

# BY – LAWS

## THE CAPALABA LAWN BOWLS CLUB INC. TRADING AS CAPALABA SPORTS CLUB

### 1. PRELIMINARY

- 1.1 These By-Laws are made pursuant to Section 20 (proposed new constitution Section 19) of the Club's Constitution.
- 1.2 These (and or any additional By-Laws) passed by the Board shall come into force and be fully operative upon the posting of an appropriate notice containing such By-Law on the Club Notice Board and website.
- 1.3 The Board may alter or repeal a By-Law as it may deem necessary or desirable for the proper conduct and management of the Club.
- 1.4 These By-Laws are to be read subject to the Club's Constitution and in the event of any inconsistency, the Constitution shall prevail.
- 1.5 These By-Laws are binding on each member of the Club in the same manner as if each member had signed a copy agreeing to be bound by them.
- 1.6 In these By-Laws:
- (a) the expression "the GM" means the person who is approved by the Board to managed the activities of the Club;
  - (b) the expression "the Club" means the licensed club known as "The Capalaba Lawn Bowls Club Inc - Trading as Capalaba Sports Club"
  - (c) the expression "the Constitution" means the Constitution of the Club;
  - (d) the expression "the Board" means the Board of Directors of the Club;
  - (e) the expression "Club Notice Board" means the Club's Notice Board that is available for information for all members of the Club; and
  - (f) the expression "Club premises" means the Club's licensed premises, along with courtesy vehicles in which members travel;
  - (g) the expression "Duty Manager" means a duty manager or supervisor who is acting on behalf of the GM of the Club whilst on duty.
- 1.7 A copy of all By-Laws is available to any member on the Club's website and can be printed upon request.

## 2. MEMBERSHIP

- 2.1 Any member who supplies false information with their membership application shall be deemed to have conducted themselves in a way that is unbecoming of a member and will be referred to Section 4 of the Clubs Constitution.
- 2.2 Any candidate for membership of the Club who has had their application for membership rejected shall not be eligible to reapply for membership for a period of twelve (12) months from the date of such rejection.
- 2.3 Any candidate who withdraws their application for membership prior to approval shall be entitled to have any subscription they paid when applying for membership refunded to them as per Section 3.3.9 of the Clubs Constitution.
- 2.4 A resignation or cessation of membership will not be entitled to any refund of any joining fee, subscription, levy or other payments made to the club.
- 2.5 Any member who has been expelled from membership of the Club shall not be able to reapply for membership of the Club. This does not apply to a person who has been suspended from membership of the Club.
- 2.6 Each member shall be expected to make himself/herself aware of and become familiar with the Constitution and By-Laws of the Club.
- 2.7 Every member must advise the Secretary via the Clubs reception team of any change to their contact details (Address) or legal name within seven (7) days of the change to their details.

## 3. CONDUCT IN THE CLUB

- 3.1 In accordance with Section 4.8 (proposed new constitution Section 4.2) of the Clubs Constitution, the GM (or their delegate), has the power to remove a member or a guest from the premises if such person is acting in a manner prejudicial to the interests of the Club or considered to be guilty of conduct which is unbecoming of a member.
- 3.2 Further, in accordance with Section 4.2 of the Club's Constitution, the Board may resolve to initiate disciplinary proceedings against any member as set out in the Clubs Constitution.
- 3.3 While not a complete list of examples, such conduct would include undue intoxication; aggressive or violent acts; refusal to comply with a lawful direction of the GM (or their delegate); acting inappropriately towards other members or individuals; white anting or undermining the club's goals or operations; bullying, harassment, or discrimination of any kind; assisting under-age guests to access alcohol; use, and/or have in his or her possession, or supply of any illegal substance; engaging in anti-social or disorderly behaviour; hawking, peddling or selling any goods on the Clubs premises, smokes while on any part of the premise that is smoke-free or is verbally abusive towards staff or other members. any other conduct that

the club deems inappropriate or unacceptable. This type of conduct will not be tolerated.

- 3.4 The type of conduct referred to in paragraph 3.3 is an offence for which a member or guest may be asked to leave Club premises and/or be cited to appear before the Board to show cause why the member or guest should not be referred to a Disciplinary Committee.
- 3.5 All members are required to conduct themselves in a proper manner. Members are responsible for the conduct of their guests.
- 3.6 A member has engaged in conduct that is unbecoming of a member if that member says or does anything or engages in any conduct whether in person, electronically, or on any social media platform which will, or is likely to, disparage or otherwise bring into disrepute or ridicule the Club or its directors, officers, employees or contractors in any way.
- 3.7 A member shall not invite in or attempt to allow entry of any person whose membership is currently under suspension or has been expelled from the Club.

