

# CONSTITUTIONAL BY-LAWS KALAMUNDA CLUB INC.



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## **1. Introduction**

- 1.1. These By-Laws are made under Rule 54.1 of the Constitution and Rules of Kalamunda Club Inc. and are to be interpreted in conjunction with the provisions of that document.

## **2. Definitions**

- 2.1. The definitions applicable to these By-laws are as provided in the Constitution and Rules of the Kalamunda Club Inc, unless the contrary intention appears:

## **3. Objectives**

- 3.1. The objectives of these By-laws are to; -
  - 3.1.1. set down the rights and obligations that apply to Members of the Club; and
  - 3.1.2. outline the powers and obligations of the Board; and
  - 3.1.3. make provision to facilitate the sport sections of the Club.

## **4. Members Rights**

- 4.1. The rights and privileges of every Member are personal and are not transferable.
- 4.2. Members of the Club who are employees of the Club are entitled to all the rights and privileges of membership excluding those rights concerned with election of office bearers and the holding of an office of The Club, other than the position Club Manager and the position to which they may have been appointed under Rule 40.1.3 of the Constitution and Rules.
- 4.3. Ordinary Members, Bowls Members and Life Members are entitled to; -
  - 4.3.1. invite guests to the Club, not exceeding the maximum number allowed under the Liquor Act, and
  - 4.3.2. host functions at the Club after written application has been received and approved by the Club Manager. After the application has been approved, the Club Manager will furnish the applicant with a written copy of the Club policy on private functions.
- 4.4. Ordinary Members, Bowls Members and Life Members who have been a Member of the Club for greater then 12 months are entitled to receive a discount on the cost of hosting a function at the Club. The Board of Management shall set the applicable discount from time to time.
- 4.5. Any Board Member, Club Manager or approved Duty Manager, acting in the best interest of the Club, may; -
  - 4.5.1. revoke the membership of any Temporary Member or Honorary Member without giving notice; and
  - 4.5.2. the decision to revoke the Temporary or Honorary Member's membership takes immediate effect.

## **5. Dress Code**

- 5.1. The Club provides a flexible environment for members, their families and guests. A clean, neat and tidy appearance is required at all times. Smart casual is the preferred minimum dress requirement for entry to The Club. A Board Member, the Club Manager and/or approved Duty Manager has the right to refuse entry to any Member or guest not deemed appropriately attired.
- 5.2. On certain occasions and for special functions or events the dress standard may be reviewed and the reviewed standard will be published on the Club notice board.
- 5.3. The decision to refuse entry under By-law 5.1 is final.

## **6. Powers and Obligations of the Board**

- 6.1. The Board shall manage the business and finances and exercise all powers of the Club, except those powers required under the Constitution and Rules to be determined at a General Meeting will of the Club. In particular, the Board has power to; -
  - 6.1.1. determine from time to time the conditions on which and time when, Members may use the property of the Club or any part or parts thereof, and when and under what conditions the premises of the Club or any part or parts thereof, may be used by Members; and
  - 6.1.2. determine who, not being a Member of the Club, is permitted to use the premises of the Club or any part or parts thereof and during what time and under what conditions such persons are supplied with refreshments and accommodation; and
  - 6.1.3. appoint under Rule 40.1.3 any other officials or employees of the Club and to remove them as occasion may require at their discretion and to define their respective duties. All persons appointed to a paid position will be engaged under a contract, award or Registered Workplace Agreement; and
  - 6.1.4. pay any employee of the Club any gratuity for faithful and diligent service as deemed fit; and
  - 6.1.5. enter into or accept any lease or tenancy of the premises where the Club will conduct its affairs or of any furniture, goods and effects, which may be required for the use of the Club on such terms and on such conditions as the Club may deem expedient; and
  - 6.1.6. take and defend all legal proceedings by or on behalf of the Club and to appoint legal counsel for such purpose; and
  - 6.1.7. borrow, raise or secure the payment of money, provided that no amount exceeding \$50,000 is borrowed in any one year, or the estimated expenditure of a sum exceeding \$25,000 on any one project, except with the sanction of a General Meeting and to sell and dispose of the assets of the Club; and
  - 6.1.8. determine the date of the annual general meeting for each sporting section at the Club; and

