



**CONSOLIDATED
STATEMENT OF PURPOSES
AND RULES
OF
LAKES ENTRANCE GOLF CLUB
INCORPORATED.**

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INDEX

	Page No:
The Purposes of the Association are:	1
Solely for the purpose of furthering the purposes set out above the Association shall have power:.....	1
Definitions.....	3
Alteration of the Statement of Purposes and Rules	4
1 Membership.....	5
2 The Categories of Members of the Club shall be:.....	5
3 Membership Entrance Fees, Subscriptions and Levies	6
4 Extended Financial Memberships:	7
5 Limitations of Rights of Certain Members.....	7
6 Register of Members	7
7 Ceasing Membership.....	7
8 Application for Membership	8
9 Disputes and Mediation.....	8
10 Equal Opportunity, Discrimination & Sexual Harassment Policy	8
11 Occupational Health & Safety Policy	9
12 Discipline, Suspension and Expulsion of Members.....	9
13 Annual General Meetings	10
14 Special General Meetings	10
15 Special Business.....	10
16 Notice of General Meetings	11
17 Quorum at General Meetings.....	11
18 Presiding at General Meetings	11
19 Adjournment of Meetings	11
20 Voting at General Meetings	11
21 Poll at General Meetings.....	12
22 Manner of Determining Whether Resolution Carried.....	12
23 Committee of Management.....	12
24 Officers	12
25 Ordinary Committee Members.....	12
26 Election of Officers and Ordinary Committee Members	13
27 Vacancies	13
28 Meetings of the Committee.....	13
29 Notice of Committee Meetings	13
30 Quorum for Committee Meetings	14
31 Presiding at Committee Meetings	14
32 Powers of Committee.....	14
33 By-laws	14
34 Voting at Committee Meetings	15
35 Removal of a Committee Member	15
36 Minutes of Meetings	15
37 Funds.....	15
38 Seal.....	15
39 Notice to Members.....	15
40 Winding Up.....	15
41 Custody and Inspection of Books and Records.....	15
42 Liquor Licence	16
43 Prohibition of Distributions.....	16
44 Legal Proceedings.....	16
45 Indemnity	16

LAKES ENTRANCE GOLF CLUB INCORPORATED
CONSOLIDATED STATEMENT OF PURPOSES AND RULES

STATEMENT OF PURPOSES

The Purposes of the Association are:

- (a) To promote the games of golf and other athletic sports or pastimes;
- (b) To provide a golf course, greens, and club house and all things incidental to the promoting of golf, and other athletic sports or pastimes;
- (c) To supply refreshments for members and to apply for, hold, and renew from time to time any necessary certificates of registration as an Association, and any licenses, permits, or other provisions for the sale and disposition of liquor within the meaning of the Liquor Control Act of the State of Victoria. And to provide gaming machines for the use of visitors and members in accordance with the Office of Gaming Regulation.

Solely for the purpose of furthering the purposes set out above the Association shall have power:

- (a) To manage the funds and other assets and the liabilities of the present incorporated association known as Lakes Entrance Golf Club Incorporated.
- (b) To indemnify any person for any loss or damage incurred as a result of having, on behalf of the incorporated association, become liable to pay any amount by way of damages or otherwise.
- (c) To subscribe to, become a member of, and co-operate with any other association, club, or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to, or support with its funds, any club, association, or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of.
- (d) To buy, sell, and deal in all kinds of articles, commodities, and provisions both liquid and solid for the members of the Association or persons frequenting the Association's premises.
- (e) To purchase, take on, lease or in exchange, hire, and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of or capable of being conveniently used in connection with any of the objects of the Association provided that, in case the Association shall take or hold any property which may be subject to any trust, the Association shall only deal with the same in such manner as is allowed by law having regard to such trust.
- (f) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges, and concessions which the Association may think it desirable to obtain; and to carry out, exercise, and comply with any such arrangements, rights, privileges, and concessions.
- (g) To appoint and employ, remove or suspend in accordance with current awards and/or employment contracts as the case may be, any other persons as may be necessary, or convenient for the purposes of the Association.
- (h) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration, or control thereof.
- (i) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit.

- (j) To take or otherwise acquire and hold shares, debentures or other securities of any company or body corporate.
- (k) To lend and advance money or give credit to any person or body corporate, to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate.
- (l) To borrow or raise money either alone or jointly with any other persons or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any monies and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock, perpetual or otherwise or by mortgage, charge, lien, or other security upon the whole or any part of the incorporated association's property or assets present or future and to purchase, redeem or pay-off any such securities.
- (m) To draw, make, accept, endorse, discount, execute, and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- (n) To sell, improve, manage, develop, exchange, lease, and dispose of, run to, account or otherwise deal with all or any part of the property and rights of the Association.
- (o) To take or hold mortgages, liens or charges to secure payment of the purchase price or any unpaid balance of the purchase price of any part of the Association's property of whatsoever kind sold by the Association or any money due to the Association from purchasers and others.
- (p) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the proviso in paragraph (e).
- (q) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association in the shape of donations, annual subscriptions or otherwise.
- (r) To print and publish any newspapers, periodicals, books, or leaflets that the Association may think desirable for the promotion of its objects.
- (s) To amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of the Rules.
- (t) To purchase or otherwise acquire and undertake all or any part of property, assets, liabilities, and engagements of any one or more of the incorporated associations with which the Incorporated Association is authorised to amalgamate.
- (u) To transfer all or any part of the property, assets, liabilities, and engagements of the Association to any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- (v) To make donations for patriotic, charitable, or community purposes.
- (w) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged.

