

CONSTITUTION BY-LAWS

July 2013

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YARRAVILLE-FOOTSCRAY BOWLING CLUB INC.

No.A000759444U

TABLE OF CONTENTS

A	BOWLING SECTIONS	
1	General.....	2
2	Meetings.....	2
3	Section Committees.....	2
4	Selection Committees.....	3
5	Greens Committee.....	4
6	Delegates.....	4
B	MEMBERSHIP.....	4
1	Election of Members.....	4
2	Special Bowling Members.....	4
3	Special Members.....	5
4	First Year Members.....	5
5	Social Members.....	5
C	CONDUCT CODE.....	6
1	General.....	6
2	Code of Conduct.....	6
D	GENERAL MEETINGS.....	6
1	Annual General Meetings.....	6
E	BOARD OF MANAGEMENT.....	7
1	Officers of the Board.....	7
2	Chairman.....	7
3	Secretary.....	7
4	Finance Director.....	8
F	CLUB COLOURS.....	8
G	CLUB REPRESENTATION.....	8
F	FEES – OFFICERS OF THE CLUB.....	9
ANNEXURE A	Nomination for Membership.....	10
ANNEXURE B	Code of Conduct.....	11
ANNEXURE C	Heat Policy.....	12
ANNEXURE D	Smoking Policy.....	13
ANNEXURE E	Board of Management Code of Conduct.....	16

A BOWLING SECTIONS

1. General

- a. The Bowls Committee (Committee) shall comprise of elected full bowling members.
- b. In playing bowls, members shall observe the Laws and Rules of Bowls Victoria.
- c. Failure to observe any such Laws or Rules will render the offending player liable to disqualification from the match or competition.
- d. Not later than the 7th May of each year the Committee shall submit to the Secretary of the Board a copy of it's annual Financial Statement showing all details of all monies received and expended in connection with it's activities.

2. Meetings

- a. The Committee may hold such Ordinary Meetings of it's members as may be convened under these By-laws, but shall hold a Committee Annual General Meeting at such date and place as the Committee determines, but not later than one (1) month prior to the Annual General Meeting of the Club.
- b. The business of the Committee Annual Meeting shall be;
 - a. To confirm the minutes of the last preceding Committee Annual Meeting;
 - b. To receive from the Committee President a report on the transactions of the Committee during the preceding year;
 - c. To elect officers of the Committee and Club Delegates;
 - d. To elect a Tournament Committee;
 - e. To elect a Section Selection Committee;
 - f. To determine the number of pennant sides to be entered in Pennant competitions, but on the resolution of the members, this matter may be referred to the Committee with the power to act;
 - g. To transact any other business of which notice has been given;
 - h. To transact any other general business;
- c. The rules for general meetings of the Club, suitably modified to provide for office bearers and the like and for a quorum of twenty (20) full bowling members, shall apply to Ordinary and Annual Meetings.

3. Bowls Committees

- a. The affairs of each Committee as provided in Clause 20.5 (c) shall be managed by the respective Section committee.
- b. The offices of each section shall be;
 1. a President
 2. Vice-Presidents
 3. a Secretary and assistant secretary
 4. a Treasurer and assistant treasurer
 5. the immediate Past President
 6. committee members (number to be determined by the committee)
- c. The provision of Rule 16 of the Constitution so far as they are applicable and with the necessary modifications apply to and in relation to the election of persons any of the officers mentioned in sub-clause (b).
- d. Each officer of the Committee shall hold office for not less than twelve (12) and/or until his or her successor is elected, but is eligible for re-election.
- e. In the event of a casual vacancy in any office referred to in sub-clause (b), the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the Committee Annual General Meeting next following the date of his or her appointment.
- f. The Committee shall consist of the officers of the Section and five (5) ordinary Committee members, each of whom shall be elected at the Section Annual Meeting.
- g. Each ordinary member of the Committee shall, subject to these rules, hold office for not less than twelve (12) months and until his or her successor is elected but is eligible for re-election.
- h. In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office, subject to these rules, until conclusion of the Committees Annual Meeting next following the date of his or her temporary appointment.