#### **4. PARKING**

- 4.1 The Club has made provision for off street parking for the use of Members and guests while using Club facilities. Only Club members who are visiting the Club and remaining in the Club may park in the car park. The car park cannot be used as a public car park by members not attending the Club.
- 4.2 Members or guests are not permitted to camp, otherwise house themselves within the Club Carpark.
- 4.3 Members are advised that the Club cannot be held responsible for damage caused to vehicles or personal items stolen from vehicles. The Club accepts no responsibility or liability for any damage or theft occurred in the vicinity of the car park. Members' use of the car park is entirely at their own risk.

#### **5. PROHIBITION ON ELECTIONEERING**

- 5.1 No member shall issue, display, publish, distribute or cause to be issued, displayed, published or distributed any written or vocalised material advocating either for or against the election of any candidate or candidates for the Board of the Club ('Electioneering Material').
- 5.2 The restriction in paragraph 5.1 includes but is not limited to issuing, displaying, publishing, or distributing or causing to be issued, displayed, published, or distributed any Electioneering Material:
- (a) within the premises or surrounding precincts of the Club; or
  - (b) via any electronic means (including on social media); or

(c) via any multimedia messaging service or short message service; or

(d) vocalised at the Clubs premises.

5.3 To be considered eligible, members nominating for a position on The Board must attend a recognised industry Corporate Governance course prior to the AGM/SGM election date.

5.4 Any member who is considering proposing a motion must firstly discuss the merit of the proposal with the Board prior to the motion being accepted.

5.5 Any breach of sub paragraphs 5.1 and 5.2 of this By-Law shall be deemed to be conduct prejudicial to the interests of the Club for the purposes of the Club's Constitution.

## **6. FOOD AND BEVERAGE**

6.1 Only alcoholic beverages purchased from the Club may be consumed at the Club premises unless consent is given by the GM (or their delegate).

6.2 Only food purchased from the Club may be consumed at the Club premises unless consent is given by the GM (or their delegate).

## **7. BORROWING & LOANING MONIES**

7.1 Whilst in the Club no person may borrow, attempt to borrow, lend or pressure or attempt to pressure any other person to advance or loan money.

7.2 If a member engages in the type of conduct referred to in paragraph 7.1, that member may be subject to disciplinary proceedings for engaging in conduct unbecoming of a member of the Club.

## **8. DRESS REGULATIONS**

8.1 To preserve the Club atmosphere, Members and their Guests must always be neatly attired.

8.2 The following items are not permitted to be worn at the premises of the Club at any time:

(a) Offensive or revealing clothing;

(b) Untidy, ripped or dirty attire;

(c) Obscene, Offensive or unseemly language thereon clothing;

(d) Swimwear;

(e) Clothing (including uniforms, jackets, patches, insignia or any other related paraphernalia) identifiable as related to any criminal gang or OMCG (Outlaw Motorcycle Gang);

(f) Bare feet (unless attending a barefoot bowls session).

8.3 The Club reserves the right to refuse entry if dress or tidiness does not conform to the Club's standards.

8.4 The final decision as to what is considered acceptable and neat attire will be left with the GM or the Duty Manager.

## **9. GAMING MACHINES**

9.1 Only \$1 Coins, \$5, \$10, \$20, \$50, \$100 Australian notes and approved Member or Visitor Cards are to be inserted in gaming machine coin, card or note acceptors.

9.2 It is the player's responsibility to report any malfunction with an Electronic Gaming Machine.

9.3 The Club reserves the right to bring legal proceedings against any player who:

(a) makes any fraudulent claim;

(b) causes malicious damage to a gaming machine;

(c) tilts, rocks or mishandles any machine;

(d) uses undue force when playing a machine;

(e) uses any foreign object on, in or near any gaming machine; or

(f) fails to report any malfunction of a gaming machine.

9.4 Any member violating these rules will be liable to disciplinary proceedings in accordance with Section 4.2 of the Constitution.

9.5 Any guest violating these rules may be asked to leave the Club.

9.6 The Club reserves the right to:

(a) Refuse payment by means of splitting a Gaming Machine payment. A Club must not share any receipts arising from the operation of an approved Gaming Machine.