To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

**RULES FOR THE
LAKES ENTRANCE GOLF CLUB
INCORPORATED**

(1) The name of the incorporated association is LAKES ENTRANCE GOLF CLUB INC (in these Rules called 'the Association').

(2) Definitions

(a) In these Rules, unless the contrary intention appears: **"committee"** means the committee of management of the Association - known as the Board

"Financial year" shall be deemed to commence on the 1st day of July in each year and end on 30th June in the following year.

"Membership year" shall be deemed to commence on the 1st day of July and end on the 30th day of June in each year.

"General meeting" means a general meeting of members convened in accordance with Rule 13.

"Member" means a member of the Association. Except where inconsistent with the context the word 'member' wherever used in the Rules shall be deemed to include all classes of members.

"Ordinary member of the committee" means a member of the committee who is not an officer of the Association under Rule 25.

"Act" means the Association Incorporation Act 1981.

"Regulations" means regulations under the Act.

"Relevant documents" means records or other documents, however compiled, recorded or stored, that relate to the incorporation and management of an incorporated association, including membership records, accounts, accounting records and documents relating to transactions, dealings, business or property of the association.

"Special resolution" means a resolution of the association passed in accordance with section 29 of the Act.

"Liquor licence" means the licence issued by the Liquor Control Commission pursuant to the provisions of the Liquor Control Act and any such instructions or directions as such Commission may require from time to time or as the Act directs.

"Gaming licence" means the licence issued by the Victorian Casino and Gaming Authority pursuant to the provisions of the Gaming Machine Act 1991 and any such instructions or directions as such Authority may require from time to time or as the Act directs.

- (b) In these Rules, a reference to the Secretary of the Association is a reference: -
1. Where a person holds office under these Rules as Secretary/Manager, or Chief Executive Officer of the Association, to that person; and
 2. In any other case, to the Public Officer of the Association.
- (c) In these Rules, a reference to the Returning Officer of the Association is a reference: -
1. To a person appointed by the Committee or Chairperson to conduct and supervise the checking of any ballot or voting papers in any election or poll, and
 2. Assisted by two scrutineers also so appointed
- (d) Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the Act as in force from time to time.

(3) Alteration of the Statement of Purposes and Rules

These Rules and the Statement of Purposes of the Association must not be altered except in accordance with the Act. The Rules of the Association or any of them, may be added to, rescinded, amended, or any new Rule may be made at any Annual General or Special General Meeting of the Association by a Special Resolution subject to the provisions of sections 22 and 29 of the Act.

The Committee or any member of the Association may submit any Special Resolution proposing a variation to the current Rules and Statement of Purposes of the Association, and such special Resolution shall be given in writing to the Secretary, together with a copy of the proposed additions and amendments 28 days prior to the date fixed for the meeting at which the proposal is to be submitted. These proposed amendments or additions are to be posted on the Club noticeboard forthwith.

For the Special Resolution to be approved three quarters of the members entitled to vote and who attend in person shall vote in favour. A declaration by the Chairperson that the Special Resolution was carried is conclusive proof unless a poll is demanded.

While and so long as the Association is licensed under the Liquor Control Act, the Secretary/Manager of the Association shall within one month from the making of any amendment or alteration in the Rules of the Association forward to the Secretary of the Commission a certified copy of every such amendment or alteration.

- 1 Membership**
- 1.1 Every person who applies and is approved for Membership as provided in these Rules is eligible to be a Member of the Club on payment of the entrance fee, annual subscription and any other fee payable under these Rules.
- 2 The Categories of Members of the Club shall be:**
- 2.1 **Ordinary Members:**
Any person aged at least 21 years may apply to be approved as an Ordinary Member in accordance with these Rules.
- 2.2 **Life Members:**
- 2.2.1 An ordinary Member whom the Committee shall by resolution declare to have rendered conspicuous services to the Club and shall be recommend for Life Membership of the Club may be elected a Life Member of the Club by a majority of three-quarters of the Members voting at a General Meeting.
- 2.2.2 Life Members shall be relieved from payment of any annual subscription but shall not be relieved from payment of any further fees or for payment for services provided.
- 2.3 **Country and Regional Members:**
- 2.3.1 **Country Members**
Any Member of an affiliated Golf Club who resides more than 65 kilometres radius from the Lakes Entrance Post Office shall be eligible to apply to be approved as a Country Member in accordance with these Rules.
- 2.3.2 **Regional Member**
A person who resides more than 100kilometers from the Lakes Entrance Post Office, and not a member of another affiliated club shall be eligible to apply to be approved as a Regional Member Membership fees for this category will be set at 40% of the Ordinary Member's fees.
- 2.4 **Restricted Members:**
- 2.4.1 Any person of at least 21 years (including persons who are Members in other categories) shall be eligible to apply to be approved in accordance with these Rules as a Restricted Member.
- 2.4.2 Restricted Members shall be entitled to use the golf links playing facilities provided by the Club on weekdays only (except on public holidays). Restricted Members shall not be entitled to use the golf links playing facilities provided by the Club on any Saturday or Sunday except as the Committee may from time to time prescribe.
- 2.4.3 Restricted Members shall not be entitled to an official handicap.
- 2.5 **Junior Members.**
Any person under the age of 19 years at the commencement of the financial year in respect of which the subscription is payable shall be eligible to apply for election as a Junior Member in accordance with the Rules.
- 2.6 **Veteran Members:**
Any Member who has had a cumulative period of Ordinary Membership of fifteen years and is 65 years and over, shall qualify for veteran Membership
- 2.7 **Non-Playing Members:**
Any Member who is no longer desirous or able to play golf may be approved as a Non Playing Member in accordance with these Rules, and such Members may play not more than ten rounds of non-competitive golf in any one financial year but shall not hold an official handicap.
- 2.8 **Neighbourhood Member:**
- 2.8.1 The Club shall have the power to approve persons to the Club as Neighbourhood Members by payment of the applicable annual subscription. Neighbourhood Members shall be entitled to full use of clubhouse facilities except the golf links playing facilities.
- 2.8.2 Neighbourhood Members shall not be entitled to vote at general meetings of the Club, or be entitled to stand for election to the Committee.