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- 6.1.9. appoint delegates to sporting bodies and associations with which the Club may be affiliated as may be required by the rules thereof and such delegates will hold office in accordance with the rules of such sporting bodies and associations respectively; and
- 6.2. Every member of the Board shall be indemnified against any loss, expenses or liability incurred by reason of any act or deed performed in good faith on behalf of the Board and the Board may use the funds of the Club for any such purpose required, together with any reasonable expense's incidental to Board activities.
- 6.3. The Executive Committee consisting of the President, Vice President and one other Board Director as determined by the Board. The Board shall elect a Board Director to sever on the Executive Committee at the first Board Meeting held after the Annual General Meeting.

**7. Board Directors**

- 7.1. At the first Board Meeting held after an Annual General Meeting the Board shall nominate each Director to one position of the following; Secretarial Director, Finance Director, House and Grounds Director or Social Director.
- 7.2. Sports Directors shall be elected at an annual general meeting of each sports section.

**8. Secretarial Director**

- 8.1. The Secretarial Director has the following duties to; -
  - 8.1.1. prepare agenda for Board meetings and General meetings, in consultation with the President and Club Manager; and
  - 8.1.2. prepare an accurate record of the of the Board meetings and General meetings; and
  - 8.1.3. provide oversight for the Board of the Club Manager conducting the duties under Rule 26.2.1 through to Rule 26.2.7; and
  - 8.1.4. liase with the various sporting sections of the Club and with the various sporting bodies and associations with which the Club may be affiliated; and
- 8.2. The Secretarial Director may form a Secretarial Committee to assist with the duties under By-law 7.2.3. and shall preside at each of the meetings of that committee.
- 8.3. The Secretarial Committee shall consist of those members elected at their respective sporting sections annual general meeting as secretaries.
- 8.4. The Secretarial Committee may consist of no more than six members, including the Secretarial Director. The Secretarial Director may co-opt Members to serve on the Secretarial Committee to fill any vacancies that may occur.
- 8.5. If the votes are divided equally on the question, the chairperson of the Meeting has a second and casting vote.

## **9. Finance Director**

- 9.1. The Finance Director has the following duties to; -
  - 9.1.1. provide oversight for the Board of the Club Manager conducting the duties under Rule 26.2.8 through to Rule 26.2.13; and
  - 9.1.2. liaise with the various sporting sections of the Club.
- 9.2. The Finance Director may form a Finance Committee to assist with the duties under By-law 7.5.2. and shall preside at each of the meetings of that committee.
- 9.3. The Finance Committee shall consist of those members elected at their respective sporting sections annual general meeting as treasurers.
- 9.4. The Finance Committee may consist of no more than six members, including the Finance Director. The Finance Director may co-opt Members to serve on the Finance Committee to fill any vacancies that may occur.
- 9.5. If the votes are divided equally on the question, the chairperson of the Meeting has a second and casting vote.

## **10. House and Grounds Director**

- 10.1. The House and Grounds Director has the following duties to; -
  - 10.1.1. provide maintenance for the Club's buildings; and
  - 10.1.2. provide maintenance and development of the Club's garden and grounds; and
  - 10.1.3. provide maintenance and development of the Club's bowling greens.
- 10.2. The House and Grounds Director may form a House Committee to assist with the duties under By-law 10.1.1 and shall preside at each of the meetings of that committee.
- 10.3. The House and Grounds Director may co-opt a total of no more than six Members to serve on the House Committee.
- 10.4. The House and Grounds Director may form a Grounds Committee to assist with the duties under By-law 10.1.2 and shall preside at each of the meetings of that committee.
- 10.5. The House and Grounds Co-ordinator may co-opt a total of no more than six Members to serve on the Grounds Committee.
- 10.6. The House and Grounds Director may form a Greens Committee which will include the Greens Co-ordinator elected at the Bowls section annual general meeting, to assist with the duties under By-law 10.1.3 and shall preside at each of the meetings of that committee.
- 10.7. The House and Grounds Director may co-opt a total of no more than six Members to serve on the Greens Committee.

- 10.8. If the votes are divided equally on the question, the chairperson of the Meeting has a second and casting vote.