4. Selection Committees

- a. The Selection Committees shall be elected by members of the Club at the Section Annual Section Meetings. The number of members comprising these Committees shall be determined at Section Committees.
- b. The duties of these Committees shall be to select pennant Teams and Pennant practice matches.
- c. Any member wishing to nominate for Selection Committee must be a financial member of the Club for at least one season immediately prior to his or her nomination.

5. Greens Committee

- a. The Greens Committee shall be elected by members of the Club at the Annual General Meeting. It will comprise of at least three (3) members.

- b. The elected members shall nominate a Chairman who will be known as the Greens Director and shall act as a liaison between the Board and the Greenkeeper.

6. Delegates

- a. The Delegates to Bowls Victoria shall be elected by members at the Section Annual General Meetings. The Section Committees shall have the power to fill any casual vacancy.
- b. Any Member wishing to nominate for Delegate must be a Full Member for at least two (2) years immediately prior to his or her nomination.

B MEMBERSHIP

1. Election of Members

- a. Each candidate seeking admission as a member of the Club shall be proposed and seconded by a Full Member or Life Member. (using the Application Form contained in Annexure A) The form to be passed to Secretary The name of the candidate together with the name of the proposer and seconder shall be displayed on the Clubhouse notice board for a period of not less than 14 days for the members review. Candidates for membership shall be elected by the Board by ballot. The Board may refer any application to the Bowls Sections for their recommendation for membership prior to them voting on any particular application for membership.
- b. Should any Member wish to object to a candidate's application they must lodge their objection or concern in writing with the Board within the 14 day evaluation period. Any such objection will be treated in confidence and will be taken into account when the Board is considering the approval of the candidates application.
- c. Upon election of a new member, the Secretary or his delegate shall give the new member notice thereof stating the amount of the membership fee payable, and shall provide a copy of the Club's Constitution and By-Laws. Upon receipt of the membership fee, the elected person shall be enrolled as a member and be bound by the Constitution and By-Laws.

2. Special Bowling Member

- a. A Full Bowling Member who has been a financial member of the Club for a minimum of five years (5) may, at the sole discretion of the Board be granted a Special Bowling Membership.
- b. The bowling rights will be restricted to social bowls only (in mufti) and practice at any time the greens allow.
- c. The Special Bowling Member shall not have any voting rights.

- d. The annual subscription fee will be determined by the Board at its sole discretion.

3. Special Member

- a. A Full Member who has been a financial member of the Club continuously for ten (10) years and through age or ill health cannot continue to bowl, may be granted Special Membership.
- b. A Special Member shall not be required to pay the annual membership fees.
- c. A Special Member shall not hold office on the Board, shall not nominate an eligible member nor vote in an election of the Board, but otherwise shall be entitled to the privileges of the Club, except he/she may not bowl.

4. First Year Members

New Bowling Members may, at the sole discretion of the Board, have their first year membership fees waived, but cannot during this period, stand for office.

5. Social Members

- a. Applications for a Social Membership shall be as for a Full Member except that it will specify "Social Member".
- b. A Social Member shall not hold office on the Board, shall not nominate an eligible member nor have any voting rights.
- c. The maximum number of Social Members shall be determined by the Board.
- d. The Annual Fee for Social Members shall be determined by the Board.
- e. Categories for social memberships shall be Platinum; Gold; Silver; and Bronze. Terms and conditions of these categories will be determined by the Venue Manager.

6. Junior Member

- a. No person under the age of 18 years shall be admitted other than as a Junior Member.
- b. Any person of good character aged less than 18 years who is nominated and approved for Junior Membership of the Club in accordance with the rules is eligible to be a Junior Member on payment of the Annual Membership Fee.
- c. Junior Members shall not be entitled to purchase or consume liquor on the premises of the Club nor shall they be eligible to hold office or vote at any meeting of the Club, but shall be entitled to participate in such Bowls activities on the greens as the Board shall determine.
- d. On attaining the age of 18 years, Junior Members shall be eligible to continue in such membership class, but shall be eligible for nomination and election to other as provided in the rules without delay.
- e. The Annual Fee for a Junior Member shall be twenty percent (20%) of that of a Full Membership Fee plus the capitation fee.

