

East Fremantle Lawn Tennis Club Inc. (EFLTC)

By-laws

DRAFT 07 May 2019

Adopted [**INSERT DATE**]

To be read in conjunction with the EFLTC Inc. Constitution

Guidance Note – Status of By-laws – A By-law must be consistent with the Act, the regulations and the constitution of the Association. The rules of an Association bind the Association and the members as an enforceable contract between them. By-laws may not have that status. Therefore, the use of by-laws should be reserved for more procedural or administrative matters.

1. NAME

The name of the Association is "East Fremantle Lawn Tennis Club Incorporated".

2. COLOURS

The colours of the EFLTC logo shall be Blue, Green and White.

3. Objects

In addition to the Objects of the Association in Clause 76 in the Constitution, the further Objects of the Association are to do all or any of the following: -

- (1) To purchase, lease, hire or otherwise acquire, any property for the purpose of managing the East Fremantle Lawn Tennis Club;
- (2) To lay out, construct, build, erect, alter or maintain the premises occupied by the Association including the tennis courts, clubhouse and hall, grandstands and other buildings and erections incidental thereto, with the permission of the Lessor as necessary, and to furnish, fit out and maintain the same for the use of the members of the Association and to provide all the necessary equipment, appliances and conveniences;
- (3) To accept subscriptions, donations and to borrow, raise and/or secure the payments of money for the purpose of acquiring the necessary facilities or equipment as required to assist in the promotion and/or organisation of tennis in such manner as the Association thinks fit;
- (4) To invest and deal with the monies of the Association not immediately required, upon such securities and in such manner as may be from time to time determined by the Board;
- (5) To promote, hold or enter into either alone or jointly with any other Association or club, any tournaments, competitions and matches and to offer, give or contribute trophies and other awards therefore;
- (6) To be affiliated with, or subscribe to, the Western Australian Lawn Tennis Association Incorporated (Tennis West) or any other Association or body whose objects are similar to the objects of this Association and, if thought fit, to withdraw or retire from any such Association or body;
- (7) To improve, manage, develop, lease, let or hire, grant rights or licenses in respect of all or any part of the property or rights of the Association, subject to the conditions of the Association's Lease with the Town of East Fremantle;
- (8) To borrow or raise a loan for any sum or sums of money and, for the purpose of securing repayment thereof, to execute or give any mortgages, charges, bonds, debentures, bills of exchange, promissory notes or other securities as may be deemed necessary, and to liquidate, redeem or pay off such obligations and securities or any of them;
- (9) To employ part-time or full-time staff, such as a Club Manager, as may be required for the benefit of the Association and/or to assist the promotion of any of the Objects of the Association, as deemed necessary;
- (10) To do any other act, matter or thing which may be deemed conducive to the interests of the Association or in the interests of the game; and

(11) To adopt the rules of the game and the Code of Conduct as adopted by Tennis Australia and the Western Australian Lawn Tennis Association (Tennis West).

4. CLASSES OF MEMBERSHIP

(1) Further to Clause 8 in the Constitution, the Ordinary Members of EFLTC shall be those members who have paid the nomination fee (if any) and the annual subscription, fixed from time to time and may be classified as follows:

- (a) Family Members – who consist of a married or de facto couple and their children who are eighteen (18) years or under as at September 1st;
- (b) Couple Members – who consist of a married or de facto couple;
- (c) Senior Members;
- (d) Midweek Members – who shall have restricted playing rights as per Subclause 5(2)(c) of these By-laws;
- (e) Youth Members – who shall be those persons who have attained the age of nineteen (19) years but have not reached the age of thirty (30) years as at September 1st;
- (f) Junior Members – who shall be persons who are eighteen (18) years or under as at September 1st;
- (g) Life Members and Honorary Members – who may be elected by ballot at a General Meeting of Members of the Association on the recommendation of the Board of Management in recognition of services rendered to the Association and after such election shall be entitled to enjoy all the privileges of Membership of the Association without payment of any fees. A Life or Honorary Member may only be elected if 75% of those present vote in favour. Honorary Members are persons that have been long term Members and have contributed to the Association but are unable to play due to older age, health, injury or other similar reason;
- (h) Parents of Junior Club Members – who shall be those persons who have one or more children who are Junior Members of the Association;
- (i) Country Members – who shall be those persons whose principal place of residence is more than 80 kilometres from the General Post Office, Perth;
- (j) Pennants Only Members – who shall be those persons who are a member of another tennis club, whilst playing Pennants for EFLTC;
- (k) Corporate Members – who shall be a company or corporation which is entitled to have up to 4 nominated persons at any one from time to time who are permitted to play on the Association's courts at times decided upon by the Board of Management;
- (l) Social Members – who shall be those persons who have no playing rights but are entitled to use the Association social facilities as Members;
- (m) Temporary Members – who shall be persons who are on any day visiting the Association as a member or an official of another club or team, or a person assisting a member or an official of another club or team to:
 - i. Engage in a pre-arranged event with the Association as per the Association's Objects; or

