under the applicable rules;
- h) To determine, implement and enforce disciplinary procedures for its Members, and their members, including imposing sanctions;
- i) To employ, determine and terminate staff and engage the services of personnel and organisations to work for and with Bowls NZ;
- j) To engage, determine and terminate the services of personnel and organisations to advise Bowls NZ;
- k) To contract, engage or otherwise make arrangements with any person or organisation to fulfil the Objects of Bowls NZ;
- l) To be a member and contribute to the administration and promotion of World Bowls;
- m) To be a member of, affiliate or be associated in any other way, with any organisation which has objects which are similar, in whole or in part, to the Objects of Bowls NZ;
- n) To determine who are its Members;
- o) To establish a Board, commissions, committees and other groups and to delegate its powers and functions to such groups;
- p) To make and enforce rules of competitions, tournaments and events for bowls in New Zealand including any Domestic Regulations and the enforcement of the Laws of the Sport;
- q) To develop national and other programmes for competing, coaching and officiating of bowls;
- r) To establish, organise and control international and national bowls competitions, tournaments and events in New Zealand;
- s) To award, grant or otherwise honour achievement and services to bowls and Bowls NZ;
- t) To select New Zealand and other representative Bowls Teams and Bowls Sides and squads;
- u) To undertake research of and about bowls and related matters to fulfil the Objects of Bowls NZ;

- v) To establish, maintain and have an interest in corporate or other entities to carry on and conduct all or any part of the affairs of Bowls NZ and for that purpose, to utilise any of the assets of or held on behalf of Bowls NZ;
 - w) To print and publish any newspapers, periodicals, books or leaflets and develop and implement any computer systems or software packages that Bowls NZ may consider desirable for the promotion of its Objects;
 - x) To produce, develop, create, licence and otherwise exploit, use and protect the Intellectual Property of Bowls NZ;
 - y) To purchase or otherwise acquire all or any part of the property, assets and liabilities of any one or more companies, institutions, incorporated societies or organisations whose activities or objects are similar to those of Bowls NZ, or with which Bowls NZ is authorised to amalgamate or generally for any purpose designed to benefit Bowls NZ;
 - z) To do any other acts or things which further the Objects of Bowls NZ, provided that the above powers shall not limit the rights and powers of Bowls NZ as an incorporated society under the Act.
- 5.2. The powers specified in Rule 5.1 shall not limit the rights and powers of Bowls NZ as an incorporated society under the Incorporated Societies Act 2022.

PART II – MEMBERSHIP

6. Membership

- 6.1. **Membership Categories:** The categories of membership of Bowls NZ, (collectively called “Members”) shall be:
- a) Centres: as described in Rule 7 of this Constitution.
 - b) Clubs: as described in Rule 8 of this Constitution.
 - c) Individual Members: as described in Rule 9 of this Constitution.
 - d) Honorary Life Members: as described in Rule 10 of this Constitution.
 - e) Other categories: being any other category or categories of membership of Bowls NZ as determined by the Board, from time to time.
- 6.2. **Recognised and Associated Organisations:** In addition to its Members, Bowls NZ may recognise certain organisations which have an interest in, or association with, the Game of Bowls and/or the Centre as described in Rule 11 (Recognised & Associated Organisations).
- 6.3. **General Rights & Obligations of Members:** In addition to any specific rights and obligations specified in this Constitution, all Members acknowledge and agree that:
- a) the Governing Documents constitute a contract between each of them and Bowls NZ and they are bound by the Governing Documents;
 - b) they shall comply with and observe the Governing Documents, and any determination, resolution or policy which may be made or passed by the Bowls NZ Board;
 - c) they are subject to the jurisdiction of Bowls NZ;
 - d) the Governing Documents are necessary and reasonable for promoting the Objects of Bowls NZ;
 - e) the Governing Documents are made in the pursuit of a common object, namely the mutual and collective benefit of the Members, the Clubs, the Centre, Bowls NZ and the Game of Bowls; and
 - f) they are entitled to all benefits, advantages, privileges, and services of membership as conferred by the Governing Documents.

7. Centres

7.1. **Existing Centres:** The following Centres which are located within the Centre Districts identified below shall, subject to this Constitution, be Members of Bowls NZ and have jurisdiction and authority in their respective Centre Districts:

• Auckland	Auckland Bowls Incorporated
• Bay of Plenty	Bowls Bay of Plenty Incorporated
• Northland	Bowls Northland Incorporated
• Counties-Manukau	Bowls Counties Manukau 2010 Incorporated
• Far North	Bowls Far North Incorporated
• North Harbour	Bowls North Harbour Incorporated
• Thames Valley	Thames Valley Bowls Incorporated
• Waikato	Bowls Waikato Incorporated
• Gisborne–East Coast	Bowls Gisborne-East Coast Incorporated
• Hawkes Bay	Bowls Hawkes Bay 2000 Incorporated
• Kapiti Coast	Bowls Kapiti Coast Incorporated
• Manawatu	Bowls Manawatu Incorporated
• Taranaki	Bowls Taranaki Incorporated
• Wairarapa	Bowls Wairarapa Incorporated
• Wanganui	Bowls Wanganui Incorporated
• Wellington	Bowls Wellington Incorporated
• Buller	Bowls Buller Incorporated
• Canterbury	Bowls Canterbury Incorporated
• Central Otago	Central Otago Bowls Incorporated
• Dunedin	Bowls Dunedin Incorporated
• Marlborough	Bowls Marlborough Incorporated
• Nelson	Bowls Nelson Incorporated
• North Otago	Bowls North Otago Incorporated
• South Canterbury	Bowls South Canterbury Incorporated
• South Otago	Bowls South Otago Incorporated
• Southland	Bowls Southland Incorporated
• West Coast	Bowls West Coast Incorporated

7.2. **New Centres:** No application for the creation of any new Centre shall be granted unless and until the Delegates at a General Meeting are satisfied that the creation of such new Centre is in the best interests of the Game of Bowls and of Bowls NZ.

7.3. **Authority of a Centre:** Subject to this Constitution, each Centre has authority over and responsibility for the administration of the Game of Bowls within its Centre District.

7.4. **Delegates:** The Centres shall appoint Delegates for General Meetings in accordance with Rule 22.5.

7.5. **Sub-Centres:**

- a) Any Centre may, by a majority of the votes recorded at a General Meeting, permit those of its member Clubs domiciled within a well-defined division of its Centre District to form themselves into a Sub-Centre, for such purposes, with such derivative powers and authorities under the Centre, and upon and subject to such terms and conditions (not inconsistent with this Constitution) as the Centre shall determine.
- b) Every Sub-Centre shall be deemed to be merely a component division of its parent Centre and shall be bound by the same obligations as its parent Centre. It shall not be entitled to separate representation on such Centre. The Centre may frame rules for the guidance of a Sub-Centre, but such rules shall be subject to the approval of Bowls NZ.

7.6. **Obligations of a Centre:** In addition to the obligations of a Centre as a Member under Rule 14, each Centre shall:

- a) administer, promote and develop the Game of Bowls in its Centre District in accordance with the Objects of Bowls NZ;
- b) be named as approved by the Board, after consultation with the Centre, which shall include reference to the name of the Centre District;
- c) be an incorporated society under the Incorporated Societies Act 2022;
- d) have as its members, Clubs and Individual Members and any other members it considers appropriate provided that such membership is consistent with this Constitution and the Regulations;
- e) obtain the prior approval of Bowls NZ in accordance with the Regulations for any Game of Bowls held by or under the auspices of the Centre where it is proposed that persons who are not Members may participate;
- f) adopt a constitution which is consistent with this Constitution by such date(s) as determined by the Board. For this purpose, the Board may issue a “model constitution” from time to time for the guidance of Centres drawing up or amending their constitutions and subject to this Rule, each Centre shall have power to draw up or amend its constitution for its own administration as it thinks fit provided however that the constitution of every Centre shall contain the minimum judicial requirements as determined by the Board and the following provision:

“All matches shall be played in accordance with the Laws of the Sport and Regulations as approved by Bowls NZ, and the Centre and its members shall, as a condition of the continuance of membership to Bowls NZ, at all times and in all respects conform to and be bound by the Constitution of Bowls NZ.”

- g) (if requested by Bowls NZ) file an annual return of Members with Bowls NZ in accordance with Rule 15;
- h) (if requested by Bowls NZ) collect the Bowls NZ Affiliation Fee from Clubs as described in Rule 13 of this constitution.
- i) apply its property and capacity in pursuit of the Objects of Bowls NZ, the Objects of the Centre and the Game of Bowls;
- j) do all that is reasonably necessary to enable the Objects of Bowls NZ and the objects of the Centre to be achieved;
- k) act in good faith and with loyalty to Bowls NZ to ensure the maintenance and enhancement of Bowls NZ and the Game of Bowls, and its reputation, and to do so for the collective and mutual benefit of the Members and the Game of Bowls;
- l) operate with, and promote, mutual trust and confidence between Bowls NZ and the Members;
- m) at all times act in the interests of the Members and the Game of Bowls.