7. Interim Member

- a. At the sole discretion of the Board an applicant may apply to join the Club as an Interim Member while their application is being considered during the 14 day review period as detailed in Clause B 1 (a) and as provided in the Constitution.
- b. If approved by the Board, the applicant may participate in bowls competitions and represent the Club during this period subject to payment of the Annual Membership Fee, the applicable capitation fee and any transfer fees.
- c. The Interim Member shall not be eligible to hold office nor vote at any meeting of the Club.
- d. The applicant for Interim Membership will be on a 14 day approval period whereby any Full member or Life Member has the right to object to the membership approval during that period. Should an application be rejected there is no right of appeal by the applicant and the Board's decision is final. All other conditions relating to membership in the Rules will apply.
- e. Should the application be rejected the Annual Membership Fee will be reimbursed to the applicant.

C CONDUCT CODE

1 General

- a. Members of the Club are required to act in a courteous manner towards each other while participating in all activities within the Club. In particular no member should openly complain or criticise an employee, Board member, committee member or volunteer worker of the Club.
- b. No objectionable language or behaviour or illegal gambling shall be permitted on the premises.
- c. Any infringement of this by-law shall be brought to the attention of the Board which shall have the power and sole discretion to impose a fine not exceeding four times the then current annual subscription for full membership, or suspend the offending member (for each offence) and no member so fined or suspended shall be permitted to enjoy the privileges of the Club until such fine or suspension has been paid or whilst suspended.

2 Code of Conduct

All members, employees and visitors whilst on the premises or representing the Club shall abide by the 'Code of Conduct' as detailed in Annexure B as amended from time to time.

D GENERAL MEETINGS

1 Annual General Meetings

- a. The Club shall in each calendar year convene an Annual General Meeting of it's members.
- b. The Annual General Meeting shall be held at such date as the Board determines.
- c. The ordinary business of the minutes of the last preceding Annual General Meeting shall be:-

1. To confirm the minutes of the last annual General Meeting and of any General Meeting held since that meeting;
 2. to receive from the Board ,the Annual Finance Report upon the transactions of the Club during the last presiding financial year;
 3. to receive and consider the statement submitted by the Club in accordance with section30 (3) of the Act;
 4. to elect officers of the Board and the Ordinary Members of the Board;
 5. to elect auditors;
 6. to elect such sub-Committees as the Board determines;
 7. to transact any other business affecting the interest and welfare of the Club;
 8. to transact any other general business.
- d. The Annual General Meeting will be in addition of any other General Meetings that may have been held in the same year.

E BOARD OF MANAGEMENT

1 Officers of the Board

- a. The officers of the Board shall be;
1. Chairman
 2. Vice Chairman
 3. Secretary
 4. Finance Director
 5. Ordinary Member

2 Chairman

Except as otherwise provided in the Constitution, the Chairman shall preside at all meetings, regulate and keep order in all proceedings and carry into effect the Rules of the Constitution and By-Laws of the Club.

3 Secretary

- a. shall be the Public Officer of the Club;
- b. shall keep minutes of the resolutions and proceedings of each General Meeting and each Board Meeting in books provided for this purpose together with a record of the names of persons present at the Board meetings;
- c. shall conduct all correspondence in connection with the general business of the Club;

- d. shall prepare for submission to the Annual General Meeting the report of the Board and on the activities of the Club during the year;
- e. shall in any other respect carry out the duties usually associated with the office of Secretary;
- f. shall ensure that there are kept proper accounts and records of the transactions and affairs of the Club and such other records as will sufficiently explain the financial operations and financial position of the Club and;
- g. shall keep in his or her custody and control all books, documents and securities of the Club, except as otherwise provided in the constitution and By-Laws.

4 Finance Director

- a. shall collect and receive all monies due to the Club and make all payments authorised by the Board;
- b. shall keep correct accounts and books showing the financial affairs of the Club with the particulars usually shown in books of a like nature and full details of all income and expenditure connected with the activities of the Club;
- c. shall arrange for the deposit of all monies belonging to the Club with the Club's bankers;
- d. shall prepare and submit financial statements to each Annual General Meeting;
- e. shall submit a statement of cash transactions and of the financial position of the Club, including bank balances, at each ordinary meeting of the Board;
- f. the Financial Statement shall be submitted to all members not less than fourteen (14) days prior to the annual General Meeting; and
- g. members requiring answers to queries from the financial Statement, must submit all details of such queries in writing and lodged with the Finance Director not less than seventy (72) two hours prior to the Annual General Meeting.