- ii. Hold a pre-arranged function at the Association involving the use of the Association's sporting facilities.
- (2) Application for Membership shall be in writing and signed by the applicant on such form as the Board of Management may prescribe from time to time.
 - (3) Each application shall be accompanied by the appropriate nomination fee (if any) and subscription and shall be subject to the approval of the Board of Management at the next Board Meeting.
 - (4) The Board of Management may, at its absolute discretion, approve or reject an application by a member for his or her Classification to be changed.

5. PRIVILEGES OF MEMBERSHIP

- (1) Family Members, Couple Members, Senior Members, Youth Members, Life and Honorary Members shall be entitled to:
 - (a) attend, speak and vote at all General Meetings;
 - (b) be an Office Holder or an Ordinary Board Member on the Board of Management;
 - (c) play on the Association's courts on all days when the courts are available for play;
 - (d) participate in tournaments and matches;
 - (e) attend all entertainments and social functions; and
 - (f) bring guests to the tennis club as herein provided.
- (2) Midweek Members shall be entitled to:
 - (a) attend, speak and vote at all General Meetings;
 - (b) be an Office Holder or an Ordinary Board Member on the Board of Management;
 - (c) play on the tennis club courts at the times decided upon by the Board of Management;
 - (d) participate in EFLTC championships and mid-week pennants;
 - (e) attend all entertainments and social functions; and
 - (f) bring guests to the tennis club as herein provided.
- (3) Junior Members shall be entitled to:
 - (a) attend and speak at all General Meetings, and shall be entitled to vote if they have reached 15 years of age;
 - (b) be an Ordinary Board Member on the Board of Management if they have reached 18 years of age;
 - (c) play on the tennis club courts at times decided upon by the Board of Management;

- (d) participate in tournaments and matches;
- (e) attend all entertainment and social functions except those especially arranged for Senior members; and
- (f) bring guests to the tennis club as herein provided.

(4) Parents of Junior Club Members shall be entitled to:

- (a) attend and speak at all General Meetings but shall not be entitled to vote;
- (b) be an Ordinary Board Member on the Board of Management;
- (g) play tennis with their children on the tennis club courts on all days when the courts are available, but at the discretion of the Board of Management or its Nominee (playing time may be restricted to outside the tennis club's organised playing times including times allocated for pennants and coaching); and
- (h) attend all entertainment and social functions.

(5) Country Members shall be entitled to:

- (a) attend and speak at all General Meetings but shall not be entitled to vote;
- (c) be an Ordinary Board Member on the Board of Management;
- (d) play on the tennis club's courts on not more than twelve (12) occasions during a year when the courts are fit for play, exclusive of tennis club tournaments;
- (e) participate in matches and tournaments;
- (f) attend all entertainments and functions; and
- (g) bring guests to the tennis club as herein provided.

(6) Pennants Only Members shall be entitled to:

- (a) attend and speak at all General Meetings but shall not be entitled to vote;
- (b) be an Ordinary Board Member on the Board of Management;
- (c) play on the tennis club's courts on not more than twelve (12) occasions during a year when the courts are fit for play, inclusive of tennis club tournaments and pennants;
- (d) participate in matches and tournaments;
- (e) attend all entertainments and functions; and
- (f) bring guests to the tennis club as herein provided.