7.7. Centre Constitutions and Regulations: Each Centre shall provide to Bowls NZ a copy of its constitution and any regulations or by-laws made pursuant to it and all amendments to such documents at the request of the Board and upon any such amendment being made. The Board may require a Centre to amend its constitution and/or regulations or by-laws if they, or any rule within them, is inconsistent or in conflict with this Constitution or the Regulations.

7.8. Alteration in Centre District Boundaries:

- a) The Centre Districts and their boundaries, and the Clubs which are situated in such boundaries, shall be recorded in an official Centre District Register of Bowls NZ retained at the offices of Bowls NZ.
- b) Alterations to Centre District boundaries or Clubs within those boundaries may be made by the Delegates at a General Meeting in accordance with the following procedure:

7.8.b.1. Applications from existing Centres for alterations shall be made in writing to the Chief Executive of Bowls NZ and shall be signed by the President and Secretary (or other equivalent officer) of the applicant Centre(s). The applications shall include:

- The name of the applicant Centre(s).
- A statement of the number of Clubs which are members of the applicant Centre(s) at the time of the application, and any other Centre affected by the alteration at the time of the application, with a list of names and total membership of each Centre.

- The names and postal addresses of the president and secretary of the applicant Centre(s) and any other Centre affected by the alteration.
 - Such other information as the applicant Centre(s) desire(s) to submit or may be required by the Chief Executive of Bowls NZ.
- c) All applications under Rule 7.9(b) shall be received by the Chief Executive of Bowls NZ no later than the 1st day of May for consideration at the next Annual General Meeting. The applications shall be duly notified to Delegates and to each Centre affected by the proposed alteration. The Board may direct that any application not received by the 1st day of May shall be considered at the next Annual General Meeting if it is satisfied that all Delegates and Centres can receive adequate notice of the application prior to the meeting, provided that the Board may approve an application by agreement of the Centres involved for the transfer of Clubs from one Centre to another and shall report the same at the next Annual General Meeting.
- d) A review of Centre District boundaries may be carried out from time to time by the Board and, in appropriate cases, the Delegates at a General Meeting may, on the recommendation of the Board and after full consultation with the Centres affected, alter the particulars recorded in the official Centre District Register and such alterations shall be binding on the Centres affected.
- e) Alterations to boundaries, including alterations following a review pursuant to Rule 7.4(d), shall be approved by a two-thirds majority of the votes of the eligible Delegates present at a General Meeting.
- 7.9. **Cessation or Dissolution of Centre:** Any Centre that wishes to cease to be recognised as a Centre or wishes to merge with another Centre or become a Sub-Centre of another Centre, shall make an application to the Board which shall in its discretion determine the application. If the application is to merge with another Centre or become a Sub-Centre of another Centre, then the written consent of that other Centre must be obtained. If the Board approves the application, then upon such approval the Centre shall cease to be a Centre under this Constitution.

8. Member Clubs

- 8.1. **Existing Clubs:** All Clubs as defined in Rule 2 of this Constitution shall be deemed to be members of Bowls NZ and as such shall be under the jurisdiction of Bowls NZ and shall be bound by and subject to this Constitution.
- 8.2. **Obligations of a Club:** In addition to the obligations of a Club as a Member under Rule 14 (Rights & Obligations of Members), each Club shall:
- a) administer, promote and develop the Game of Bowls at its club in accordance with the Objects of Bowls NZ and the objects of the Centre of which it is a member;
 - b) be an incorporated society under the Incorporated Societies Act 2022, unless the written agreement of the Board is obtained to remain as an unincorporated association until a specified date;
 - c) have as its members Playing Members, Limited Playing Members, Non-Playing Members and Casual Members only, provided that such membership is consistent with this Constitution, the Regulations, and the constitution of the Centre of which it is a member;
 - d) obtain the prior approval of Bowls NZ or the relevant Centre in accordance with the Regulations for any Game of Bowls held by or under the auspices of the Club where it is proposed that persons who are not Members may participate;
 - e) adopt a constitution which is consistent with this Constitution and the constitution of the applicable Centre by such date(s) as determined by the Board. For this purpose, the Board may issue a “model constitution” from time to time for the guidance of Clubs drawing up or amending their constitutions and subject to this Rule, each Club shall have power to draw up or amend its constitution for its own administration as it thinks fit provided however that the constitution of every Club shall contain the minimum judicial requirements as determined by the Board and the following provision:

“All matches shall be played in accordance with the Laws of the Sport and Regulations as approved by Bowls NZ, and the Club and its members shall, as a condition of the continuance of membership to Bowls NZ at all times and in all respects conform to and be bound by the Constitution of Bowls NZ.”

- f) file an annual return of its Members with the Centre and Bowls New Zealand in accordance with Rule 15;
 - g) pay the affiliation fee to either the Centre or Bowls New Zealand in accordance with Rule 13;
 - h) apply its property and capacity in pursuit of the Objects of Bowls NZ, the objects of the applicable Centre, the objects of the Club and the Game of Bowls;
 - i) do all that is reasonably necessary to enable the Objects of Bowls NZ, the objects of the applicable Centre and the objects of the Club to be achieved;
 - j) act in good faith and with loyalty to Bowls NZ and the applicable Centre to ensure the maintenance and enhancement of Bowls NZ, the Centre and the Game of Bowls, and its reputation, and to do so for the collective and mutual benefit of the Members and the Game of Bowls;
 - k) operate with, and promote, mutual trust and confidence between Bowls NZ, the applicable Centre and the Members;
 - l) at all times act in the interests of the Members and the Game of Bowls.
- 8.3. **Merger/Amalgamation:** Any Club that wishes to merge or otherwise amalgamate with any other Club shall notify and consult with the CEO and the Centre Board prior to such merger or amalgamation.
- 8.4. **Constitutions:** Each Club shall provide to Bowls NZ and the applicable Centre upon request a copy of its constitution and all amendments to its constitution. The Centre Board or the CEO may require a Club to amend its constitution if it, or any rule within it, is inconsistent or in conflict with this Constitution or the Regulations or the constitution or regulations of the Centre, as directed by the Centre Board or the CEO respectively.
- 8.5. **Game of Bowls:** A Club shall not, without the consent of its Centre or of Bowls NZ, play the Game of Bowls with any club, or the members of that club, which is not a member of Bowls NZ or any national association in membership with World Bowls.
- 8.6. **Application for Club Status:** Any Club not included within the provisions of Rule 8.1 which embodies a clearly defined and autonomous section organised for the playing of the Game of Bowls and desiring to be a Member of Bowls NZ shall make application to Bowls NZ through the Centre Board in the Centre District in which such Club is domiciled. The application shall be made on the approved form and countersigned as to accuracy by the president of the Centre who shall confirm that the proposed constitution of such Club has been approved by the Centre Board of the Centre.

9. Individual Members

- 9.1. **Individual Member Defined:** Subject to Rule 9.2 (New Individual Members), an Individual Member is:
- a) a person who is a Playing Member, Limited Playing Members, Non-Playing Member, or Casual Member of a Club;
 - b) a person who is a member of a Centre,
 - c) a member of the Board of Bowls NZ,
 - d) a person who is an Officer or other Appointed Personnel of Bowls NZ,
 - e) a member of any Centre Board,
 - f) a person who is an Officer or other Appointed Personnel of any Centre or a Club,
 - g) an individual who:
 - 9.1.g.1. umpires or officiates and is a member of a Club, or
 - 9.1.g.2. is a National Representative, or
 - 9.1.g.3. coaches or manages any Bowls Team or Bowls Side competing, in any Game of Bowls held by or under the auspices of Bowls NZ, a Centre, or a Club.
- 9.2. **Individual Member:** An individual described in Rule 9.1 will become an Individual Member upon, any of the following occurring:

- a) in the case of a Playing Member, Limited Playing Member or Non-Playing Member or an umpire/official described in Rule 9.1(g)(i), upon such person paying any membership or other fees due to a Club and the completion of the prescribed Bowls NZ membership form; or
- b) in the case of an individual described in Rule 9.1(c) to (f) and (g)(ii) and (iii), upon their election, selection or appointment to such position; or
- c) in the case of a Casual Member, upon that person's written agreement to participate in a bowling event or competition held by or under the auspices of a Club, a Centre or Bowls NZ, (including any organising committee on their behalf) where such event or competition has been prior approved by Bowls NZ or the applicable Centre in accordance with the Regulations. The Club, Centre or Bowls NZ (whichever is holding the event or competition) must ensure that any such member agrees in writing to participate in any such event or competition, and that their agreement includes agreement to be an Individual Member of Bowls NZ, the applicable Centre and the applicable Club for the period of the event or competition and/or while present at the bowling venue.