- 2.9 **Social Members:**
- 2.9.1 Any person of at least 21 years shall be eligible to apply to be approved as a Social Member in accordance with these Rules.
 - 2.9.2 Social Members shall be entitled to full use of clubhouse facilities except the golf links playing facilities.
 - 2.9.3 Social Members shall be entitled to vote at general meetings of the Club, but are not entitled to stand for election to the Committee.
- 2.10 **Honorary Membership:**
- The following persons shall be eligible to be admitted as Honorary Members of the Club:
- 2.10.1 Persons competing in any golf competition or match on the Club property and Members of other Clubs accompanying competing Members of those Clubs the period of time of such Honorary Membership shall be the duration of the competition and one day each side of the competition.
 - 2.10.2 Persons attending any social function at the Club premises held with the sanction of the Committee. The period of time of such Honorary Membership shall be for the duration of the function.
 - 2.10.3 Any person who resides outside a radius of 50 kilometres from the Lakes Entrance Post Office. The period of time of such Honorary Membership shall not exceed twenty-eight days.
 - 2.10.4 Any employee of the Club. The period of time of such Honorary Membership shall be the duration of employment.
- 2.11 **Limited Categories:**
- Other limited categories of Membership may be established as determined by the Committee from time to time. **Current categories; 2.11.1 Handicap Only; 2.11.2. Holiday Only; 2.11.3. Three Day Membership**
- 2.12 **Six Day Membership: excludes Saturday for men and Wednesdays for ladies**
- 2.13 **Family membership: free membership for all juniors living under the care of their parent(s) who are also ordinary members of the club**

3 **Membership Entrance Fees, Subscriptions and Levies**

- 3.1 The entrance and annual subscription fees of each category of Members shall be as fixed annually by resolution of the Committee, **subject to 3.3, if required**
- 3.2 The Committee shall report the result of the resolution fixing the entrance fees and subscriptions to the Annual General Meeting of the Club.
- 3.3 If the Committee resolution involves an increase of more than 15% in the subscriptions for any one or more categories of Membership then:
 - 3.3.1 The Members assembled at the Annual General Meeting shall be required to vote on the ratification the increase in the subscriptions for each of the categories that have been increased by more than 15%.
 - 3.3.2 If the Members assembled at the Annual General Meeting of the Club fail to ratify the Committee's resolution in respect of the subscriptions for any particular category of Membership, then the Members at the Annual General Meeting shall by majority vote determine the relevant subscription for the current financial year.
 - 3.3.3 If the subscriptions determined in accordance with the previous rule 3.3.2 are less than the subscriptions determined by the Committee in rule 3.1, then the excess subscriptions paid by the Members shall be credited to the Members' subscription for the following year, and the Members' subscription for the following year shall be reduced by the amount of the excess.
- 3.4 The Committee shall also have the power to impose a levy in any financial year subject to ratification by the members at a General Meeting.
- 3.5 All annual subscriptions shall become due and payable in advance on the first day of July in every year.
- 3.6 All categories of Members if approved on or after the first day of January in any year shall pay only half the annual subscription for that year and if approved on or after the first day of April shall pay only one fourth of the annual subscription for that year.
- 3.7 The annual subscription of a Member who is absent from the Club for a continuous period exceeding 6 months may be reduced by such sum as the Committee shall determine, provided the Member has given the Secretary notice of their intention to be so absent and the amount determined is paid in advance.

- 3.8 The Committee, at its discretion, may make arrangements to allow subscriptions to be paid by instalments.
- 3.9 Should any Member fail to pay any subscription within thirty (30) days of the due date, that Member shall not play in any Club competition or vote at any meeting and the Secretary shall forward by post to the last known address a notice requesting the Member to pay the subscription in arrears.
- 3.10 If the Member fails to pay the arrears within fourteen days of the notice being sent, the Committee shall declare the person to have forfeited their right to Membership and remove the person's name from the Register of Members.
- 3.11 The Committee at its discretion and upon payment of all arrears and such additional fees as the Committee may determine, may re-elect to Membership such person without the payment of any further entrance fee but only in accordance with the provisions of rule 8.
- 3.12 The Committee at its discretion may grant Leave of Absence to an Ordinary Member who has a minimum of 5 years continuous membership, and only for reasons of illness or injury, for a period of 6 months

4 Extended Financial Memberships:

These financial memberships were abolished by Special Resolution at the AGM of 22-11-2005

5 Limitations of Rights of Certain Members

- 5.1 Members approved in accordance with these Rules shall be entitled to be elected as Officers of the Club or Members of the Committee and to vote at any General Meeting of the Club and have one vote only, except for the Chairperson, who shall have a casting vote.
- 5.2 Honorary Members, Junior Members, Neighbourhood Members, Social Members and any other limited category as determined by the Board shall not be entitled to be elected as Officers of the Club or Members of the Committee.
- 5.3 Honorary Members, Junior Members, Neighbourhood Members, Restricted and Limited Category Members shall not be entitled to vote at any meeting of the Club, or to introduce visitors to the Club premises.
- 5.4 No Member who is an employee of the Club shall be entitled to be appointed or elected as an Officer of the Club or as a Member of the Committee during the period of such employment.
- 5.5 Honorary Members, Country Members, Social Members, Neighbourhood Members, Limited Category and Restricted Members shall not be permitted to play in any championship of the Club or to play in any special competition of the Club. The words "special competition" in this rule mean any competition in which the winner is entitled to have their name placed on an Honour Board of the Club and any other competition, which the Committee shall, by resolution declare to be a special competition.
- 5.6 Subject to these Rules, the Committee may by resolution make rules to control the use of the Golf Links of the Club.