F CLUB COLOURS

The Colours of the Club shall be Red, White, and Blue or as determined by members at an Annual General Meeting and subject approval by Bowls Victoria.

G CLUB REPRESENTATION

Any full bowling member who represents the Club in events at State or National Championships may qualify for financial assistance by the Club. It is the responsibility of the Secretaries in each bowling section to make representation to the Board for such assistance. It will be at the sole discretion of the Board to determine if such assistance is warranted and the amount provided.

After serving one full year, members of the Board of Management shall have their annual fees paid for by the Club for each year of service on the Board.

After serving one full year, the President, Secretary and Treasurers of the Mens and Ladies section shall have their annual fees paid for by the Club for each year of service in those positions.

Annexure A

YARRAVILLE – FOOTSCRAY BOWLING CLUB INC.

ABN 25 289 918 124

339a Francis Street , Yarraville, Victoria 3013

Tel. 03 9314 4530

Fax. 03 9318 0312

Email. bowlz@eftel.net.au

Nomination for Bowling Membership

To the Secretary:

Date of Nomination: _____

We hereby nominate:

Given Name

Middle Name

Surname

As a member of the "Yarraville-Footscray Bowling Club Inc."

Proposer Name: _____

Seconder Name: _____

Proposer Signature: _____

Seconder Signature: _____

Applicants Declaration

"If I am admitted as member I agree to abide by the Constitution and Rules of the Club."

Nominee signature: _____ Date of Birth: _____

Address: _____ Occupation: _____

_____ Previous if retired: _____

_____ Post Code: _____

Tel: _____
Home Business Mobile

Email: _____

Has the nominee had any previous bowling experience; if so with which Club(s)

Date nomination received: _____ Secretary: _____

Date Approved by Committee: _____ Date Approved by Board: _____

Annexure B

YARRAVILLE-FOOTSCRAY BOWLING CLUB INC.

CODE OF CONDUCT

The Yarraville-Footscray Bowling Club expects all members, employees and visitors whilst on the premises or representing the Club to abide by the following Code of Conduct.

This Code of Conduct is in accordance with Bowls Victoria affiliation requirements and the Victorian (Government) Code of Conduct for Community Sport.

Respect and comply with the Laws of the Sport of Bowls, Constitutional Rules and By-Laws as laid down by Bowls Australia, Bowls Victoria and the Yarraville-Footscray Bowling Club.

Respect and comply with the etiquette of lawn bowls, including true sportsmanship and the spirit of fair play.

Adhere to the dress codes of the sport and the Club.

Respect and comply with any decisions made by the Board of Management and Committees of the Yarraville-Footscray Bowling Club.

Do not tolerate or participate in any obscene, abusive, racial, discriminatory, defamatory or objectionable language or alcohol abuse.

Do not tolerate or participate in any unsavoury, abusive, unruly or improper conduct.

Do not act or participate in a manner unbecoming of a Member or prejudicial to the purposes and interests of the Club.

Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations.

Do not remove or damage any property owned or under the control of the Club.

All patrons and Members should make themselves aware of and abide by the statutory liquor licensing and responsible gaming requirements displayed in the Venue.

Annexure C

YARRAVILLE-FOOTSCRAY BOWLING CLUB INC. (YFBC)

HEAT POLICY.

YFBC recognises that exposure to excessive heat is hazardous to health and that all persons at our club should be protected from it and the Club has a duty of care to ensure this.

Excessive heat can quickly result in heat stress and is a serious health issue.

Victorian Government guidelines on heat point out the following:-

- **Heat kills more Australians than any natural disaster.**
- **Heatstroke is fatal in up to 80% of cases.**
- **During the 2009 Victorian heatwave the number of deaths increased by 374 people.**
- **Heat-related illness can be prevented.**
- **Keep cool, avoid vigorous physical activity in hot weather, and drink plenty of water and other non-alcoholic fluids**

In relation to any events, not already covered by policy or rules relating to heat. (I.e. those where YFBC is the organising body for the event, including practice at and social bowling use of the club), then the following policy shall apply:-

POLICY

- **For any bowling event, practice or social bowling event conducted at the YFBC, that is not already covered by a heat policy or rules (e.g. Bowls Victoria – Rules for Competition), then if the temperature recorded on the designated temperature gauge at the YFBC has reached 36 degrees Celsius, the game/practice/event shall be suspended and the greens closed.**

- **If the temperature on the designated temperature gauge at the YFBC then falls below 36 degrees, then the greens can be reopened at the discretion of the club and the game/practice/event may be continued.**

The designated temperature gauge at the YFBC shall be used in all these local circumstances as it will be the most accurate indication of local conditions and therefore most accurately reflect the real threat of excessive heat and heat stress on the players/participants.