### **11. Social Director**

- 11.1. The Social Director has the following duties to; -
- 11.1.1. facilitate, with the assistance of the Club Manager, the conduction of social events for the Club; and
  - 11.1.2. provide media exposure for the Club; and
  - 11.1.3. provide maintenance of the Club's signs, web site and sound system.
- 11.2. The Social Director may form a Social Committee to assist with the duties under By-law 11.1.1 and shall preside at each of the meetings of that committee.
- 11.3. The Social Director may co-opt a total of no more than six Members to serve on the Social Committee.
- 11.4. If the votes are divided equally on the question, the chairperson of the Meeting has a second and casting vote.

### **12. Bowls Director**

- 12.1. The Bowls Director has the following duties to; -
- 12.1.1. co-ordinate and report all Bowls section activities to the Board; and
  - 12.1.2. chair meetings held as joint meetings of the Women and Men's Bowls sections.

### **13. Darts Director**

- 13.1. The Darts Director has the following duties to; -
- 13.1.1. co-ordinate and report all Darts section activities to the Board; and
  - 13.1.2. chair meetings held as joint meetings of the Women and Men's Darts sections.

### **14. Snooker Director**

- 14.1. The Snooker Director has the following duties to; -
- 14.1.1. co-ordinate and report all Snooker section activities to the Board.

### **15. Bowls Section**

- 15.1. The objects of the Bowls Section of the Club are to;
- 15.1.1. promote, foster and control the game of Lawn Bowls and to engender good fellowship and sportsmanship among members; and
  - 15.1.2. affiliate with Bowls WA as an affiliated Metropolitan Club.

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- 15.2. Membership of the Bowls section shall comprise those members of the Club who are Bowling Members, Country Members or Life Members.
- 15.3. The management of the Bowls Section shall be vested in a committee of (8) members, consisting of; -
  - 15.3.1. Bowls Director; and
  - 15.3.2. Men's Bowls Captain; and
  - 15.3.3. Women's Bowls Captain; and
  - 15.3.4. Bowls Secretary; and
  - 15.3.5. Bowls Treasurer; and
  - 15.3.6. Three Bowls Committee Members
- 15.4. The Bowls committee may meet monthly, as required by the Bowls Director and a quorum for the meetings shall be 5 members of the committee
- 15.5. Any member of the Bowls committee who is absent from three successive meetings without submitting a satisfactory apology will automatically vacate their position on the committee.
- 15.6. The Bowls committee may co-opt additional members who may be temporarily required to assist on specific occasions.
- 15.7. Bowls Selectors, numbers of who shall be determined from time to time by the Bowls committee, will be elected in accordance with By-law 15.11. through to By-law 15.19.
- 15.8. Selectors will elect a Chairman and operate on all occasions for Teams to represent the Kalamunda Club.
- 15.9. Selectors for Pennants played by opposite genders will be elected separately.
- 15.10. The Bowls committee shall determine from time to time two Match Committees, one for each gender. The Club Captains will Chair each genders Match Committee.
- 15.11. Nominations for the positions of Bowls Director, Men's Bowls Captain, Women's Bowls Captain, Bowls Secretary, Bowls Treasurer, Three Bowls Committee Members, Match Committee Members (3) for each gender, and Selectors (numbers to be determined by the Bowls committee), shall be called by placing a notice on the Club notice board, at least twenty-eight (28) days prior to the date of the Bowls annual general meeting.
- 15.12. All financial Bowls section members of the Club are eligible to vote for candidates for the Bowls committee membership. Only members of the respective gender are eligible to vote for the Men's and the Ladies' Captains, the Men's and the Ladies' Selectors and the Men's and the Ladies' Match Committees'
- 15.13. Nominations for election to the Bowls positions shall close at 6.30 p.m. fourteen (14) days prior to the Bowls annual general meeting.