6 Register of Members

- 6.1 The Secretary must keep and maintain in either hard or electronic copy a Register of Members containing
- 6.2 The name and address of each Member; and
- 6.3 The date on which each Member's name was entered in the register.
- 6.4 The date of the latest payment of each Member's subscription.
- 6.5 The Register of Members shall be available for inspection free of charge by any Member upon request, provided that the privacy of Members shall be respected and no copies may be made of the Register of Members.

7 Ceasing Membership

- 7.1 A Member of the Club who has paid all monies due and payable by that Member to the Club may resign from the Club by giving one month's notice in writing to the Secretary of their intention to resign.
- 7.2 After the expiry of the period referred to in the previous rule 7.1.
- 7.3 The Member ceases to be a Member; and
- 7.4 The Secretary must record in the register of Members the date on which the Member ceased to be a Member.

8 Application for Membership

- 8.1 A person who applies and is approved as a Member in accordance with these Rules shall become a Member of the Club on payment of the entrance fee, annual subscription and any other fee or levy payable under these Rules.
- 8.2 Except for the categories of Veteran, Neighbourhood and Honorary Members, an application for Membership of the Club must: -
- 8.3 Be made in writing on a form approved by the Committee from time to time;
- 8.4 Be lodged with the Secretary of the Club, who shall display a copy of such application for a period of not less than 14 days on the notice board set aside for such purpose for the information of Members.
- 8.5 Veteran and Neighbourhood Members must fill in a form and be approved by the Committee and payment of current annual fee.
- 8.6 As soon as practicable after the receipt of an application and the required display period the Secretary must refer the application to the Committee.
- 8.7 The Committee must determine whether to approve or reject the application.
- 8.8 If the Committee approves an application for Membership, the Secretary must, as soon as practicable, notify the applicant in writing of the approval for Membership.
- 8.9 The Secretary must, immediately upon receipt of the amounts referred to in rule 8.1, enter the applicant's name in the Register of Members.
- 8.10 If the Committee rejects an application, the Committee must, as soon as practicable, notify the applicant in writing that the application has been rejected.
- 8.11 A right, privilege, or obligation of a person by reason of Membership of the Club:
- 8.12 Is not capable of being transferred or transmitted to another person; and
- 8.13 Terminates on the cessation of Membership whether by death or resignation or otherwise.

9 Disputes and Mediation

- 9.1 The Grievance Procedure set out in this rule applies to disputes under these Rules between: -
 - 9.1.1 A Member and another Member; or
 - 9.1.2 A Member and the Club.
- 9.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- 9.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 9.4 The Mediator must be: -
 - 9.4.1 A person chosen by agreement between the parties; or
 - 9.4.2 In the absence of agreement: -
 - 9.4.3 In the case of a dispute between a Member and another Member, a person appointed by the Committee of the Club; or
 - 9.4.4 In the case of a dispute between a Member and the Club, a person who is a Mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- 9.5 A Member of the Club can be a Mediator
- 9.6 The Mediator cannot be a Member who is a party to the dispute.
- 9.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 9.8 The Mediator, in conducting the mediation, must:
 - 9.8.1 Give the parties to the mediation process every opportunity to be heard; and
 - 9.8.2 Allow due consideration by all parties of any written statement submitted by any party; and
 - 9.8.3 Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 9.9 The Mediator must not determine the dispute.
- 9.10 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with these Rules, the Act or otherwise at law.

10 Equal Opportunity, Discrimination & Sexual Harassment Policy

- 10.1 The Lakes Entrance Golf Club Incorporated is an Equal Opportunity Organisation, committed to ensuring that its working environment is free from discrimination and sexual harassment and will not tolerate discrimination or sexual harassment under any circumstances. This means that every employee and Member will receive natural justice.
- 10.2 Appropriate disciplinary action will be taken against any Officer, Committee Member, employee, or Member who breaches this policy and/or relevant legislation.

- 10.3 The Committee shall abide by, and comply with these Rules and the Policy of the Club in respect to Equal Opportunity, Discrimination and Sexual Harassment and the relevant legislation for the time being in force, or from time to time in force as the case may be.
- 10.4 The Committee shall appoint an Equal Opportunity Officer.

11 Occupational Health & Safety Policy

- 11.1 The Lakes Entrance Golf Club Incorporated is an Occupational Health & Safety Organisation committed to ensuring that its working conditions are safe and that it caters for the health, safety, and welfare of its employees, Members and visitors.
- 11.2 The Members shall abide by, and comply with the Policy of the Club in respect to Occupational Health and Safety, and the relevant legislation for the time being in force, or workplace agreements, as the case may be.
- 11.3 The Committee shall appoint a Supervisor of Occupational Health and Safety issues and an Occupational Health and Safety Officer of the Club for the purposes of the Policy.