(7) Corporate Members shall be entitled to:

- (a) attend and speak at all General Meetings but shall not be entitled to vote;
- (b) be an Ordinary Board Member on the Board of Management;
- (c) play on the tennis club's courts at times decided upon by the Board of Management;

- (d) participate in tournaments and matches; and
 - (e) attend all entertainments and social functions.
- (8) Social Members shall be entitled to:
- (a) attend and speak at all General Meetings but shall not be entitled to vote;
 - (b) be an Ordinary Board Member on the Board of Management; and
 - (c) attend all entertainments and social functions.
- (9) Temporary Members do not have any entitlements other than use of the EFLTC's facilities in accordance with Subclause 4(1)(m) of these By-laws.
- (10) Full members and the tennis club Coach always have priority use of the tennis club's courts.
- (11) At certain times, the tennis club's courts may be allocated for playing of special events at the discretion of the Board of Management or its Nominee.

6. CASUAL PLAYERS

Casual players are welcome at certain organised playing sessions and shall pay the prescribed fee, as determined by the Board of Management, before the commencement of play, and shall comply with all EFLTC Rules. Properly recorded Casual fees may be credited towards a Club Membership.

7. CLUB RESTRICTED LICENCE

- (1) The Association will sell and supply liquor in accordance with the terms of the Club Restricted License and as such will only sell and supply liquor to:
- (a) All members in accordance with the Liquor Act;
 - (b) A member holding a private function at the club with an unlimited number of guests, if the sale of the liquor is at the expense of the member; or
 - (c) A member and the guests of that member (without limitation to numbers) when ancillary to a meal supplied by the Association.
- (2) Liquor shall be sold for consumption only in the designated licensed areas on the premises.
- (3) A member may, during the trading hours of the Club Restricted Licence, introduce guests to the Club not exceeding five (5) in number and in the member's company.
- (4) Pursuant to Section 48(4)(b) of the Liquor Control Act 1988, the maximum number of guests per member per day is five (5).
- (5) Pursuant to Section 48(5) of the Liquor Control Act 1988, a person who is on any day visiting EFLTC (the host Club) as a member or an official of another Club, to:
- (a) engage in a pre-arranged tennis event with the host Club on that day; or

- (b) attend a pre-arranged function at the host Club involving the use of the host Club's facilities;

may, for the purposes of these By-laws, be taken to be a person who is afforded temporary membership of the host Club on that day, in accordance with the Rules approved by the Director of Racing, Gaming and Liquor.

8. FEES AND SUBSCRIPTIONS

- (1) Entrance Nomination Fees (if any) and subscriptions for each membership year shall be as determined by the Board of Management on or before 31 July each year.
- (2) Such fees and subscriptions shall be due and payable on 1 September in any year and if not paid on or before 30 September in the current Club year continuance of membership shall be at the discretion of the Board of Management PROVIDED THAT, where it shall be brought to the notice of the Board of Management that the enforcement of this provision will cause undue hardship to a person desiring to remain a member of EFLTC, the Board of Management may at its discretion extend the time for payment of the subscription due, or remit the whole or any part of such subscription.
- (3) The Board of Management may discharge, omit or waive any fees and subscriptions of any members for services rendered, or to be rendered to EFLTC or for services generally and in connection with the game of tennis. No particular case is to be taken as precedent in accordance with which the Board of Management is obliged to act in any other case.
- (4) Persons joining on or after 1 March shall pay subscriptions pro rata as determined by the Board of Management.
- (5) Any member may, on application to the Board of Management, obtain leave of absence for a period not exceeding one year, provided that the Board of Management is satisfied of the bono fides of such application and may re-join without payment of an Entrance Fee, and the member's place shall be kept vacant in the Register of Members. Applications under this rule must be made before the commencement of the financial year for which exemption is required, subject to the discretion of the Board of Management to accept such applications not filed in time as required by this Rule.

9. CLUB MANAGER

- (1) The Club Manager shall, subject to the direction of the Board of Management and the Club Management Subcommittee, be responsible for: -
 - (a) hall hire management,
 - (b) financial management tasks as assigned by the Treasurer,
 - (c) court hire management,
 - (d) advertising, newsletters, publications and promotion of EFLTC generally,
 - (e) fundraising and sponsorship and grant applications, and
 - (f) co-ordinating social events.
- (2) In addition, the Club Manager shall carry out other duties to assist Board Members with their roles, as shall be assigned by the Board of Management and by the Club Management Subcommittee, and as the agreed hours of employment allow.