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- 15.14. Nominations for election to the Bowls positions shall be in writing to the Bowls Secretary detailing position, proposer, seconder and the nominee's full name and signature, and on receipt by the Bowls Secretary, shall be placed on the notice board
- 15.15. In the case where only the required number of candidates is nominated for a position or positions, or where there are insufficient candidates, those nominated shall be automatically appointed. To be eligible these ballot papers must be lodged in the ballot box situated at the Club by 6:30pm of the day before the Bowls annual general meeting. The Bowls Secretary shall be responsible for clearing the ballot box after the closing time & presenting the ballot papers to the elected Returning Officer for counting the votes & declaring the result/s at the Bowls annual general meeting.
- 15.16. Where a ballot is necessary for a position or positions, ballot papers shall be forwarded to Bowls members not less than seven (7) days prior to the Bowls annual general meeting.
- 15.17. A Returning Officer and two Scrutineers shall be appointed by the Bowls Director to; -
  - 15.17.1. count all votes of any ballot held in accordance with these By-laws; and
  - 15.17.2. decide and announce the result of any ballot.
- 15.18. If the votes are divided equally on the question, the Returning Officer shall consult with the chairperson of the Meeting and the chairperson shall exercise a second and casting vote
- 15.19. Nominations for the filling of vacancies on the Bowls committee outstanding after the election shall be called for at the Bowls annual general meeting. Such a nomination shall require a proposer and seconder, and be decided by a show of hands.
- 15.20. The Bowls Director shall fill casual vacancies of any position on the Bowls committee prior to the next Bowls annual general meeting as they see fit.
- 15.21. The Bowls committee will be responsible for; -
  - 15.21.1. all Bowls teams representing the Kalamunda Club; and
  - 15.21.2. Club Bowling competitions; and
  - 15.21.3. social bowls games; and
  - 15.21.4. dress and discipline of bowls playing members and visitors on the greens and surrounds.
- 15.22. The duty of the Bowls Director is to; -
  - 15.22.1. attend the Board of Management Meetings; and
  - 15.22.2. co-ordinate all matters relating to the game of Bowls for the Club.
- 15.23. The duty of the Bowls Secretary is to; -
  - 15.23.1. circularise matters relating to bowling to Bowls members; and

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- 15.23.2. advise the Secretarial Director of matters relating to the Bowls section; and
  - 15.23.3. administrate correspondence relating to the Bowls section of the Club; and
  - 15.23.4. attend the Secretarial committee meetings as required by the Secretarial Director.
- 15.24. The duty of the Bowls Treasurer is to; -
- 15.24.1. collect all applicable fees from Bowls members and bowls activities; and
  - 15.24.2. pass on all monies, as soon as practicable, to the Club Manager for banking; and
  - 15.24.3. advise the Financial Director of financial matters relating to the Bowls section; and
  - 15.24.4. attend the Financial committee meetings as required by the Financial Director.
- 15.25. The duty of the Green Co-ordinator is to; -
- 15.25.1. prepare the Greens and make them available for play; and
  - 15.25.2. decide on the status of the Greens as to the suitability of the Greens for play. Any decision of the Greens Co-ordinator on the playability of the Greens is final; and
  - 15.25.3. attend the Greens committee meetings as required by the house and Grounds Director.
- 15.26. The duty of the Men's Bowls Captains is to; -
- 15.26.1. chair meetings of Men's Match committee; and
  - 15.26.2. advise the Bowls Director of matters relating to Men's Bowls; and
  - 15.26.3. form a Men's Bowls sub-committee to manage any specific item that is unique to Men's Bowls.
- 15.27. The Men's Bowls Captain may co-opt a total of no more than six Members to serve on the Men's Bowls sub-committee
- 15.28. If the votes are divided equally on a question, the chairperson of the Men's Bowls sub-committee meeting has a second and casting vote.
- 15.29. The duty of the Women's Bowls Captain is to; -
- 15.29.1. chair meetings of Women's Match committee; and
  - 15.29.2. advise the Bowls Director of matters relating to Women's Bowls; and
  - 15.29.3. form a Women's Bowls sub-committee to manage any specific item that is unique to Women's Bowls.
- 15.30. The Women's Bowls Captain may co-opt a total of no more than six Members to serve on the Women's Bowls sub-committee

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- 15.31. If the votes are divided equally on a question, the chairperson of the Women's Bowls sub-committee meeting has a second and casting vote.
- 15.32. No events or functions proposed or conducted by the Bowls committee shall be conducted without the approval of the Board. The Bowls committee shall also co-ordinate and co-operate closely with the Board in the organization and running of any events, entertainment and social functions which are to be held purely in the interests of Bowling Members and which require the use of the Club House or its surrounds.