12 Discipline, Suspension and Expulsion of Members

- 12.1 Subject to these Rules, if the Committee is of the opinion that a Member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a Member or prejudicial to the interests of the Club, the Committee may by resolution:
 - 12.1.1 Fine that Member an amount not exceeding \$500; or
 - 12.1.2 Suspend that Member from Membership of the Club for a specified period not exceeding twelve months; or
 - 12.1.3 Expel that Member from the Club.
 - 12.1.4 The Committee shall have the discretionary power to suspend any part of these penalties for a period not exceeding twelve (12) months.
- 12.2 A resolution of the Committee under rule 12.1 does not take effect unless:
 - 12.2.1 At a meeting held in accordance with rule 12.3, the Committee confirms the resolution; and
 - 12.2.2 If the Member exercises a right of appeal to the Club under this rule, the Club confirms the resolution in accordance with this Rule.
- 12.3 A meeting of the Committee to confirm or revoke a resolution passed under rule 12.1 must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the Member in accordance with rule 12.4.
- 12.4 For the purposes of giving notice in accordance with rule 12.3 the Secretary must, as soon as practicable, cause to be given to the Member a written notice:
 - 12.4.1 Setting out the resolution of the Committee and the grounds on which it was based; and
 - 12.4.2 Stating that the Member, or their representative, may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that Member; and
 - 12.4.3 Stating the date, place and time of that meeting; and
 - 12.4.4 Informing the Member that they may do one or both of the following:
 - 12.4.4.1 Attend that meeting;
 - 12.4.4.2 Give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution;
 - 12.4.5 Informing the Member that, if at that meeting, the Committee confirms the resolution, they may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that they wish to appeal to the Association in general meeting against the resolution.
- 12.5 At a meeting of the Committee to confirm or revoke a resolution passed under rule 12.1 the Committee must:
 - 12.5.1 Give the Member, or their representative, an opportunity to be heard; and
 - 12.5.2 Give due consideration to any written statement submitted by the Member; and
 - 12.5.3 Determine by resolution whether to confirm or to revoke the resolution.
- 12.6 If at the meeting of the Committee, the Committee confirms the resolution, the Member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that they wish to appeal to the Association in general meeting against the resolution.
- 12.7 If the Secretary receives a notice under rule 12.6, the Secretary must notify the Committee and the Committee must convene a General Meeting of the Association to be held within 21 days after the

date on which the Secretary received the notice.

- 12.8 At a general meeting of the Association convened under rule 12.7
 - 12.8.1 No business other than the question of the appeal may be conducted; and
 - 12.8.2 The Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
 - 12.8.3 The Member, or their representative, must be given an opportunity to be heard; and
 - 12.8.4 The Members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- 12.9 A resolution is confirmed if, at the General Meeting, not less than two thirds of the Members vote in person, in favour of the resolution. In any other case, the resolution is revoked.

13 Annual General Meetings

- 13.1 The Committee shall hold the Annual General Meeting of the Club in November in each year at the premises of the Club, or such other venue as determined by the Committee and advised on the meeting notice as required in rule 16.2
- 13.2 The notice convening the Annual General Meeting must specify that the meeting is an Annual General Meeting.
- 13.3 The ordinary business of the Annual General Meeting shall be:
 - 13.3.1 To confirm the minutes of the previous Annual General Meeting and of any General Meeting held since that meeting; and
 - 13.3.2 To receive from the Committee reports upon the transactions of the Club during the last preceding financial year; and
 - 13.3.3 To receive from the Returning Officer the report on any election required for the appointment of the Committee Members for the next 24 month period; and
 - 13.3.4 To receive and consider the statement submitted by the Club in accordance with section 30(3) of the Act;
 - 13.3.5 To appoint a Registered Auditor or auditors for the ensuing Financial Year;
 - 13.3.6 To ratify the subscriptions for the following year, **subject to the requirements of Rule 3.3.1**
- 13.4 The Annual General Meeting may conduct any special business of which notice has been given in accordance with these Rules.

14 Special General Meetings

- 14.1 In addition to the Annual General Meeting, any other General Meeting may be held in the same year.
- 14.2 All General Meetings other than the Annual General Meeting are Special General Meetings.
- 14.3 The Committee may, whenever it thinks fit, convene a Special General Meeting of the Club.
- 14.4 If, but for this rule more than 15 months would elapse between Annual General Meetings, the Committee must convene a Special General Meeting before the expiration of that period.
- 14.5 The Committee must, on the request in writing of a minimum of 45 Members from the Members eligible to vote, convene a Special General Meeting of the Club.
- 14.6 The request for a Special General Meeting must:
 - 14.6.1 State the objects of the meeting; and
 - 14.6.2 Be signed by the Members requesting the meeting; and
 - 14.6.3 Be sent to the address of the Secretary.
- 14.7 If the Committee does not cause a Special General Meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the Members making the request, or any of them, may convene a Special General Meeting to be held not later than three months after that date.
- 14.8 If a Special General Meeting is convened by Members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the Committee and all reasonable expenses incurred in convening the Special General Meeting must be refunded by the Club to the person incurring the expenses.