- (3) The Club Manager shall prepare a brief monthly report, for review at each Board of Management Meeting, outlining what tasks have occurred during the previous month.

10. BOARD OF MANAGEMENT

In addition to Part 5 in the Constitution, the following apply:

- (1) All Members of the Board of Management shall hold office for one year plus twenty-one (21) days following the conclusion of the Annual General Meeting after their election.
- (4) All Members of the Board of Management who have completed their term of office prior to an Annual General Meeting shall retire twenty-one (21) days after the conclusion of such Annual General Meeting unless any such Member has been re-elected to such office at such Meeting.
- (5) The twenty-one (21) days period in the Clauses above shall be a handover period between outgoing and incoming Board Members.
- (6) The Club Manager(s) shall be permitted to attend all Board of Management Meetings but is not entitled to vote.

11. POWERS AND DUTIES OF THE BOARD OF MANAGEMENT

- (1) Further to the Powers and Duties set down in Part 5 of the Constitution and conferred on EFLTC by the Associations Incorporation Act 2015, the Board of Management: -
 - (a) shall, have such further powers and may take such steps and proceedings as may be considered conducive or incidental to the attainment of all or any of the Objects of EFLTC.
 - (b) shall construe and interpret these By-laws and such construes and interpretations shall be final unless revoked by a resolution carried at a General Meeting or Special General Meeting or by any Court of competent jurisdiction.
 - (c) shall approve the admission of all Members except Life Members and Honorary Members.
 - (d) may delegate to a Subcommittee or to a Subsidiary Office holder, any matter for investigation or report;
 - (e) shall have power to appoint, pay and dismiss servants of EFLTC such as a grounds person, tennis coach or Club Manager and without limitation to the aforesaid servant as it may deem necessary;
 - (f) may, subject to the law, make, repeal and amend such By-laws and Regulations as may be necessary for the management of EFLTC. A copy of such By-laws or Regulations shall be posted on the general notice board of EFLTC.
 - (g) shall comply with all orders, directions and references given to it in accordance with a resolution of members at a General Meeting.
 - (h) shall enforce all By-laws, Rules and Regulations of EFLTC and take disciplinary action as deemed necessary.
- (2) Where immediate action is required in any matter affecting policy or in the interest of EFLTC, and it is impractical to refer the matter to the appropriate Subcommittee, the Chairperson shall seek the advice of not less than half the Members of the Board

of Management as may be practical, and shall act in such manner as decided by a simple majority of such Board Members.

12. MEETINGS OF THE BOARD OF MANAGEMENT

In addition to Clause 41 in the Constitution, the Board of Management shall meet as often as it shall respectively from time to time determine and on any special occasion when summoned by the President or Secretary PROVIDED THAT not more than two (2) calendar months shall elapse between meetings.

13. DUTIES OF MEMBERS OF THE BOARD OF MANAGEMENT

In addition to those duties that are outlined in the Constitution, the duties of the Office Holders of the Board of Management shall be as follows:

(1) The President shall:

- (a) preside as Chairperson at all Meetings of EFLTC and of the Board of Management attended. The President shall ensure that all such Meetings are properly conducted in accordance with the generally accepted rules of debate and order of business and with the Objects of EFLTC always in mind. The result of any motion or decision, the voting on which is equally divided, shall be decided by the Chairperson casting a vote which is in addition to his or her deliberative vote.
- (b) The President shall be responsible for other aspects of the running of EFLTC as decided upon at the first meeting of the Board of Management following the Annual General Meeting

(2) The Vice President shall:

- (a) chair all meetings from which the President is absent, and as to the conduct of such meetings, shall perform the duties of the President. In the absence of both the President and the Vice President, those present shall elect a Chairperson for the occasion.
- (b) The Vice President shall be responsible for other aspects of the running of EFLTC as decided upon at the first meeting of the Board of Management following the Annual General Meeting.