**16. Darts Section**

- 16.1. The objects of the Darts Section of the Club are to;
  - 16.1.1. promote, foster and control the game of darts and to engender good fellowship and sportsmanship among members; and
  - 16.1.2. affiliate with a Darts association as an affiliated Metropolitan Club.
- 16.2. Membership of the Darts section shall comprise those members of the Club who are Members participating in the organised darts events.
- 16.3. The management of the Darts Section shall be vested in a committee of (5) members, consisting of; -
  - 16.3.1. Darts Director; and
  - 16.3.2. Men's Darts Captain; and
  - 16.3.3. Women's Darts Captain; and
  - 16.3.4. Darts Secretary; and
  - 16.3.5. Darts Treasurer.
- 16.4. The Darts committee may meet monthly, as required by the Darts Director and a quorum for the meetings shall be 3 members of the committee
- 16.5. Any member of the Darts committee who is absent from three successive meetings without submitting a satisfactory apology will automatically vacate their position on the committee.
- 16.6. The Darts committee may co-opt additional members who may be temporarily required to assist on specific occasions.
- 16.7. Darts Selectors, numbers of who shall be determined from time to time by the Darts committee, will be elected in accordance with By-law 16.10. through to By-law 16.18.
- 16.8. Selectors will elect a Chairman and operate on all occasions for Teams to represent the Kalamunda Club.
- 16.9. Selectors for opposite genders will be elected separately.
- 16.10. Nominations for the positions of Darts Director, Men's Darts Captain, Women's Darts Captain, Darts Secretary and Darts Treasurer and Selectors (numbers to be determined by the Darts committee), shall

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be called by placing a notice on the Club notice board, at least twenty-eight (28) days prior to the date of the Darts annual general meeting.

- 16.11. All financial Darts section members of the Club are eligible to vote for candidates for the Darts committee membership. Only members of the respective gender are eligible to vote for the Men's and the Women's Captains and the Men's and the Women's Selectors.
- 16.12. Nominations for election to the Darts positions shall close at 6.30 p.m. fourteen (14) days prior to the Darts annual general meeting.
- 16.13. Nominations for election to the Darts positions shall be in writing to the Darts Secretary detailing position, proposer, seconder and the nominee's full name and signature, and on receipt by the Darts Secretary, shall be placed on the notice board
- 16.14. In the case where only the required number of candidates is nominated for a position or positions, or where there are insufficient candidates, those nominated shall be automatically appointed.
- 16.15. Where a ballot is necessary for a position or positions, ballot papers shall be forwarded to Darts members not less than seven (7) days prior to the Darts annual general meeting. The annual election of officers shall be by ballot, if required, each Darts annual general meeting in the presence of a Returning officer, and two scrutineers elected by the members present at such meeting. Darts Members unable to attend the meeting may lodge a vote on the approved ballot paper with the Darts Secretary prior to the meeting, having also recorded and signed an apology for the meeting on an outer sealed envelope that contains the sealed ballot paper.
- 16.16. A Returning Officer shall be appointed by the Darts Director to; -
  - 16.16.1. count all votes of any ballot held in accordance with these By-laws; and
  - 16.16.2. decide and announce the result of any ballot.
- 16.17. If the votes are divided equally on the question, the Returning Officer shall consult with the chairperson of the Meeting and the chairperson shall exercise a second and casting vote
- 16.18. Nominations for the filling of vacancies on the Darts committee outstanding after the election shall be called for at the Darts annual general meeting. Such a nomination shall require a proposer and seconder, and be decided by a show of hands.
- 16.19. The Darts Director shall co-opt Darts members fill casual vacancies of any position on the Darts committee prior to the next Darts annual general meeting as they see fit.
- 16.20. The Darts committee will be responsible for; -
  - 16.20.1. all Darts teams representing the Kalamunda Club; and
  - 16.20.2. Club Dart competitions.
- 16.21. The duty of the Darts Director is to; -
  - 16.21.1. attend the Board of Management Meetings; and