15 Special Business

- 15.1 All business that is conducted at a Special General Meeting and all business that is conducted at the Annual General Meeting, except for business conducted under the Rules as ordinary business of the Annual General Meeting, are deemed to be special business.
- 15.2 Nothing in these Rules shall prevent any Member entitled to vote at a General Meeting bringing any special business before a Special General Meeting or the Annual General Meeting provided:
 - 15.2.1 That notice in writing has been given to the Secretary **28 days prior to the date fixed for the**

meeting and

15.2.2 The notice of the meeting as required under rule 16 has included this special business.

16 Notice of General Meetings

- 16.1 The Secretary of the Club, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a General Meeting of the Club, must cause to be sent to each Member of the Club, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- 16.2 Notice may be sent:
 - 16.2.1 By prepaid post to the address appearing in the Register of Members; or
 - 16.2.2 If the Member requests, by facsimile transmission or electronic transmission.
 - 16.2.3 If the member requests, by collection from the Clubhouse from a Club member officially delegated to do so and record such in writing
- 16.3 No business other than that set out in the notice convening the meeting may be conducted at the meeting.

17 Quorum at General Meetings

- 17.1 No item of business may be conducted at a general meeting unless a quorum of Members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- 17.2 Twenty Members of the Club personally present (being Members entitled under these Rules to vote at a general meeting) constitute a quorum for the conduct of the business of a General Meeting.
- 17.3 If, within half an hour after the appointed time for the commencement of a General Meeting, a quorum is not present:
 - 17.3.1 In the case of a meeting convened upon the request of Members the meeting must be dissolved; and
 - 17.3.2 In any other case the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place.
- 17.4 If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the Members personally present (being not less than 10) shall be a quorum.

18 Presiding at General Meetings

- 18.1 The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each General Meeting of the Club.
- 18.2 If the President and the Vice-President are absent from a General Meeting, or are unable to preside, the Members present must select one of their numbers to preside as Chairperson.

19 Adjournment of Meetings

- 19.1 The person presiding may, with the consent of a majority of Members present at the meeting, adjourn the meeting from time to time and place to place.
- 19.2 No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- 19.3 If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 16.
- 19.4 Except as provided in the previous rule 19.3, it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

20 Voting at General Meetings

- 20.1 Upon any question arising at a General Meeting of the Club, a Member has one vote only.
- 20.2 All votes must be given personally, or otherwise as these Rules permit.
- 20.3 In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- 20.4 A Member is not entitled to vote at a general meeting unless all monies due and payable by the Member to the Club have been paid.
- 20.5 Unless otherwise specified elsewhere in these Rules, voting shall be by a simple majority.

21 Poll at General Meetings

- 21.1 If at a meeting a poll on any question is demanded by not less than three Members, it must be taken at that meeting in such manner as the Chairperson may direct and may be by secret ballot, the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 21.2 A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

22 Manner of Determining Whether Resolution Carried

- 22.1 If a question arising at a General Meeting of the Club is determined on a show of hands:
- 22.2 A declaration by the Chairperson that a resolution has been:
- 22.2.1 Carried; or
 - 22.2.2 Carried unanimously; or
 - 22.2.3 Carried by a particular majority; or
 - 22.2.4 Lost; and
- An entry to that effect in the Minute Book of the Club is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against that resolution.

23 Committee of Management

- 23.1 The Committee shall consist of the Officers of the Club and the Ordinary Committee Members.
- 23.2 The Committee shall manage the affairs of the Club.
- 23.3 The Committee:
- 23.3.1 Shall control and manage the business and affairs of the Club; and
 - 23.3.2 May, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these Rules to be exercised by General Meetings of the Members of the Club; and
 - 23.3.3 Subject to these rules, the Act and the Regulations, has power to perform all such acts and things as appear to the Committee to be essential; for the proper management of the business and affairs of the Club;
 - 23.3.4 Shall appoint a Returning Officer who shall ex officio conduct when required the election of Officers and Committee or such matters as required by poll at any General Meeting, and whom shall be assisted by two duly appointed scrutineers.

24 Officers

- 24.1 The Officers of the Club shall be
- A President.
 - A Vice-President;
 - A Captain;
 - A Treasurer;
- 24.2 Each Officer of the Club shall hold office for a period of two (2) years from the date of the Annual General Meeting of his or her election, and is eligible for re-election.
- 24.3 In the event of a casual vacancy occurring in a position of an Officer of the Club, the Committee may appoint one of its Members to fill the vacancy up to the next Annual General Meeting.
- 24.4 At the Annual General Meeting following any casual appointment made in accordance with the previous rule 24.3, any Member elected to the position filled in accordance with the previous rule 24.3 shall hold office, subject to these Rules, until the expiration of the balance of the two-year term.

25 Ordinary Committee Members

- 25.1 In addition to the Officers of the Club there shall be four (4) Ordinary Committee Members whose portfolios shall be determined by the Officers of the Committee.
- 25.2 Subject to these Rules, each Ordinary Committee Member shall hold office for two years from the date of the Annual General Meeting of his or her election and is eligible for re-election.
- 25.3 In the event of a casual vacancy occurring in the position of an Ordinary Committee Member the Committee may appoint a Member of the Club to fill the vacancy up to the next Annual General Meeting.

- 25.4 At the Annual General Meeting following any casual appointment made in accordance with the previous rule 25.3, any Member elected to the position filled in accordance with the previous rule 25.3 shall fill the position subject to these Rules, until the expiration of the balance of the two-year term.