(3) The Secretary shall:

- (a) subject to direction by the Board of Management, dealing with all correspondence addressed to EFLTC;
- (b) keep a Minute Book containing a record of all business transacted by EFLTC at all Meetings;
- (c) make available on demand for inspection by members, an up-to-date copy of the Constitution and the associated By-laws;
- (d) have custody of all books, documents, records and registers of EFLTC, other than those required to be kept and maintained by, or in the custody of the Membership Secretary, and those required to be kept and maintained by, or in the custody of the Treasurer; and

- (e) carry out such duties as the Board of Management may direct.
- (4) The Treasurer shall:
- (a) subject to the direction of the Board of Management, receive and acknowledge all monies on behalf of EFLTC; examine and report to the Board of Management at each Meeting, seek approval for any expenditure outside budget items, produce same and tender recommendations as to payments thereof;
 - (b) maintain proper accounts showing the financial affairs of EFLTC and particulars usually shown in the books of account of a like nature, shall prepare an annual budget and present to the Board of Management on or before 30 April in each year and shall make up the annual statement of income and expenditure and balance sheet at the end of each financial year; and
 - (c) have custody of all securities, books and documents of a financial nature and accounting records of EFLTC.
- (5) Ordinary Board Members (refer to Clause 27 of the Constitution) – shall be responsible for aspects of the running of EFLTC as decided upon at the first Meeting of the Board of Management following the Annual General Meeting
- (6) Aspects of the running of EFLTC shall be designated to Ordinary Board Members at the first Board Meeting following the Annual General Meeting. These may include, but are not limited to, tasks that are within the following areas:
- (a) Club Captain;
 - (b) Membership;
 - (c) Social;
 - (d) Juniors;
 - (e) Grounds and Equipment;
 - (f) House;
 - (g) Midweek Members;
 - (h) Publicity, Sponsorship and Fund-raising; and
 - (i) Others as necessary.
- (7) Tasks associated with the above positions may generally include:
- (a) Captain:
 - i. oversee play and set-making on the courts on social tennis days;
 - ii. assist the Club Coach to organise tournaments;
 - iii. arrange the appointment of Vice-Captains (if any) and liaise with them as required; and
 - iv. report to the Board on all social tennis matters.
 - (b) Membership:
 - i. assist the Secretary by ensuring that the Register of Members is kept up to date;

- ii. oversee the issue of annual Membership Fee notices, assisted by the Club Manager;
 - iii. perform the duties of the Secretary during any absence; and
 - iv. have custody of all documents relating to Membership of EFLTC, assisted by the Club Manager.
- (c) Social:
- i. assist the Club Manager with the organisation of Club social functions; and
 - ii. assist the Club Manager with the organisation of Club fundraising events.
- (d) Juniors:
- i. liaise with the Club Coach;
 - ii. liaise with the Junior parents;
 - iii. report to the Board at Management Meetings on all matters regarding the Juniors.
- (e) Grounds and Equipment:
- i. assist the Club Manager to manage the contractor responsible for the care and maintenance of the courts and grounds;
 - ii. assist the Club Manager to manage the care and maintenance of equipment for the courts and grounds; and
 - iii. otherwise manage the maintenance of the courts and grounds.
- (f) House Manager:
- i. assist the Club Manager to organise the care, management, cleaning and maintenance of the buildings, together with furniture and fittings;
 - ii. assist the Club Manager to arrange the hire of the hall;
 - iii. assist the Club Manager to liaise with sub Lessees; and
 - iv. assist the Club Manager to organise the management of the clubrooms and bar.
- (g) Midweek Members:
- i. assist the Club Manager to arrange for midweek social tennis.
- (h) Publicity, Sponsorship and Fundraising Manager
- i. assist the Club Manager to arrange for publication of the EFLTC Newsletter;
 - ii. assist the Club Manager to take care of the publicity and promotion of EFLTC; and
 - iii. assist the Club Manager to arrange for sponsorship and make Grant Applications.