10. Honorary Life Members

- 10.1. **Definition:** Bowls NZ may grant honorary life membership of Bowls NZ to any person who has rendered exceptional service to the Game of Bowls and/or whose standing among bowlers and service as a Delegate or a former councillor of Bowls NZ shall entitle that person to such distinction.
- 10.2. **Notification and Election:** Any proposal to confer honorary life membership shall, after approval by the Board, be notified to all Delegates at least ninety (90) days prior to the Annual General Meeting at which such proposal is to be considered. The election of an Honorary Life Member shall be by ballot of all the Delegates and shall be approved only if supported by two-thirds majority of the votes of Delegates present and voting.
- 10.3. **General Meetings:** An Honorary Life Member shall be entitled at that person's own expense to attend all General Meetings of Bowls NZ and take part in the debate but shall not be entitled to vote in that capacity.
- 10.4. **Obligations:** An Honorary Life Member is not required to complete a Bowls NZ membership form but is deemed upon their appointment to acknowledge and agree to the obligations of a Member under Rule 14 of this Constitution.

11. Recognised & Associated Organisations

- 11.1. **Recognised Organisations:** Bowls NZ recognises the following incorporated and unincorporated organisations as being representative of the people they respectively purport to represent:
 - a) The Aotearoa Māori Bowls Association (established to promote the Game of Bowls within the Māori fraternity);
 - b) The New Zealand Blind Lawn Bowling Association Incorporated (established to promote the Game of Bowls amongst visually impaired bowlers);
 - c) The New Zealand Deaf Lawn Bowling Association (established to promote the Game of Bowls amongst deaf bowlers);
 - d) The Bowls New Zealand Greenkeeping Association Incorporated (established to promote the advancement of greenkeeping practices, techniques, turf care and education of greenkeepers);
 - e) The New Zealand Disabled Lawn Bowls Association Incorporated (established to encourage and offer the opportunity for disabled people to play the Game of Bowls), also referred to as ParaBowls New Zealand.
- 11.2. **Not Members:** The organisations named in Rule 11.1 are not members of Bowls NZ, but Bowls NZ and its Members shall co-operate and use their best efforts with such organisations to promote their mutual interest in the Game of Bowls.

- 11.3. **Other Organisations:** Bowls NZ may from time to time, in its discretion, give appropriate recognition to any other organisation if satisfied that such organisation has been established wholly or in part to promote the Game of Bowls amongst a special interest group that it purports to represent.
- 11.4. **Provision of Assistance:** The Bowls NZ Board may from time to time take whatever action it, in its discretion, deems appropriate to assist recognised representative organisations in increasing the participation of their respective members in the Game of Bowls.

12. Bowls NZ Board Intervention

- 12.1. **Intervention:** The Bowls NZ Board may intervene in the governance, management, or operations of a Club or Centre in whatever manner it considers appropriate, (including appointing a person or persons to act in place of a Club Board or Club Centre). This may occur if the Club Board or Centre Board considers that to do so is in the best interests of the Game of Bowls, and that of the Club or Centre:
- a) Club: If following the written request of either the Board of the Club or the written request of the majority of playing members, based on the most up to date records held at the office of the Club, the Bowls NZ Board considers it is in the best interests of the Centre, Bowls New Zealand and/or the Game of Bowls and/or the Club concerned.
 - b) Centre: If following the written request of either the Board of the Centre or the written request of the majority of the centre members, based on the most up to date records held at the office of the Centre, the Bowls NZ Board considers it is in the best interests of Bowls New Zealand and/or the Game of Bowls and/or the Centre concerned.
- 12.2. Subject to the provision of this, the Bowls NZ Board may of its own initiative, intervene in the governance, management or operations of a Centre or Club in whatever manner it considers appropriate, (including appointing a person or persons to act in place of a Centre Board or Club Board) when it is aware that the centre or club:
- a) is having, or likely to have, significant administrative, operational or financial difficulties; or
 - b) has breached a term of any agreement entered between Bowls NZ and the Centre or Club, and between the Centre and the Club; or
 - c) has less than 10 members; or
 - d) takes, or has taken against it, any action or proceedings to wind up, dissolve or liquidate it (unless for the purposes of amalgamation); or
 - e) enters into a compromise or arrangement with its creditors, other than a voluntary liquidation for the purpose of amalgamation with another Club; or
 - f) has a mortgagee or other creditor take possession of any of its assets; or
 - g) is acting in a manner which is bringing, or is likely to bring, the Game of Bowls into disrepute; or
 - h) is acting in breach of the Constitution or Regulations of Bowls New Zealand, the Centre concerned or of the Club concerned.

13. Affiliation Fees and Other Fees

- 13.1. **Annual Subscriptions:** Each year each Club shall pay to Bowls NZ an annual Affiliation Fee.
- 13.2. **Amount:** The amount of the Affiliation Fee is fixed and has been calculated using the affiliation fee of the Club on 31 December 2018. The amount of the affiliation fee will not be altered for any reason, including where the number of Individual Members increases or decreases at a Club, except where any of the following circumstances apply:
- a) where an increase in the percentage of the CPI occurs in the year from 1 April to 31 March, the Affiliation Fee payable by all Clubs shall be increased by the same percentage as the CPI increase; or

- b) where the Board deems, in its sole opinion, that a significant change (refer to Rule 13.3) in an individual clubs operations justify a change in the affiliation fee for that club; or
 - c) where a Club (Club A) joins or merges with one or more other Clubs (Club B), or otherwise agrees with Club B (or Clubs) to become one Club, (referred to as an “Amalgamation”), the Affiliation Fee for the amalgamated club, payable for the Financial Year in which the Amalgamation takes effect, will be the current Affiliation Fee for Club A added to the current Affiliation Fee of Club, and the Affiliation Fee of the other Clubs in the Amalgamation, if applicable; or
 - d) where a New Club is formed, the Affiliation Fee of the New Club will be calculated on the size of the clubs bowls activity relative to an existing clubs affiliation fee, as at 31 December of the first full Financial Year in which the Club has been affiliated to Bowls NZ, and as reported to Bowls NZ in the annual return of the Club for that Financial Year.
- 13.3. **Significant Change:** For the purposes of Rule 13.2(b) the definition of significant shall be by more than 30% and shall consider movement in all club bowls activity and membership.
- 13.4. **Amalgamation:** For the purposes of Rule 13.2(c) an Amalgamation may occur without the liquidation or wind up of any of the Clubs that form part of it.
- 13.5. **New Club:** For the purposes of Rule 13.2(d), the term “New Club” means a new bowling club which is established, otherwise than by Amalgamation, and is approved to be a Club under Rule 8 of this Constitution. The change of name to an existing Club is not a New Club. The Bowls NZ Board shall decide, in its discretion, if an Amalgamation has occurred or a New Club is formed under this Rule.
- 13.6. **Notification and CPI:** The CEO must give notice to all Clubs by no later than 30 November of the annual Affiliation Fee, but any failure of the Chief Executive to do so, or any non-receipt of such notice, shall not exempt the Club from the provisions of Rule 13 of this Constitution. The CEO must give notice to all Clubs by no later than 30 June in each year of its decision to increase the affiliation fees in line with CPI under clause 13.2 (a).
- 13.7. **Additional or Special Purpose Fees:** In addition to the annual affiliation fee(s), the Board may, in its discretion, specify administration, entry, or other fees for competitions, tournaments, matches or other activities at the Club or Centre.
- 13.8. **Payment Date(s):** Affiliation Fees shall be payable for the Financial Year of Bowls NZ ending the 30th day of June, and they shall be due and payable by each Club at the office of the CEO not later than the 15th day of December in each year. Additional or Special Purpose Fees shall be payable on the date determined by the Bowls NZ Board at its discretion.
- 13.9. **Default by Clubs:** If a Club has not paid their affiliation fee(s) or any other moneys owing to Bowls NZ within 30 Days of the due date for payment then that club’s membership may be suspended and that club (and its membership) shall not be entitled to exercise or enjoy any right, privilege, or advantage of membership until all such moneys have been paid, unless the CEO determines otherwise in special circumstances. Before any suspension can take effect, Bowls NZ must give written notice to the Club concerned of the outstanding moneys owed.
- 13.10. **Penalty:** The Board may determine a penalty payment (or payments) for any default in payment of any annual affiliation fee(s) or other fees by a Member.
- 13.11. **Audit:** The CEO may require disclosure of the membership records of a Club and/or Centre to verify that the clubs operations (bowls activity and membership) specified in the annual return is correct.

14. Rights & Obligations of Members

- 14.1. Members acknowledge and agree that:
- a) This Constitution constitutes a contract between each of them and Bowls NZ and they are bound by this Constitution and the Regulations;
 - b) They shall comply with and observe this Constitution and the Regulations and any determination, resolution or policy which may be made or passed by the Board;

- c) They are subject to the jurisdiction of Bowls NZ;
- d) This Constitution and Regulations are necessary and reasonable for promoting the Objects of Bowls NZ;
- e) This Constitution and Regulations are made in the pursuit of a common object, namely the mutual and collective benefit of Bowls NZ, its Members and the Game of Bowls;
- f) They are entitled to all benefits, advantages, privileges and services of membership as conferred by this Constitution.