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- 16.21.2. co-ordinate all matters relating to the game of Darts for the Club.
- 16.22. The duty of the Darts Secretary is to; -
- 16.22.1. circularise matters relating to darts to Dart members; and
  - 16.22.2. advise the Secretarial Director of matters relating to the Darts section; and
  - 16.22.3. administrate correspondence relating to the Darts section of the Club; and
  - 16.22.4. attend the Secretarial committee meetings as required by the Secretarial Director.
- 16.23. The duty of the Darts Treasurer is to; -
- 16.23.1. collect all applicable fees from Darts members and darts activities; and
  - 16.23.2. pass on all monies, as soon as practicable, to the Club Manager for banking; and
  - 16.23.3. advise the Financial Director of financial matters relating to the Darts section; and
  - 16.23.4. attend the Financial committee meetings as required by the Financial Director.
- 16.24. The duty of the Men's Darts Captain is to; -
- 16.24.1. advise the Darts Director of matters relating to Men's Darts; and
  - 16.24.2. form a Men's Darts sub-committee to manage any specific item that is unique to Men's Darts.
- 16.25. The Men's Darts Captain may co-opt a total of no more than six Members to serve on the Men's Darts sub-committee
- 16.26. If the votes are divided equally on a question, the chairperson of the Men's Darts sub-committee meeting has a second and casting vote.
- 16.27. The duty of the Wemen's Darts Captain is to; -
- 16.27.1. advise the Darts Director of matters relating to Women's Darts; and
  - 16.27.2. form a Women's Darts sub-committee to manage any specific item that is unique to Women's Darts.
- 16.28. The Women's Darts Captain may co-opt a total of no more than six Members to serve on the Women's Darts sub-committee
- 16.29. If the votes are divided equally on a question, the chairperson of the Women's Darts sub-committee meeting has a second and casting vote.
- 16.30. No events or functions proposed or conducted by the Darts committee shall be conducted without the approval of the Board. The Darts committee shall also co-ordinate and co-operate closely with the Board in the organization and running of any events, entertainment and social functions which are to be held purely in the interests of Dart Members and which require the use of the Club House or its surrounds.

## **17. Snooker Section**

- 17.1. The objects of the Snooker Section of the Club are to;
  - 17.1.1. promote, foster and control the game of Snooker, Billiards and Pool; and
  - 17.1.2. to engender good fellowship and sportsmanship among members.
- 17.2. Membership of the Snooker section shall comprise those members of the Club who are Members participating in organised Snooker events.
- 17.3. The management of the Snooker section shall be vested in the Snooker Director.
- 17.4. Nominations for the positions of Snooker Director shall be called by placing a notice on the Club notice board, at least twenty-eight (28) days prior to the date of the Snooker annual general meeting.
- 17.5. All financial Snooker section members of the Club are eligible to vote to elect the Snooker Director.
- 17.6. Nominations for election to the Snooker Director shall close at 6.30 p.m. fourteen (14) days prior to the Snooker annual general meeting.
- 17.7. Nominations for election to the Snooker Director position shall be in writing to the Club Secretarial Director, detailing the proposer, seconder and the nominee's full name and signature, and on receipt by the Club Secretarial Director, shall be placed on the Club notice board
- 17.8. In the case where only the one candidate is nominated for the position of Snooker Director, that nominee shall be automatically appointed.
- 17.9. Where a ballot is necessary for the position Snooker Director, ballot papers shall be forwarded to Snooker members not less than seven (7) days prior to the Snooker annual general meeting. The annual election of Snooker Director shall be by ballot, if required, each Snooker annual general meeting in the presence of a Returning officer, and two scrutineers elected by the members present at such meeting. Snooker Members unable to attend the meeting may lodge a vote on the approved ballot paper with the Club Secretarial Director prior to the meeting, having also recorded and signed an apology for the meeting on an outer sealed envelope that contains the sealed ballot paper.
- 17.10. The Club President shall act as Returning Officer for the Snooker section and shall; -
  - 17.10.1. count all votes of any ballot held in accordance with these By-laws; and
  - 17.10.2. decide and announce the result of any ballot.
- 17.11. If the votes are divided equally on the question, the Returning Officer shall refer the question to the Board of Management and the Board of Management will decide on the matter.
- 17.12. The duty of the Snooker Director is to; -
  - 17.12.1. attend the Board of Management Meetings; and

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17.12.2. co-ordinate all matters relating to the game of Snookers for the Club.