26 Election of Officers and Ordinary Committee Members

- 26.1 Nominations of candidates for election as Officers of the Club or as Ordinary Committee Members must be:
- 26.1.1 Made in writing, signed by two Members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination), that the applicant will serve should they be elected; and
- 26.1.2 Delivered to the Secretary of the Club not later than twenty-eight (28) days before the holding of the next Annual General Meeting; and
- 26.2 The Secretary shall display all such nominations received, together with the notice of the meeting and the business to be conducted, on a notice board.
- 26.3 A candidate may only be nominated for election to one Officer position, but may be also nominated for a Committee position on the same form of nomination.
- 26.4 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the Annual General Meeting; and if the number of nominations then exceeds the number of vacancies to be filled, a secret ballot must be held at the Annual General Meeting.
- 26.5 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 26.6 In the event that the number of nominations received exceeds the number of vacancies to be filled, the Committee shall cause the Secretary and Returning Officer of the Club to conduct a secret ballot for the election of Officers of the Club or of Ordinary Committee Member.
- 26.7 Only those Members eligible to vote in accordance with these Rules shall participate in the ballot.
- 26.8 Votes shall be cast at the Registered Office of the Club by personal attendance, during fourteen clear days preceding the Annual General Meeting.
- 26.9 The votes shall be counted on the day of the Annual General Meeting by the Returning Officer and two scrutineers appointed for the purpose.
- 26.10 The result of the secret ballot shall be reported by the Returning Officer only at the Annual General Meeting, thereby announcing the total number of votes cast, those votes received by each candidate, and the declaration of the poll.

27 Vacancies

The Office of an Officer of the Club, or of any Ordinary Committee Member, becomes vacant if the Officer or Member: -

- 27.1 Ceases to be a Member of the Club; or
- 27.2 Becomes an insolvent Under Administration within the meaning of the Corporations Law; or
- 27.3 Resigns from office by notice in writing given to the Secretary or
- 27.4 Is removed or vacated in accordance with these Rules.

28 Meetings of the Committee

- 28.1 The Committee shall hold regular meetings and minutes of all resolutions and proceedings of Committee meetings shall be entered in a book to be provided for that purpose. The Committee shall regulate its own procedure as to notice and time and place of meeting.
- 28.2 Special Meetings of the Committee may be convened by the President or by any four Members of the Committee.
- 28.3 Any Member of the Committee who absents him/herself without leave from three consecutive monthly meetings shall be held to have vacated their position unless a satisfactory explanation be made to and accepted by the Committee.

29 Notice of Committee Meetings

- 29.1 Written notice of each Committee Meeting must be given to each Member of the Committee at least two business days before the date of the meeting.
- 29.2 Written notice must be given to Members of the Committee of any Special Meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

30 Quorum for Committee Meetings

- 30.1 Any four Members of the Committee constitute a quorum for the conduct of the business of a meeting of the Committee.
- 30.2 No business may be conducted unless a quorum is present.
- 30.3 If within half an hour of the time appointed for the meeting a quorum is not present: -
 - 30.3.1 In the case of a Special Meeting - the meeting lapses.
 - 30.3.2 In any other case - the meeting shall stand adjourned to the same place and the same time and day in the following week.

31 Presiding at Committee Meetings

- 31.1 At meetings of the Committee:
 - 31.1.1 The President, or in the President's absence, the Vice President Presides; or
 - 31.1.2 If the President and Vice-President are absent, or fail to preside, the Members present must choose one of their numbers to preside.

32 Powers of Committee

- 32.1 The Committee shall exercise all such powers and do all things as may be exercised or done by the Club save such as are by these Rules or by any Statute for the time being in force required to be exercised or done by the Club in General Meeting subject nevertheless to these Rules and to such Regulations not being inconsistent with any Regulations or provisions as may be prescribed by the Club in General Meeting but no Regulations made by the Club in General Meeting shall invalidate any Prior act of the Committee which would have been valid if such regulation had not been made.
- 32.2 The Committee shall not without the sanction of a General Meeting of the Club:
 - 32.2.1 Demise exchange sell or otherwise dispose of the whole or any Part Of the real property (if any) links or land of the Club; or
 - 32.2.2 Enter into arrangements of capital expenditure, in excess of \$100,000, or any part or portion of works where the total of such completed works would exceed such sum.
- 32.3 The Committee may from time to time delegate any of their powers to such sub-committee or sub-committees consisting of one or more Members of the Committee as they shall think fit to appoint and may recall or revoke any such delegation or appointment. Any such sub-committee shall in the exercise of the powers so delegated conform to any regulation that may be prescribed by the Committee, and may co-opt Members of the Club with particular expertise to assist in its work.
- 32.4 The Committee shall have the power to approve of other sporting activities within the Club.
- 32.5 By-laws shall regulate the composition and duties of all other Sporting Committees from time to time at the discretion of the Committee.
- 32.6 The Committee may delegate to Sporting Committees such powers, as may be thought fit. Sporting Committees shall be elected in such manner as determined by the Committee. Any such delegation of duties may from time to time be revoked or altered.
- 32.7 Such Sporting Committees shall strictly conform to the Rules and regulations of any controlling body of such sporting activity within Australia.

33 By-laws

- 33.1 The Committee may from time to time make alter and repeal all such By-laws it may deem necessary or expedient for the proper conduct and management of the Club or in any way in relation thereto and in particular but not exclusively it may by By-laws regulate: -
 - 33.1.1 Such matters as they are specifically by these Rules empowered to do.
 - 33.1.2 The general management control and trading activities of the Club.
 - 33.1.3 The management and control of any sporting areas and competitions conducted by the Club.
 - 33.1.4 The conduct and dress of the Members and their guests.
 - 33.1.5 The control and management of Club premises.
 - 33.1.6 The privileges to be enjoyed by Members and their guests.
 - 33.1.7 The relationship between the Members and Club employees.
 - 33.1.8 And the Club in General Meeting as are commonly the subject matter of Club Rules or By-laws or which by the Statement of Purposes and Rules does not reserve generally such matters for decision.
- 33.2 The Committee shall adopt such means as it deems sufficient to bring to the notice of Members of the Club all such By-laws, Regulations, amendments and repeals thereof and a copy of such By-laws and regulations of the Club shall be kept posted in the Club's Club House.