15. Register of Members

15.1. **Membership Return:** For the purposes of:

- a) Complying with section 22 of the Incorporated Societies Act 2022;
- b) Determining the number and categories of Members of Bowls NZ;
- c) Determining the amount of the annual Affiliation Fee payable by each Club (via their Centre);
- d) Determining the voting entitlement for each Centre at a General Meeting;
- e) Enabling Bowls NZ to meet any contractual obligations it may have to sponsors, including the provision of membership lists containing the names and addresses of Individual Members; and
- f) Compiling the Bowls NZ Register of Members (which includes the Centres and Clubs Registers of Members),

an annual return of Members in the form prescribed by Bowls NZ shall be forwarded by each Club (or by each Centre) to Bowls NZ.

15.2. **Filing Annual Return:** The Club or Centre's annual return, for the period 1 January to 31 December, shall be sent to Bowls NZ by 31 January in each year. The annual returns must be certified as true and correct by the Club or Centre's President and/or Secretary.

15.3. **Failure to File Return:** Should any Centre or Club fail to forward a full and accurate completed return of all of its Members in the required format by the due date, then it shall be deemed to have suspended its membership to Bowls NZ and as such its Members shall be debarred from entering into any national or Centre competition or tournament until such time as a completed return is filed in accordance with Rule 15.2. In addition, all other rights and privileges of membership of the defaulting Club or Centre shall be suspended pending the completion of the return.

15.4. **Privacy Act 2020:** It is a condition of membership of a Bowling Club that each Member provide certain personal information about themselves (including their name, contact details, date of joining and the other mandatory personal information sought in the Membership Form). For the purposes of Principles 10-11 of the Privacy Act 2020, the use or disclosure of personal information obtained pursuant to Rule 15.1 (Membership Return) shall, subject to the provisions of Rule 15.5 (Exemptions), be a use or disclosure of information authorised by the individual concerned or a use or disclosure connected with or directly related to the purpose for which the information was obtained.

15.5. **Exemptions:** Notwithstanding the provisions of Rule 15.4 (Privacy Act 2020):

- a) should any person object to the disclosure of personal information in the manner prescribed by the Club, they may make application to Bowls NZ's Privacy Officer for an exemption. Any application to the Privacy Officer for exemption under this provision shall fully state the grounds upon which the applicant relies; and
- b) any person dissatisfied with the decision of the Privacy Officer under this Rule may request that the matter be considered by the Board whose decision shall be final. The Board may, if it wishes to do so, seek input from Sport New Zealand before making any final determination.

15.6. **Inspection of Register:** Any entry on the Register of Members shall, in respect of a Member, be available for inspection by that Member, upon reasonable request and in compliance with the Privacy Act 2020.

16. Resignation, Suspension & Termination of Membership

- 16.1. **Methods:** A Member's membership of Bowls NZ shall end in any of the following circumstances:
- expiry (if any) of their membership;
 - resignation of membership as described in Rule 16.2 (Resignation);
 - termination for default in fees as described in Rule 16.4 (Suspension & Termination for Default in Fees); or
 - termination under Rule 25(Discipline).
- 16.2. **Resignation:** A Member may resign their membership of Bowls NZ by giving not less than 30 Days' notice in writing to the Bowls NZ (or such other person as designated by the Board). On expiry of the notice period, and provided that the Member has paid all arrears of subscriptions and fees due and payable to the Club, Centre and Bowls New Zealand, the Member shall cease to be a Member.
- 16.3. **Suspension & Termination of Membership:** For the purposes of this Rule 16 (Resignation, Suspension & Termination), the term "suspension" means the act of suspending a Member from membership of Bowls NZ for a defined period of time, unless the terms of the suspension specify otherwise. The term "termination" means the action of expelling the Member and terminating their membership of Bowls NZ indefinitely, unless the terms of the termination specify otherwise.
- 16.4. **Suspension & Termination for Default in Fees:** A Member may have their membership of Bowls NZ suspended or terminated by the Board if any fees are due and outstanding to the Club, Centre or Bowls NZ for a period of 60 Days or longer after the date of any notice requiring the Member to pay the same has been given to the Member by the Club, Centre or Bowls NZ. Any such Member shall not be relieved from liability to pay the money owed to the Club, Centre or Bowls NZ.
- 16.5. **Suspension & Termination for Discipline:** A Member may have their membership of Bowls NZ suspended or terminated (and therefore also have their membership of Bowls New Zealand suspended or terminated) by the Board in accordance with this Constitution.
- 16.6. **Suspension & Termination by Bowls New Zealand:** A Member who has had their membership of Bowls NZ suspended or terminated by Bowls NZ shall also have their membership of the Club and Centre suspended or terminated. The Club and Centre is required to suspend or terminate any such Member immediately upon receiving notice from Bowls NZ that such suspension or termination has been determined. If the Member is subsequently reinstated to membership of Bowls NZ, then that membership shall be reinstated by the Club and Centre receiving notice from Bowls NZ of such reinstatement.
- 16.7. **Notification of Decision:** Upon receipt of any decision to suspend or terminate a membership of the under Rule 16.5 or Rule 16.6, the Secretary shall, as soon as practicable, inform the Member concerned and update the Register of Members. Before any decision under Rule 16 is made:
- the Member concerned shall be given seven (7) days written notice by the Secretary of the intended resolution; and
 - have the right to be heard by Bowls NZ on which the resolution is to be determined.
- 16.8. **Consequences of Suspension or Termination of Membership:** A Member who is suspended or terminated from membership of Bowls NZ shall forfeit all rights in and claims upon the Club, Centre and Bowls NZ and its property (including Intellectual Property), and shall not use any Club, Centre or Bowls NZ property (including Intellectual Property). In particular the Member shall:
- not be entitled to any of the rights or privileges of membership set out in the Governing Documents, including the right to vote at General Meetings;
 - not be entitled to participate, practice or play the Game of Bowls in any capacity in any competition, tournament, event or activity of Bowls New Zealand;
 - not be entitled to have access to any function, activity, facilities, services or premises of Bowls New Zealand; and
 - not be entitled to apply for, or be granted, membership, or to compete or play in a Game of Bowls with or for any other Club or Centre should the suspension or termination include all bowls and if such membership or playing rights are granted such membership and/or rights shall be invalid and in breach of

this Constitution, for the period of the suspension, or in the case of termination, indefinitely unless membership is reinstated in accordance with Rule 16.9 (Reinstatement).

The Judicial Process may recommend that the suspended or terminated Member be suspended or terminated by Bowls New Zealand based on the severity and nature of the misconduct as recommended in the Bowls New Zealand Disciplinary Guidebook.

- 16.9. **Reinstatement by Bowls NZ:** Membership, which has been suspended or terminated by Bowls NZ, may be reinstated at the discretion of Bowls NZ. If a member has their membership of the Club or Centre reinstated by the Club or Centre, the Club or Centre must notify Bowls New Zealand of such reinstatement within 7 Days of the decision to do so, to enable Bowls New Zealand to amend their respective registers of members accordingly.

PART III – GOVERNANCE

17. Patron, President and Delegates Elected Member

- 17.1. **Patron:** The Board may, if it considers it appropriate to do so, make a recommendation to the Members for consideration at a General Meeting that a person be elected as the Patron of Bowls NZ for a specified period of time. If the Board provides such a recommendation and it is approved by Ordinary Resolution at a General Meeting, then that person shall become the Patron of Bowls NZ at the conclusion of that General Meeting for the period determined by Bowls NZ. The Patron shall not be a member of the Board.

17.2. **President & Delegates Elected Member:**

- a) A President and Delegates Elected Member of Bowls NZ shall be elected at an Annual General Meeting.
- b) The Chief Executive shall, not later than the 15th day of June in the year in which the term of office of the President and/or Delegates Elected Member expires, write to each Centre and invite nominations for the position of President and Delegates Elected Member. The invitation will include the date for closing of nominations which must not be later than the 1st day of July in that year. Nominations shall be in writing signed by the President and Secretary of the nominating Centre and shall contain the consent of the nominee together with the nominee's full postal address and such other information as the Board may request in respect of each nomination.
- c) Nominations for the positions of President and Delegates Elected Member may be made by any Centre which may nominate any person.
- d) If more than one valid nomination for the office of President and/or Delegates Elected Member shall be received, the Chief Executive shall forthwith advise all Delegates and Centres of the names and addresses of the nominees, the names of the Centres which submitted the nominations and such other information as the Board from time to time deems appropriate.
- e) If no valid nominations for the position of President and/or Delegates Elected Member are received by the Chief Executive in accordance with this Rule, then nominations for such position may be made orally at the Annual General Meeting, provided that the approval of the nominee has been obtained. Should there be only one such nomination the Chairperson of the meeting shall declare the nominee elected. Should there be more than one such nomination, a ballot shall be taken amongst the Delegates present

17.3. **Election of President and Delegates Elected Member:**

- a) If an election is necessary for the positions of President and/or Delegates Elected Member, then a ballot shall be taken amongst Delegates at the Annual General Meeting.
- b) All Delegates are eligible to vote for each of the positions.
- c) Where there is an equality of votes between candidates then a second ballot shall be held, and in the event of an equality of votes after the second ballot then the outcome shall be determined by lot.
- d) In any ballot the candidate who receives at least 51% of the eligible votes shall be deemed to be duly elected to the position.