July 2016

Annexure D

YARRAVILLE-FOOTSCRAY BOWLING CLUB

SMOKING POLICY.

1. Philosophy.

- a. The Yarraville Footscray Bowling Club (YFBC) recognises the importance of health and fitness. YFBC also recognises that exposure to environmental tobacco smoke (passive smoking) is irritating and hazardous to health, and that non-smokers should be protected from it. Legislation and a legal duty of care provide clear reasons why the YFBC should encourage a smoke free environment where possible. The legislation also requires the YFBC to ensure we provide a workplace that is safe and without risk to the health of any person. Accordingly the following Policy has been developed for all persons at the YFBC to participate in the game of bowls currently in a smoke restricted environment, and to be able to use the other facilities at the Club in a healthy and safe environment.

2. Application.

- a. This policy is binding on all Members, Guests, Visitors, Spectators, Employees and Contractors whilst at the YFBC.
- b. Prior to the commencement of Pennant, team managers shall inform the opposition team managers of the Smoking Policy requirements.
- c. A designated club official will also announce the smoking policy requirements to all participants prior to the commencement of all arranged Social, Barefoot and Tournament bowls events.

3. Smoke Free Areas.

- a. The area of the premises north of the footpath running along the north side of the YFBC clubhouse, (all greens, banks, shelters and surrounds), will be smoke-free at all times.
- b. The club house, any covered area and indoor area will be smoke-free at all times.
- c. The deck area starting in front of the main exit door extending west to the end of the main building including a four metre buffer zone along the front.
- d. In addition, Legislation from 1st of April 2014, prohibits smoking within 10 metres of venue during organised under 18's events. As such during these events smoking will only be permitted on the south side of the YFBC clubhouse. (i.e. the YFBC club south carpark.)
- e. All smoke-free areas will be marked with "No Smoking" signs.

4. Penalties.


- a. Any person found in breach of section 3, shall be warned and requested to stop smoking immediately.
- b. If the person continues they shall be warned that a refusal to comply will mean they will be removed from the grounds of the YFBC.
- c. Any repeated of flagrant breaches will be referred to the YFBC Board, to be dealt with via the clubs disciplinary procedures.

5. Reporting Smoking.

- a. Any person may report an incident if they feel there has been a breach of this policy.
- b. It is expected that all members and officials of the club will approach any person in breach of this policy and advise them of the clubs policy.
- c. If the breach continues they should bring the breach to the attention of a staff member or club representative to be dealt with as per section 4.

6. Outdoor dining areas.

- a. As of 1st August, 2017 the Victorian Government has announced that smoking will be prohibited in all outdoor dining areas on licensed premises. Restricted areas are outlined below.

Key-:  NO SMOKING AREAS are inside this red line. (Outside of this at normal events smoking is permitted.)

ONLY PERMITTED SMOKING AREA WHEN UNDER 18'S EVENTS ARE BEING HELD are inside the green line. July



August 2015

YARRAVILLE-FOOTSCRAY BOWLING CLUB INC.

CODE OF CONDUCT FOR BOARD MEMBERS

INTRODUCTION:

The Yarraville-Footscray Bowling Club Inc (YFBC) Code of Conduct for Board Members (Code) aims to develop a consistent understanding of, and approach to, the desired standards of conduct of members of the board of directors. Through this Code, YFBC seeks to encourage and develop a culture of professionalism, honesty and responsibility in order to maintain and enhance our reputation as a valued and respected organisation.

In performing their role, directors on the board are bound by legislated requirements and other sources of legal obligation, and by the established values of : responsiveness, integrity, impartiality, accountability, respect, and leadership. The Code sets out these requirements. However, directors may also be bound by other sources of legal obligation over and above those articulated in the Code.