34 Voting at Committee Meetings

34.1 Questions arising at a meeting of the Committee, or at a meeting of any sub-committee appointed by the Committee, shall be determined on a show of hands or, if a Member requests, by a poll taken in such manner as the person presiding at that meeting may determine.

34.2 Each Member present at a meeting of the Committee, or at a meeting of any sub-committee appointed by the Committee (including the person presiding at the meeting), is entitled to one vote and, in the event of any equality of votes on any question, the person presiding may exercise a second or casting vote.

35 Removal of a Committee Member

35.1 The Club in General Meeting may, by resolution, remove any Member of the Committee before the expiration of the Member's term of office and appoint another Member in their place to hold office until the expiration of the term of the first mentioned Member.

35.2 A Member who is the subject of a proposed resolution referred to in rule 35.1 may make representations in writing to the Secretary or President of the Club (not exceeding a reasonable length) and may request that the representations be provided to the Members of the Club.

36 Minutes of Meetings

The Secretary of the Club must keep minutes of the resolutions and proceedings of each Committee Meeting, together with the names of persons present at Committee Meetings.

37 Funds

37.1 The Secretary or Treasurer must:

37.1.1 Collect and receive all monies due to the Club and make all payments authorised by the Club; and

37.1.2 Keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.

37.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments, including payment by electronic transmission, must be signed by the Secretary/Manager, and countersigned by either the President, or Vice President or Treasurer.

37.3 The funds of the Club shall be derived from entrance fees, annual subscriptions, levies, donations and such other sources as the Committee determines

38 Seal

The Common Seal of the Club must be kept in the custody of the Secretary. The Common Seal must not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal must be attested by the signatures either of two Members of the Committee or, of one Member of the Committee and of the Public Officer of the Club.

39 Notice to Members

Except for the requirement in rule 16, any notice that is required to be given to a Member, by or on behalf of the Club, under these Rules may be given by:

39.1 Delivering the notice to the Member personally; or

39.2 Sending it by prepaid post addressed to the Member at that Member's address shown in the Register of Members; or

39.3 Facsimile transmission, if the Member has requested that the notice be given to them in this manner; or

39.4 Electronic transmission, if the Member has requested that the notice be given to them in this manner.

40 Winding Up

In the event of the winding up or the cancellation of the incorporation of the Club, the assets of the Club must be disposed of in accordance with the provisions of the Act.

41 Custody and Inspection of Books and Records

41.1 Except as otherwise provided in these Rules, the Secretary must keep under custody and control, all books, documents and securities of the Club.

41.2 The books of account shall be kept at the registered office of the Club or at such other place or places as the Committee think fit and shall always be open to the inspection of the Members, but no copies may be taken.

42 Liquor Licence

- 42.1 No payment or part payment to any Secretary/ Manager or Officer or servant of the Club shall be made by way of commission or allowances from or upon the receipts of the Club for liquor supplied.
- 42.2 A visitor shall not be supplied with liquor in the Club premises unless in the company of a Member. This provision shall not apply to any person present at any particular function or on any occasion for which there is in place an appropriate limited licence.
- 42.3 Subject to rule 2 no persons shall be elected Honorary or Temporary Members of the Club to be relieved of the payment of the regular subscriptions.
- 42.4 No liquor shall be sold or supplied to any person under eighteen years of age except where such person is accompanied by his or her spouse or parent or guardian and where such liquor is sold or supplied for consumption as part of a meal supplied on the Club's premises.
- 42.5 No liquor shall be sold or supplied for consumption elsewhere than on the Club's premises unless the Member purchasing it removes such liquor from the premises of the Club.
- 42.6 No persons under eighteen years of age shall be employed in the Club other than persons who are being trained as waiters and are not allowed to serve behind the bar.
- 42.7 The Club shall keep, and maintain a Register of Guests of Members on the premises of the Club.

43 Prohibition of Distributions

Notwithstanding anything to the contrary in or implied in these Rules the Club is hereby prohibited from making any distribution to its Members whether in money, property or otherwise. No person shall receive a greater profit, benefit or advantage from the Club than that received by every Member thereof other than a remuneration or honorarium or 'bona fide' pecuniary benefit approved by the Committee for work done by Members of the Club or salary or wages paid to employees.

44 Legal Proceedings

No action or legal proceeding whatsoever, whether at law or in equity, shall be taken or instituted by any Member against any employee of the Club, the Committee or the Club or any official of the Club in respect of any decision proceeding resolution matter or being whatsoever done, omitted, passed, carried or sanctioned by the Committee, Club or Official, and not withstanding any irregularity or informality in or relation to such decision proceeding resolution matter or thing and in the event of any such action or proceeding being instituted, the production of these Rules shall be a complete answer thereto.

45 Indemnity

Every Officer of the Club and every Ordinary Committee Member of the Club shall be indemnified by the Club and it shall be the duty of the Committee out of the funds of the Club to pay all costs losses and expenses which any such Officer or Committee Member may incur or become liable to by reason of any contract entered into or act or thing done by him such Officer or Member of the Committee or in any way in discharge or purported discharge of his duties, **or in relation hereto, unless the same happen through his own dishonesty**