17.4. **Term of Office:**

- a) The term of office of the President shall be for three years, commencing at the conclusion of the Annual General Meeting at which they are elected, and expiring at the close of the second Annual General Meeting following their appointment. A President is eligible for re-election; however, no President may serve more than three (3) consecutive years.
- b) The term of office of the Delegates Elected Member shall be for three years, commencing at the conclusion of the Annual General Meeting at which they are elected, and expiring at the close of the second Annual General Meeting following their appointment. A Delegates Elected Member is eligible for re-election; however, no Delegates Elected Member may serve more than three (3) consecutive years.
- c) A President at the conclusion of their three-year term, may stand for the position of Delegates Elected Member, or as an appointed Board Member (see 18.1c). A Delegates Elected Member at the conclusion of their three-year term, may stand for the position of President, or as an appointed Board Member (see 18.1c).

18. Board

18.1. Positions on the Board: Bowls NZ shall have a Board which shall consist of up to seven (7) persons and no less than five (5) persons who have assumed office in accordance with this Rule 18 (Board). The Board shall consist of the following:

- a) a President;
- b) a Delegates Elected Member; and
- c) up to five other persons (including any persons co-opted to serve on the Board in accordance with this Constitution).

18.2. Selection Panel:

- a) There shall be a Selection Panel established whose function shall be to consider candidates (18.1c) for appointment to the Board.
- b) The Selection Panel shall consist of three (3) persons comprising:
 - 18.2.b.1. one (1) person who shall be elected or appointed by the Delegates at a General Meeting from applications received and circulated to Delegates prior to the General Meeting;
 - 18.2.b.2. the President for the time being of Bowls NZ or her/his nominee; and
 - 18.2.b.3. one (1) person who shall be appointed by the Board.
- c) In establishing the Selection Panel, the Delegates, the Board and the President (if her/his nominee is to be appointed) shall have regard to gender, geographic location and suitability factors.
- d) The Selection Panel shall be established by the Board no later than the 15th day of May in each year.
- e) No person applying for a position on the Board under Rule 18.3 shall in the same year be eligible to be a member of the Selection Panel.
- f) The Delegates may also appoint a deputy who shall stand in for its appointee under this Rule should the appointee for any reason not be available.

18.3. Applications for the Board:

- a) The Chief Executive shall, not later than the 15th day of May in each year, call for applications for the required number of Board Members. Applications by candidates seeking appointment as a Board Member shall be made in writing and received by the Chief Executive no later than the 15th day of June. The Chief Executive shall then forward all applications together with a copy of any curriculum vitae supplied by a candidate to the Selection Panel.
- b) The Selection Panel shall recommend to the Annual General Meeting the best candidate for the available positions on the Board based on merit. At the same time the Selection Panel shall supply a synopsis summarising the attributes it considers each candidate so recommended has for the position. The number of candidates to be recommended shall be the total of the number of Board Members retiring (by rotation or otherwise) or a lesser number if there are insufficient suitable candidates. In the event of there being insufficient applications, the Selection Panel may on its own initiative recommend a person or persons who it considers meets the required criteria. The Selection Panel's recommendations shall be conveyed to the

Chief Executive in time to enable the Chief Executive to give the notice required under the following sub-Rule.

18.3.b.1. Not later than thirty (30) days prior to the date of the Annual General Meeting, the Chief Executive shall advise all Centres and Delegates of the names of the candidates recommended and make available the candidate synopses.

18.4. Appointment of Board Members:

- a) The Delegates at the Annual General Meeting shall appoint as Board Members those candidates recommended by the Selection Panel unless a candidate is disqualified from holding office as a Board Member. A person shall be so disqualified if she/he is an undischarged bankrupt or a person who is prohibited from being a director or promoter of a company under the provisions of the Companies Act 1993.
- b) In the event that a recommended candidate is found to be disqualified from holding office as a Board Member then the Selection Panel shall reconvene as soon as practicable after the Annual General Meeting and shall, having regard to the criteria set out in Rule 17.3.2, select a person who it considers meets the required criteria and the name of the person so selected shall be circulated by the Chief Executive to all Delegates for endorsement. Upon receipt by the Chief Executive of the endorsement of a majority of Delegates, the candidate shall thereupon be deemed to have been duly appointed as a Board Member.

18.5. Term of Office of Board Members:

- a) Every Board Member (other than the President and Delegates Elected Member) appointed at an Annual General Meeting of Bowls NZ shall commence office at the conclusion of that Annual General Meeting and, subject to this Constitution, end their term, at the conclusion of the third Annual General Meeting following their appointment.
- b) Subject to this Constitution, the term of office for Board Members (other than the President and Delegates Elected Member) shall be for a period of three (3) years. Board Members (other than the President and Delegates Elected Member – see 17.4) shall be eligible for re-election for up to two (2) further terms. No Board member may serve for more than nine (9) consecutive years.
- c) Each year such number of the existing Board Members shall retire at the conclusion of each Annual General Meeting to ensure there is a rotation of Board Members with at least one Board Member being appointed or reappointed or the President or Delegates Elected Member being elected or re-elected each year. Where there are insufficient vacancies (whether by resignation, termination or expiry of term of office) on the Board to give effect to this rule in any given year, the Board shall determine by agreement, or failing agreement, by lot, which of its number shall vacate their office, which may result in a Board Member having a term of office of less than three years.

18.6. Chairperson of the Board:

- a) The Chairperson of the Board shall be appointed or elected annually by the Board from amongst its number immediately after the Annual General Meeting.
- b) If there is only one (1) nomination for the position of Chairperson, the person nominated shall be duly appointed.
- c) If more than one (1) person is nominated for the position of Chairperson, then an election shall be held by ballot.
- d) Where there is an equality of votes between candidates then a second ballot shall be held, and in the event of an equality of votes after the second ballot then the Chairperson shall be determined by lot.
- e) If necessary, the Board may seek assistance from the Chief Executive in conducting the ballot(s) and/or lot.
- f) The Chairperson shall hold office until the first meeting of the Board after the next Annual General Meeting unless the Board chooses to replace the Chairperson between Annual General Meetings.

18.7. Vacancies:

- a) The office of a Board Member shall become vacant if the Board Member;
 - 18.7.a.1. dies; or
 - 18.7.a.2. becomes ineligible to continue to hold office by reason of disqualification or suspension; or
 - 18.7.a.3. becomes bankrupt; or

- 18.7.a.4. commits a criminal offence punishable by a term of imprisonment; or
- 18.7.a.5. resigns in writing; or
- 18.7.a.6. is absent, unless leave of absence is granted by the Board, from more than two successive meetings.
- b) If the position of President or Delegates Elected Member becomes vacant, the role shall remain vacant until the next Annual General Meeting.
- c) If the position of Chairperson becomes vacant then the Board shall appoint one of its members to that position.
- d) Whenever any casual vacancy occurs on the Board, the Board may appoint a person which it considers has the necessary skills and attributes to fill the vacant position.
- e) Every person appointed pursuant to this Rule shall hold office for the balance of the term which the vacating Board Member would have been entitled to serve or the conclusion of the next Annual General Meeting (whichever occurs first) but shall be eligible for reappointment.

19. Powers and Duties of the Board

19.1. **Overall Power:**

- a) The Board shall be the policy-making body of Bowls NZ and shall be responsible for managing the business and affairs of Bowls NZ.
- b) The Board shall, through clearly defined delegations of authority, delegate to the Chief Executive and, where appropriate, through the Chief Executive to Bowls NZ staff the day-to-day management of the business and affairs of Bowls NZ

19.2. **Powers and Duties:** The Board shall have the following general powers and duties:

- a) To appoint a Chief Executive of Bowls NZ and enter into an employment contract with such remuneration and on such terms and conditions as the Board shall think fit.
- b) To adopt and regularly review a strategic plan for Bowls NZ which shall include goals and objectives for bowls and measures of short-term and long-term success. Any strategic plan for Bowls NZ shall be circulated to all Centres for comment not less than sixty (60) business days prior to the meeting of the Board at which it is to be considered for adoption.
- c) To adopt an annual plan and budget for financial performance and to monitor results against the annual plan and budget.
- d) To make, repeal and amend Regulations prescribing a code of conduct for the management of players and management representing Bowls NZ in New Zealand or overseas
- e) To make and enforce Regulations to prohibit doping which comply with any applicable anti-doping rules or requirements of World Bowls, the World Anti-Doping Authority and the Sport Integrity Commission New Zealand.
- f) To regulate and control any competition or matches under the jurisdiction of Bowls NZ.
- g) To make, repeal and amend such other Regulations as it considers appropriate.
- h) To determine the processes to apply in respect of the appointment of selectors, managers and teams representing Bowls NZ.
- i) To ensure that Bowls NZ has in place all the necessary internal reporting systems and controls together with the means of monitoring performance and results.
- j) To ensure that Bowls NZ meets its international obligations and to report to Delegates and Centres on any meeting involving its international obligations in which Bowls NZ participates.
- k) To regularly review and agree performance indicators and standards within management.
- l) To define from time to time, in consultation with Centres, the responsibilities of Centres.
- m) To carry out the aims and objects of Bowls NZ and to deal with any matter not provided for in this Constitution.
- n) To review its own processes and effectiveness.