(b) withhold any payout, where such payout is in dispute or where the credentials of the player to receive the jackpot are not established, or are not established to the reasonable satisfaction of the Club;

(c) to refuse any person, member or guest, the right to play gaming machines;

(d) place any machine "out of order"; or

(e) ask any player to only play one machine at any one time.

(f) refuse the exchange of cheque for cash for any value under our financial transactions policy.

9.7 It is the player's responsibility to ensure that he or she has been given the correct amount of money by an employee of the Club.

9.8 It is the player's responsibility to ensure that he or she has removed the credits from the machine (collect) via the Membership or Visitor Card prior to leaving the machine.

9.9 Any disputes over payment or non-payment by any gaming machine will be decided within one week by management.

9.10 Members in the gaming room area who are not playing a gaming machine may be asked to move to a bar or lounge area.

9.11 Unauthorised gambling is forbidden on the Club premises.

## 10. **KENO & TAB**

10.1 It is the player's responsibility to:

(a) check the original entry form for incorrect markings;

(b) check ticket/s immediately they are issued; and

(c) ensure he/she has sufficient time to place a wager on a particular game.

10.2A ticket may only be declared void and monies refunded if the ticket is presented prior to the next game being conducted.

10.3 All disputes will be referred to Keno or TAB for its determination.

## 11. **COMPLAINTS REGARDING STAFF**

11.1 Any complaint regarding an employee, member or the Club generally shall be made to the GM in writing and signed by the member making the complaint. Refer to Section 4.9 (proposed new constitution section 4.5) of the Clubs Constitution.

## 12. **DISPLAY OF NOTICES**

12.1 Notices, advertisements, posters, articles or any other similar items shall not be displayed in the Club premises by any person without the authorisation or sanction of the GM (or his or her delegate).

### **13. REASON FOR BY-LAWS**

13.1 This policy is in place to ensure that all members feel respected, valued, and safe within the club. By prohibiting inappropriate behaviours, the Club will maintain a positive and supportive atmosphere where everyone can fully participate and thrive. The Board believe that every individual has the right to be treated with dignity and respect, and that by upholding these standards, we can foster a community that promotes mutual understanding and collaboration.

By adhering to this policy, we can uphold the values of our club and create an inclusive environment where all members can feel welcome and supported. Our club is a place where everyone can grow and succeed together.

### **14. CONDUCT TOWARDS EMPLOYEES**

14.1 No member shall interfere in any way with any Club employee in the carrying out of their duties.

14.2 Any queries, questions or complaints are to be directed to the GM (or his or her delegate).

14.3 No member shall send any Club employee out of the Club premises for any purpose, without the approval of the GM.

14.4 No member shall reprimand an employee of the Club.

14.5 No member shall induce any employee to leave the service of the Club.

14.6 No member shall interact with a Club employee in an aggressive, threatening, physical, or intimidating manner whether directly, on social media or any other form. This behaviour is considered conduct unbecoming of a member and will result in immediate removal from the Club as per Section 4.8 of the Clubs Constitution.

### **15. RULES FOR CLUB MEMBERS USING THE COURTESY BUS SERVICE**

- (a) Club members who are adversely intoxicated or adversely affected by any other substance are not eligible to use the Club's bus service.
- (b) The Club's GM or in his or her absence, the Club's Duty Manager will be the sole arbiter as to which members use the bus service.
- (c) Club members should note that the Club's disciplinary Policy, Rules and By-Laws apply to those travelling on the Club's bus.
- (d) Disregard for these rules may result in Club members being refused Club bus services and/or being charged with conduct unbecoming of a member.
- (e) Smoking (including the use of e-cigarettes and vapes), eating, and drinking are not permitted whilst on board the bus.
- (f) The bus driver has the discretion to refuse the carriage of passengers on the bus.
- (g) Club employees or Club security have the right to ID passengers who wish to use the bus.

**16. TRADING HOURS**

16.1 The Club shall be open and closed at hours determined by the Board.

16.2 Entry will not be permitted prior to Trading Hours unless otherwise approved by the Duty Manager for the use of Club's facilities for functions or events. All recreation must cease at the time of closing or beforehand as advised by the Duty Manager.

**17. APPROVAL AND ISSUE DATE**

17.1 Approved by Board 21 August 2024.

17.2 Issued by Board 22 August 2024.