14. SUBCOMMITTEES

- (1) The Board of Management may appoint Subcommittees or persons in Subsidiary Offices, responsible to the Board, which may include but not be limited to the following:
- (a) Strategic Planning and Compliance Subcommittee
 - (b) Finance, Sponsorship, Fundraising and Bar Subcommittee
 - (c) Membership Subcommittee
 - (d) Social Subcommittee
 - (e) Tennis Activities Subcommittee

(f) Building, Grounds and Maintenance Subcommittee

(g) Club Management Subcommittee

- (2) The President of EFLTC shall be an ex-officio Member of all Subcommittees.
- (3) The Chairperson of any Subcommittee shall only be appointed from among the Members of the Board of Management and shall have the power to select Subcommittee Members from other ordinary Club members, subject to the approval of the Board of Management.
- (4) The Board of Management may at any time terminate the appointment of any Subcommittee and of the Members appointed thereto.
- (5) All of the Members of all Subcommittees shall retire at the expiration of each Annual General Meeting but shall be eligible for re-appointment.

15. MEETINGS AND PROCEEDINGS OF SUBCOMMITTEES.

- (1) The Subcommittee Members shall meet as often as they respectively determine is needed and notices of Meetings of Subcommittees shall be determined by the Chairpersons of such Subcommittees.
- (2) At all Meetings of any Subcommittees, two (2) members of such Subcommittee present shall constitute a quorum.
- (3) At Subcommittee Meetings, the Chairperson shall determine the order of business.
- (4) The Chairperson, or a Subcommittee Member appointed by the Chairperson, shall prepare a report summarising the activities of the Subcommittee, including the minutes of any Meetings, for tabling at the next Meeting of the Board of Management.

16. PATRONS

The Patrons shall be those persons recommended by the members at the Annual General Meeting, who are invited each year by the Board of Management and accept such invitation.

17. HONORARY AUDITOR

- (1) The Honorary Auditor or Auditor shall be elected at the Annual General Meeting of members and shall receive remuneration (if any) as approved by the Board of Management. The Honorary Auditor or Auditor shall retire at each Annual General Meeting but shall be eligible for re-election.
- (2) The Honorary Auditor or Auditor shall from time to time inspect and check the books of Club and for these purposes shall at all times have access to all records of EFLTC.
- (3) The Honorary Auditor or Auditor shall audit the accounts and balance sheet to be presented to the Annual General Meeting and shall report to the members thereon.
- (4) The Honorary Auditor or Auditor may at any time and shall when requested by the Board of Management investigate and report to the Board of Management upon the financial position of EFLTC or any aspect thereof.

18. COMMON SEAL

- (1) EFLTC shall have a Common Seal which shall be in the custody of the Secretary. The Common Seal shall only be affixed to any deed, instrument or document by the President or Vice President and the Secretary and by order of the Board of Management. The Secretary shall keep record of all documents to which the Common Seal shall have been affixed.
- (2) Any official, lawful, written contractual agreement for goods or services, but excluding Loan Agreements, entered into by East Fremantle Lawn Tennis Club Inc. and requiring the Common Seal, must first be offered for Tender. Notice of the Tender is to be widely advertised at least three months prior to the signing of a Contract. Alternatively, a selected Tender process can be followed.
- (3) All Contracts entered into by EFLTC must contain the wording: "To be valid, this Contract must comply with all aspects of the Constitution of the East Fremantle Lawn Tennis Club Inc."
- (4) All Contracts in their final form and prior to signing must be provided to all Board of Management members for approval by way of vote at a full Board Meeting.

19. HONORARIA

Where services are provided to EFLTC, Honoraria shall be made as determined by the Board of Management from time to time.

20. STANDING ORDERS

- (1) These Standing Orders shall be applicable to all General Meetings and shall be construed subject to the other provisions of this Constitution and if there be any conflict then such other provisions shall be paramount.
- (2) Meetings shall, subject to the presence of a quorum, start at the time set out on the notice, and shall, subject to the discretion of the meeting, continue until all business on the Agenda is disposed of.
- (3) If no quorum is present within 30 minutes of the starting time set out on the notice, the meeting shall lapse, and, subject to any resolution previously passed, the President shall fix the time of the next meeting. All business on the agenda of the lapsed meeting shall be included on the Agenda of the next meeting and shall take precedence over new business.
- (4) Any Member desiring to speak at General meetings shall rise in his place and when called upon by the Chairperson shall address the Chair. If two or more members rise simultaneously, the Chairperson shall call upon the member who first caught his eye.
- (5) When the Chairperson rises to speak any member on his feet shall resume his seat.
- (6) Except in Committee, no Member other than the proposer of a motion or an amendment shall speak to it until it has been seconded. A motion or amendment lapsing for want of a seconder shall not be recorded in the Minutes.
- (7) A motion or amendment before the Chair shall not be withdrawn except by its mover and by leave of the meeting. No motion shall be withdrawn while any amendment is under discussion or after any amendment has been adopted.