- o) To submit to the Annual General Meeting of Bowls NZ a full report on its activities since the previous Annual General Meeting.
- p) To either advise the Annual General Meeting of the amount of the Membership Fee for the following year, or to recommend the amount of the Membership Fee for the following year, in accordance with Rule 13 of this Constitution.
- q) To appoint members of and ensure the functioning of committees as required from time to time, including the Bowls NZ Judicial Committee.
- r) To establish committees and/or to appoint subcommittees from within its own number to carry out work on any specific aspect of the affairs of Bowls NZ and to delegate to them such powers and responsibilities as it shall determine. The Chairperson of the Board or a Board Member nominated by her/him shall have the right to attend any meeting of any committee or subcommittee.
- s) To purchase, take on lease, hire or otherwise acquire and hold real and personal property, rights and privileges which the Board may think necessary or convenient for the attainment of the objects of Bowls NZ.
- t) To sell, mortgage, charge or otherwise dispose of any property of Bowls NZ and/or to grant such rights and privileges thereover in such manner as the Board may from time to time think necessary and proper.
- u) To invest and deal with the property, assets and income in such manner as it may from time to time think fit. The Board may by resolution delegate the investment and management of its investments to a fund manager.
- v) To open and operate such banking accounts and other accounts in the name of Bowls NZ as it deems necessary.
- w) To enter into any agreement in the name of and on behalf of Bowls NZ for sharing profits, or for mutual assistance with any person or persons or body corporate which may seem to the Board capable of directly or indirectly benefiting Bowls NZ.
- x) To fill any vacancy on the Board which may arise under Rule 18.7.
- y) To take out insurance over the property of Bowls NZ and against any contingencies and risks which the Board shall deem appropriate.
- z) To appoint a Privacy Officer to ensure compliance by Bowls NZ, Centres and Clubs with their general obligations arising under the Privacy Act 1993.
- aa) To make Regulations pursuant to Rule 31 of this Constitution and to rescind, amend or add to such Regulations.
- bb) To appoint representatives to World Bowls.
- cc) To investigate or inquire into the operations or activities of any Member(s), or member(s) of a Member, if it has reasonable cause to suspect that the Member(s) or member(s) of the Member may have acted contrary to the interests and/or Objects of Bowls NZ and/or the Game of Bowls generally, and sanction accordingly.
- dd) Such other powers as are specifically or by implication provided for in this Constitution.

19.3. Monetary Gain:

- a) No person shall be entitled to derive or otherwise receive any income, benefit or advantage from Bowls NZ where that person is able to determine or materially influence the amount or nature of that income, benefit or advantage, provided that any person who renders professional services to Bowls NZ shall be entitled to be paid all usual and reasonable professional business and trade charges for work done for Bowls NZ. The provisions and effect of this Rule shall not be removed from this Constitution and shall be included and implied in any constitution replacing this Constitution.

20. Meetings of the Board

20.1. Number of Meetings:

- a) The Board shall meet a minimum of four (4) times in each year at the most convenient time and place, including immediately prior to each Annual General Meeting or Special General Meeting of Bowls NZ. Other business requiring the immediate consideration of the Board may be conducted by written correspondence or conference calls.
- 20.2. **Convening of Meetings:**
- a) Notwithstanding Rule 20.1, a meeting of the Board shall be held at such venue and time as decided by the Chairperson, or if requisitioned for the consideration of urgent business by not less than two (2) Board Members. Such requisition shall be in writing addressed to the Chief Executive and shall state full details of the urgent business to be discussed.
- 20.3. **Notice of Meetings:**
- a) Unless for some good reason the circumstances do not permit, the Chief Executive shall provide to each Board Member not less than fourteen (14) days' written notice of any Board meeting convened under Rule 20.1 and not less than seven (7) day's written notice of any Board meeting convened under Rule 20.2.
- 20.4. **Voting Powers:**
- a) Each Board Member present at any Board meeting shall exercise one (1) vote including for the purposes of written correspondence under Rule 20.1 above. The Chairperson shall have a deliberative vote, and in the event of an equality of votes but not otherwise the Chairperson shall also have a casting vote. In exercising a casting vote the Chairperson shall have due regard to the status quo.
- 20.5. **Minutes:**
- a) The Chief Executive shall ensure the proceedings of each Board meeting are properly recorded as soon as possible after the conclusion of each meeting. A copy of such minutes shall be made available to each of the Board Members, Delegates, Honorary Life Members and Centres. A copy of each set of minutes shall be stored in the minute book and confirmed at the next meeting of the Board.
- 20.6. **Quorum:**
- a) The quorum for meetings of the Board shall be four (4) Board Members.
- b) No business shall be transacted at any Board meeting unless a quorum shall be present, except that those present may fix a date and venue for the reconvening of the meeting. Notice of such date and venue of any reconvened meeting shall be given forthwith to each Board Member.
- 20.7. **Attendance:**
- a) Any Board Member who fails to attend two (2) consecutive meetings of the Board without leave of absence shall forfeit her/his seat on the Board.
- b) The expenses of all Board Members attending meetings of the Board shall be paid by Bowls NZ.
- c) The Chief Executive shall be entitled to attend all meetings of the Board and speak at such meetings, but she/he shall have no voting rights.
- 20.8. **Conference Calls:**
- a) A meeting of the Board may be held by the contemporaneous linking together by telephone or other means of communication of the Board Members and in such event the procedural requirements of this Rule in relation to meetings of the Board shall apply with any necessary modification.

21. Chief Executive

- 21.1. **Appointment:**
- a) The board shall appoint a person (not being a Delegate) to be Chief Executive of Bowls NZ at such remuneration and on such conditions as it shall determine. Such person shall hold office as Chief Executive for the term of that person's appointment by the Board. The Chief Executive shall be entitled with the permission of the Chairperson to address and advise the Delegates and the Board on any matter under consideration.
- 21.2. **Administration:**

- a) The Chief Executive shall attend all General Meetings and meetings of the Board subject to any decision to the contrary by any meeting of either body.
- 21.3. **Correspondence:**
- a) All correspondence to Bowls NZ must be addressed to and come through the office of the Chief Executive in order to receive due and proper consideration.

PART IV – GENERAL MEETINGS

22. General Meetings

22.1. **Annual General Meeting:**

- a) An Annual General Meeting of Bowls NZ shall be held not later than the 30th day of September in each year. The Chief Executive shall give formal written notice including an agenda to the President, all Board Members, all Delegates, and all Centres (who shall in turn notify all Clubs within their jurisdiction) confirming the venue, date and time of such meeting, as determined by the Board, not later than thirty (30) days prior to the proposed date for the meeting.
- b) The business to be transacted at every Annual General Meeting shall include:
 - 22.1.b.1. Confirmation of the minutes of the previous year's Annual General Meeting.
 - 22.1.b.2. Receiving the Board's report for the Financial Year ending 30th day of June together with the Statement of Income and Expenditure and audited Statement of Accounts for Bowls NZ for the Financial Year.
 - 22.1.b.3. Receiving the Auditor's report on the accounts of Bowls NZ for the preceding Financial Year.
 - 22.1.b.4. The election of a President and the Delegates Elected member (every third year or as a vacancy arises).
 - 22.1.b.5. The appointment of any vacancies for the Members of the Board of Bowls NZ.
 - 22.1.b.6. Either recording the Board's decision for, or approving the amount of, the annual Membership Fee and/or any special purpose Membership Fees in accordance with Rule 13 of this Constitution.
 - 22.1.b.7. The appointment of an auditor for the next Financial Year.
 - 22.1.b.8. The appointment (if necessary) of a person to the Selection Panel and a deputy.
 - 22.1.b.9. If a vacancy in the position, appointing a Patron.
 - 22.1.b.10. Considering and determining any notices of motion which propose alterations to this Constitution of which due and proper notice has been given.
 - 22.1.b.11. Considering and making recommendations to the Board as a result of any other notices of motion of which due and proper notice has been given.
 - 22.1.b.12. Transacting such other business as the General Meeting deems appropriate.

22.2. **Notices of Motion:**

- a) A notice of motion be submitted by the Board, or any Centre and must be received by the Chief Executive by the 30th of June prior to an Annual General Meeting in order to be considered at that meeting.
- b) Any notice of motion from a Centre, must be signed by the President and Secretary of the Centre.
- c) Any matter of an urgent or extraordinary nature which normally would be required to be the subject of a notice of motion may, if prior written notice is given to the Chief Executive and the Chairperson, be brought before such meeting and determined by it, but only if the majority of Delegates present and voting at the meeting, vote in favour of the motion being tabled without the requisite notice.

22.3. **Special General Meeting:**

- a) The Chief Executive shall convene a Special General Meeting of Bowls NZ:
 - 22.3.a.1. when directed to do so by the Board; or

22.3.a.2. on requisition in writing signed by 25% of Centres which shall provide full details of the business to be dealt with at the meeting, by giving the requisite notice required under Rule 22.3b.