It is expected that all Board members shall receive a copy of the Code, acknowledge they understand the requirements of the Code, and sign a statement of intent to comply. Failure by any member of the Board to comply with this Code will be interpreted as “acting in a manner unbecoming of a Member or prejudicial to the purposes and interests of the Club, or another Member” under Clause 9.1(a)(ii) and/or “brought themselves, the Club, Bowls or another Member into disrepute” under Clause 9.1(a)(iii) will therefore be dealt with by the Board under the provisions of the Constitution.

Guidance notes on the Code of Conduct have been provided to assist in interpretation of the Code. They do not form part of the formal code. In reading the code and these guidance notes, directors should bear in mind that their duties under the code overlap. This is because, in practice, the behaviours and processes that are relevant to any one duty (eg act with “honesty and integrity”) are also relevant to other (eg “use your position appropriately”).

THE CODE OF CONDUCT, WITH GUIDANCE NOTES, IS AS FOLLOWS:

1. **Act with honesty and integrity.** Be open and transparent in your dealings; use power responsibly; do not place yourself in a position of conflict of interest; strive to earn and sustain the trust of the members; do not engage in conduct likely to bring discredit upon the Club.
2. **Act in good faith in the best interests of the Club.** Demonstrate accountability for your actions; accept responsibility for your decisions; do not engage in activities that may bring you or the Club into disrepute; always act in the best interests of the Club as a whole, but, where appropriate, have regards for the interests of all stakeholders of the Club.
3. **Act fairly and impartially.** Avoid bias, discrimination, caprice or self-interest; demonstrate respect for others by acting in a professional and courteous manner; be independent in judgement and actions; take all reasonable steps to be satisfied as to the soundness of all decisions taken by the board of directors.
4. **Use information appropriately.** Ensure information gained as a director is only applied to proper purposes and is kept confidential; do not make improper use of information acquired as a director.

5. **Act in a financially responsible manner.** Understand financial reports, audit reports and other financial material that comes before the Board; actively inquire into this material.
6. **Exercise due care, diligence and skill.** Ascertain all relevant information; make reasonable enquiries; understand the financial, strategic and other implications of decisions; use care and diligence in fulfilling the functions of office and exercising the powers attached to that office.
7. **Demonstrate leadership and stewardship.** Promote and support the application of established values; act in accordance with the Code of Conduct; be obliged at all times to comply with the spirit, as well as the letter, of the law and with the principles of this code.
8. **Respect the confidentiality of the boardroom.** Ensure that all confidential information relating to the Club, its staff, members, or other third parties is not disclosed either inadvertently or deliberately, unless specifically approved by the Board, or required under relevant law or legislation; confine discussion of Club business, particularly of a commercially sensitive or private nature, to properly constituted meetings of the Club's Board and sub-committees.
9. **Use your position appropriately.** Do not use your position as a director to seek an undue advantage for yourself, family members or associates; properly manage any conflict with the interests of the Club; do not discuss Club business with the employees of the Club unless the discussion relates to an emergency or a breach of law; direct any queries by employees to management (this does not include any discussions that any member of the Club is entitled to have with a staff member in the normal course of operations).
10. **Support Club Management and Staff.** At all times, assist and support management and staff in the performance of their duties.
11. **Follow appropriate Meeting Procedure.** Conduct properly constituted meetings of the Board and sub-committees based on formal meeting principles, observing the authority of the chairman; the chairman will exercise the authority fairly, seeking consensus and respecting the views of the Board; motions approved at board meetings are not confidential unless the Board so decrees, in which case a director must abide by that decree; do not speak publicly on Club matters when or in such a way that the comments could be perceived to be an official representation of YFBC unless authorised to do so by the Board.
12. **Respect decisions of the Board.** At all times support decisions made by the Board; do not publicly criticise decisions of the Board.

CONCLUSION:

Each director is obligated to read and accept the provisions of this Code of Conduct. No code of conduct, however, can address every situation for which guidance may be necessary. If you are unclear about what might be the right course in a particular situation, stop and ask for guidance before taking action. All Board members are expected to abide by both the letter and spirit of this Code.

**Director's Annual
Declaration**

I acknowledge that I have read and considered the Code of Conduct of Yarraville-Footscray Bowling Club Inc and agree to conduct myself as a director in accordance with the Code.

Name: _____

Signed: _____

Dated: _____