- (8) A motion or amendment before the Chair may be reworded by the mover subject to leave of the meeting.
- (9) Except in Committee, no member shall speak more than once to any question, except that the mover of a motion (but not of an amendment) shall have a right of reply, which reply shall close the debate.
- (10) A Member moving a motion or amendment shall be deemed to have spoken to it. A member seconding a motion or amendment without speaking to it may reserve his right to speak to it subsequently.
- (11) When an amendment is before the Chair discussion shall be confined to that amendment. No further amendment shall be proposed until the amendment before the Chair has been disposed of.
- (12) The Chairperson shall, as far as practical, call on speakers for and against a motion or amendment alternatively, subject to the right of the seconder to speak immediately after the mover. If two consecutive speakers have both argued for or against a motion or an amendment, and there is no member wishing to argue the opposite view or, in the case of a Motion, to move an amendment, the motion or the amendment shall (subject in the case of motion to the mover's right of reply) be put without further debate.
- (13) No member when speaking shall be interrupted unless called to order when he shall sit down and the member so calling to order shall be heard in preference to any other speaker and the Chairperson shall then decide without discussion upon the point of order before the subject is resumed or any other subject entered upon.
- (14) Any member feeling dissatisfied with the ruling of the Chairperson may dissent from such ruling provided the dissent is seconded. In cases of dissent from the ruling of the Chairperson the question shall be as follows: "Shall the ruling of the Chairperson stand?" The only person entitled to speak on the question shall be the mover of the question and the Chairperson and then the question shall be put.
- (15) On an equality of voting, the Chairperson shall declare the question resolved so as to maintain the status quo.
- (16) A member who has not already participated in the debate may at any time, whether another speaker has the floor or not, move, "That the question now be put" which motion, if accepted by the Chair shall be put without amendment or debate. The Chairperson shall have absolute discretion to accept or refuse the motion. The Chairperson may also of his own volition put the question if he feels that adequate discussion has taken place. In either case the mover of a motion shall retain his right of reply. If an amendment is before the Chair, the closure motion shall be deemed to close the debate on the amendment only.
- (17) A member may at any time move, "That the speaker be no longer heard" or "That the speaker be heard for a further limited period only". Such motions shall be put without amendment or debate. No other motion, except the closure motion or a motion dealing with the speaker's time, shall be moved while a speaker has the floor.
- (18) During the discussion of a motion (but not of an amendment) a Member who has not already participated in the debate on the motion may move, "That the question be not now put". This motion shall be open to debate and shall be debated together with the original motion. If carried, the original motion shall not be dealt with further. If lost, the original motion shall be put forthwith, subject to the mover's right of reply. The motion may be foreshadowed while an amendment is before the Chair, but in no case shall it be put until all amendments have been disposed of.

- (19) A member may move "That the debate (or meeting) be now adjourned". Discussion shall be in order, but only amendments as to time and/or place shall be permitted. The motion shall take precedence over other business before the Chair except points of order.
- (20) Standing Orders (1) to (19) or any of them, may be suspended by a majority of those present. A motion to this effect shall be open to debate.
- (21) No member shall reflect on the vote of a meeting, except on a motion for the rescission of any resolution previously adopted. No member shall reflect on a Clause of the Constitution or a Standing Order, except on a motion (of which due notice was given) to amend or repeal such Clause.
- (22) Notwithstanding anything herein before contained, any decision made by a validly constituted meeting shall not be void by reason only of a departure from these Standing Orders which was not detected until after the decision has been made.
- (23) Any matters not dealt with in these Standing Orders shall be directed in accordance with the Standing Orders in practice in the Legislature of the State of Western Australia.