- b) A Special General Meeting if called for or requisitioned pursuant to Rule 22.3a shall be convened by the Chief Executive giving at least fourteen (14) days' notice to the President, Chairperson and Delegates of the date and venue of such meeting (except where in the view of the President such notice period is not practicable). Such notice shall clearly state the reasons why the Special General Meeting is being convened and provide as full details as possible of the nature of the business to be transacted at the meeting. Only the business mentioned in the notice of requisition may be dealt with at such Special General Meeting.
- c) In any case where the Board deems it appropriate, a Special General Meeting may be held by the contemporaneous linking together of Delegates by telephone or other such means of communication and in so far as the circumstances so permit the procedural requirements in this Constitution relating to General Meetings shall apply with any necessary modification.

22.4. Chairperson:

- a) The Chairperson of an Annual General Meeting or a Special General Meeting shall be the Chairperson of the Board. In the event of the Chairperson being unavailable, the meeting shall appoint a person from amongst its number to chair the meeting in the Chairperson's absence.

22.5. Delegates and Observers:

- a) Each centre (as defined in Rule 7.1) shall appoint one delegate to represent them at General Meetings. The process for electing, and notifying Bowls NZ of, these representatives shall be in accordance with the Regulations.
- b) The President, Board Members, Honorary Life Members and an employee of the Centre may act as Delegates at a General Meeting.
- c) No individual shall act as a Delegate for more than one (1) Centre at the same General Meeting.
- d) Each Delegate shall represent and vote on behalf of a Centre in accordance with Rule 22.6.
- e) In addition to the Delegates, all Members are entitled to attend General Meetings as observers. All members (except Honorary Life Members) who attend shall not be entitled to speak or vote. Honorary Life Members are entitled to attend and speak at General Meetings, but shall have no right to vote, unless the Honorary Life Member is a Delegate in which case s/he has the rights as a Delegate.

22.6. Voting:

- a) Each Centre represented at a General Meeting by its Delegate shall be entitled to one vote for each five hundred (500) or fraction of each five hundred (500) Playing Members of their centre.
- b) Each Delegate must in any given situation exercise his/her vote to the maximum entitlement. Delegates must exercise their vote in accordance with any directions given by their Centre.
- c) The Chief Executive shall declare the voting entitlement for each Centre at a General Meeting, based on the most up to date records held at the office of Bowls NZ as to the number of Playing Members.
- d) Voting shall be by a majority vote of those Delegates present and entitled to vote, except for alterations to Centre Boundaries (under Rule 7.9) and alterations to this Constitution (under Rule 30) which shall be by two thirds majority.
- e) Except as otherwise expressly set out in this Constitution, all questions shall be decided by ballot unless a majority of Delegates determine otherwise. In the event of a tied vote, only the Chairperson shall have a casting vote. In exercising a casting vote at a General Meeting the Chairperson shall have due regard to, but shall not be bound by, the status quo. The Chairperson shall not otherwise be entitled to vote at a General Meeting. No names of Delegates shall be recorded as voting either for or against a motion, unless specifically requested by any Delegate, and then in the case of that Delegate only. Where a show of hands or ballot is taken, the total votes for and against the motion or amendment shall be recorded.

22.7. Meeting Procedure:

- a) A quorum for a General Meeting shall be one greater than half of the number of Delegates entitled to vote. No business shall be transacted at any General Meeting unless a quorum is present when the meeting proceeds to business. In the event of a quorum not being present within half an hour after the appointed time on the meeting date, the meeting shall stand adjourned to a date to be fixed by the Board.

- b) On all questions of order the decision of the Chairperson shall be final unless dissented from by a majority of Delegates present.

22.8. **Minutes:**

- a) The Chief Executive shall ensure the proceedings of all Annual General Meetings and Special General Meetings are recorded and incorporated in a minute book. As soon as possible after the conclusion of each meeting the Chief Executive shall make available a copy of the minutes to the President, Chairperson, all Board Members, all Delegates and all Centres

22.9. **Awards:**

- a) The Delegates may, at the Annual General Meeting, on the recommendation of the Board award a service medal to any person whose long and outstanding or meritorious service to Bowls NZ merits such recognition.

PART V – DISCIPLINE FOR MISCONDUCT, DISPUTES & COMPLAINTS

23. Definitions

23.1. **Misconduct:** Misconduct means, but shall not be restricted to, situations where a Member (including Bowling Club Member):

- a) breaches any provision of the Laws of the Sport;
- b) deliberately loses or attempts to lose a Game of Bowls or plays unfairly; unless it is match fixing in which case the Bowls New Zealand Anti-Match Fixing Domestic Regulation shall apply;
- c) alters a bowl after it has been stamped by a registered bowls tester without submitting it for retesting and restamping;
- d) at any event, function or activity of the Centre whilst on the property of a Bowling Club or the Centre, uses any profane, indecent or improper language;
- e) at any time or place engages in offensive or insulting behaviour towards the Centre, or any member of the Centre, or any visitors to the Centre, or any person acting for or on behalf of the Centre;
- f) breaches:
 - 23.1.f.1. any provision of this Constitution, or the Bowls New Zealand;
 - 23.1.f.2. the regulations, by-laws or other rules (however described) of the Centre, or Bowls New Zealand;
 - 23.1.f.3. any policies of the Centre, or Bowls New Zealand;
 - 23.1.f.4. any reasonable direction of the Centre, or Bowls New Zealand (or person authorised on their behalf);
 - 23.1.f.5. any decision of a General Meeting, the Board or of any equivalent bodies of Bowls New Zealand;
- g) acts in a manner which brought, or could bring, Bowls New Zealand, or the Centre into disrepute;
- h) acts in a manner unbecoming of a Member, or which is prejudicial to the Objects and/or the objects of Bowls New Zealand and/or the Centre;
- i) fails or refuses, for a period of one calendar month to pay any fine or monetary penalty imposed by Bowls New Zealand, and/or the Centre or any authority under the jurisdiction of Bowls New Zealand or the Centre; and/or
- j) aids or abets any of the conduct specified in (a) to (i) above.

23.2. **Disputes & Complaints:** A dispute or complaint is a situation where a Member has a grievance or difference about the meaning or effect of any rule, provision, decision, policy, practice, right, privilege or direction determined by another Member or the Centre. A Dispute or Complaint shall not include:

- a) any grievance or difference about the meaning or effect of any rule of the Bowls New Zealand Anti-Doping and Anti-Match Fixing Domestic Regulations;

- b) any decision of the Bowls New Zealand Board; or
- c) a matter which involves an allegation of Misconduct.

24. Jurisdiction and Functions

- 24.1. **Jurisdiction of Bowls New Zealand:** Bowls New Zealand in accordance with the Bowls New Zealand Regulations, shall have jurisdiction to hear and determine:
- a) Matters of Misconduct, as established in Rule 23;
 - b) Complaints, Disputes and Misconduct at National and International Events, unless already heard in accordance with any applicable event rule;
 - c) Matters relating to Anti-Doping and Anti-Match Fixing; and/or
 - d) Any breach of a decision of the Bowls New Zealand Board.
- 24.2. **Jurisdiction for Misconduct:**
- a) An individual member may elect to have matters of Misconduct heard by Bowls New Zealand. If any party objects to Jurisdiction, then the matter will automatically be referred to Bowls New Zealand.
- 24.3. **Bowls NZ Judicial Committee:**
- a) There shall be a Bowls NZ Judicial Committee established and administered by Bowls NZ to carry out the functions set out in Rule 24.4, and which shall act in accordance with the Regulations, or in the absence of such Regulations, as determined by the Board.
- 24.4. **Functions:** The functions of the Bowls NZ Judicial Committee are to hear and decide:
- a) Appeals against a Club or Centre Decision, provided that the constitution, rules, or regulations of the Club or Centre provide for an appeal to the Bowls NZ Judicial Committee.
 - b) Disputes and Misconduct at National Events, unless already heard in accordance with any applicable event rules;
 - c) Disputes and Misconduct at International Level, unless already heard in accordance with any applicable event rules;
 - d) other Disputes and Misconduct involving Members:
 - 24.4.d.1. that are not within the jurisdiction of a Club, Centre, or the Board; or
 - 24.4.d.2. where the parties agree in writing; and
 - e) any jurisdictional issues regarding Disputes and Misconduct.

25. Procedure

- 25.1. Bowls NZ shall take such action as it considers appropriate, provided it acts in accordance with the principles of natural justice and any applicable Regulations.
- 25.2. An individual member or an Officer may make a complaint by giving to Bowls New Zealand, a notice in writing that—
- a) states that the Member or Officer is starting a procedure for resolving a dispute, complaint, or misconduct matter in accordance with the Constitution; and
 - b) sets out the allegation or allegations to which the dispute, complaint or misconduct relates and whom the allegation is against; and
 - c) sets out any other information reasonably required by Bowls New Zealand.
- 25.3. The information given under subclause (25.2) must be sufficient to ensure that a person against whom an allegation is made is fairly advised of the allegation or allegations concerning them, with sufficient details given to enable that person to prepare a response.
- 25.4. The procedure for managing Disputes, Complaints and matters of Misconduct is detailed in the Bowls NZ Regulations.

26. Appeals

- 26.1. **Process:** The appeal process for appeals of decisions involving Misconduct, Disputes & Complaints shall be as follows:
- a) Appeal to the Bowls New Zealand Judicial Committee: Where there is a Discipline matter which is decided by the Club or Centre Board (or committee on its behalf), any party affected by that decision may only appeal such decision to the Bowls New Zealand Judicial Committee in accordance with the Bowls New Zealand Regulations.
 - b) Appeal to the Bowls New Zealand Judicial Committee: Where there is a Discipline matter which is decided by Bowls New Zealand (or Bowls NZ Commissioner on its behalf), any party affected by that decision may only appeal such decision to the Bowls New Zealand Judicial Committee in accordance with the Bowls New Zealand Regulations.
 - c) Appeal to Sports Tribunal or equivalent statutory body: Where there is a Dispute, Complaint or Misconduct which is decided by the Bowls New Zealand Judicial Committee, any party affected by that decision may only appeal such decision to the Sports Tribunal in accordance with the Rules of the Sports Tribunal provided the rules of the particular event do not require otherwise.
 - d) No appeal right: There shall be no right of appeal from a decision of the Bowls New Zealand Judicial Committee, except an appeal to the Sports Tribunal (or equivalent statutory body).
- 26.2. **Procedure:** In deciding any appeal under Rule 26, the Bowls New Zealand Judicial Committee shall adhere to the principles of natural justice and any applicable Regulations.
- 26.3. **Stay of Execution:** Pending the determination of an appeal before it, the Bowls New Zealand Judicial Committee or Sports Tribunal may grant a stay of execution of the decision which is being appealed.

27. Laws of the Sport

- 27.1. **Application:**
- a) The Laws of the Sport and any Domestic Regulations shall apply to all games, matches, tournaments and championships arranged by Bowls NZ, by Centres and by Clubs in New Zealand.
- 27.2. **Alterations:**
- a) The Laws of the Sport can only be rescinded, amended or added to by World Bowls. Any Domestic Regulations may be rescinded, amended or added to in accordance with Rule 31 of this Constitution

PART VI – FINANCIAL

28. Financial

- 28.1. **Financial Year:** The financial year of Bowls NZ shall end on 30th of June in each year.
- 28.2. **Bowls NZ Funds:** The Board (through the Chief Executive) is responsible for the receipt and banking of all monies received and all sums paid out.
- 28.3. **Accounting Records:** The Board (through the Chief Executive) shall ensure there are true and complete accounts kept of the income and expenditure and assets and liabilities of Bowls NZ. A Statement of Accounts and Balance Sheet (in the form approved by the Board) shall be forwarded to each Voting Member with the notice of the AGM.
- 28.4. **Annual Review:** An Auditor, who shall not be a member of the Board, shall be appointed by the Board as and when required. The role of the auditor is to examine and report on the accounts of Bowls NZ. The Auditor shall at all reasonable times have access to the books and accounts of Bowls NZ and shall be entitled to any information required relating to them or to any matter deemed necessary or desirable for audit purposes.

- 28.5. **Filing Returns:** The Society must file its annual financial statement with the Incorporated Society within six (6) months of the accounts being approved at the AGM of the club each year. (as set out in the Incorporated Society Act 2022).

29. Application of Income & No Pecuniary Profit

- 29.1. **Application of Income:** The income and property of Bowls NZ shall be applied solely towards the promotion of the Objects of Bowls NZ.
- 29.2. **No Pecuniary Profit:** No Member of Bowls NZ or any person associated with a Member shall participate in or materially influence any decision made by Bowls NZ in respect of the payment to or on behalf of that Member or associated person of any income, benefit, or advantage whatsoever. Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value). The provisions and effect of this Rule shall not be removed from this Constitution and shall be included and implied into any document replacing this Constitution.

PART VII – ADMINISTRATION

30. Alterations to Constitution

- 30.1. **Process and Timings:**
- a) This Constitution may be rescinded, amended or added to only by a resolution in that behalf passed by a two-thirds majority of all Delegates present and voting at an Annual General Meeting or a Special General Meeting convened for that purpose.
 - b) Any alterations to the Constitution will come into effect on the date determined by the Delegates at a General Meeting (provided that the alteration is registered with the Registrar of Incorporated Societies by such date), or if no date is specified by the Delegates, then the date the alteration is registered with the Registrar of Incorporated Societies.
 - c) No amendment may be made to this Constitution which affects Rule 32 relating to liquidation or Rule 29 relating to monetary gain unless it has been first approved by the Inland Revenue Department.

31. Bowls NZ Regulations

- 31.1. **Board to Determine:**
- a) The Board may promulgate from time to time such Regulations as it considers appropriate, including but not limited to any Domestic Regulations, regulations governing conditions of play for tournaments, a code of conduct, and anti-doping regulations pursuant to Rule 19.2. Such Regulations when promulgated shall be recorded in a Regulations register maintained by the Chief Executive and circulated to Centres and Clubs as appropriate.
- 31.2. **Application:** Bowls NZ Regulations shall be binding on all Members.
- 31.3. **Alterations:** Regulations may be rescinded, amended, or added to from time to time but only by resolution of the Board.

32. Dissolution & Liquidation

- 32.1. **Process:**
- a) Members may resolve to put Bowls NZ into liquidation or request the Registrar of Incorporated Societies to dissolve it, if Bowls NZ at a General Meeting of its Members passes a resolution appointing a liquidator or a resolution requesting the Registrar of Incorporated Societies to dissolve it, and the resolution is confirmed at a subsequent General Meeting called together for that purpose and held not earlier than

thirty (30) days after the date on which the resolution to be confirmed was passed. The term “resolution” in this context means the resolution carried by a majority of the valid votes cast by Delegates voting at the General Meeting in person, and the resolution shall be taken to be confirmed at the subsequent General Meeting if the confirmation is carried by such a majority.

32.2. Distribution:

- a) In the event of the liquidation of Bowls NZ or its dissolution by the Registrar of Incorporated Societies, the funds and assets of Bowls NZ remaining after payment and satisfaction of its debts and liabilities and the costs and expenses of liquidation shall be distributed by Bowls NZ in General Meeting to a sporting body which is established substantially or primarily for the purpose of promoting any game or sport, provided that that game or sport is conducted for the recreation and benefit or entertainment of the general public in New Zealand and no part of the income or other funds of the body corporate operating such sport is used or available to be used for the pecuniary profit of any proprietor, member or shareholder.

33. Notices

- 33.1. **From Bowls NZ:** Any notice required to be given by or on behalf of Bowls NZ under this Constitution shall be in writing and may be served either personally, by electronic mail, or by posting it in a letter addressed to the Member at the address of the Member as held by Bowls NZ. If given by post the notice shall be deemed to have been given at the time when the letter containing the same would be delivered in the ordinary course of post.
- 33.2. **To Bowls NZ:** Any notice required to be given to Bowls NZ under this Constitution shall be in writing and may be given to the Secretary or sent to Bowls NZ’s registered office by post or any electronic mail address specified by Bowls NZ.

34. Uniform & Colours

- 34.1. The official uniform and official colours of Bowls NZ shall be determined by the Board and specified in the Regulations.
- 34.2. No Centre or Club may use the official uniform or official colours of Bowls NZ unless the agreement of the Board is first obtained and as otherwise specified in the Regulations.

35. Common Seal

- 35.1. Bowls NZ shall maintain a common seal which shall be kept in the custody of the Chief Executive and shall be affixed to any document only by the authority of the Board and in the presence of any two (2) of the President, Chairperson or the Chief Executive, or any Board Member so authorised by resolution of the Board to that effect.

36. Indemnity & Insurance

- 36.1. **Indemnity:** Each Member and each Board Member shall, except in the case of wilful default or fraudulent acts or omissions, be indemnified by and out of the funds of Bowls NZ against any loss, damage, expenses or liability incurred by reason of or in connection with any legal proceedings instituted against them or any of them for any act done, omitted or suffered in relation to the performance of any of their duties in respect of the Centre.
- 36.2. **Insurance:** The Board may, at the expense of Bowls NZ, obtain any appropriate insurance cover in respect of the indemnity provision in Rule 36.1 (Indemnity).

37. Matters Not Provided For

- 37.1. If any matter arises which in the opinion of the Board is not provided for in this Constitution, then it may be determined by the Board in such manner as the Board deems fit. Every such determination shall be binding upon Members unless and until set aside by Ordinary Resolution at a General Meeting.

38. Transitional Provisions

- 38.1. **Members:** Subject to Rule 16 (Resignation, Suspension & Termination of Membership), for the period from the date this Constitution comes into force until the commencement of the next Membership Year at Bowls NZ, all persons who were regarded under the former Constitution of Bowls NZ as Members of Bowls NZ, shall be deemed to be Members under this Constitution
- 38.2. **Term of Office:** The term of office of any person appointed or elected under the former Constitution of Bowls NZ, and any other matters, shall be modified as necessary, in order to give full force and effect to the provisions contained in this Constitution and any dispute regarding the same shall be determined by the Board as it sees fit.