

SCARBOROUGH
BOWLS CLUB INC.

By-Laws

August 2017

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This Document was Approved on 25 Mar 2018.

Amended at Special General Meeting on 17 July 2022.

1.0 DEFINITIONS

Refer to Preamble 4.0.

2.0 OBJECT OF BY-LAWS

These By-Laws support the Constitution of the Scarborough Bowls Club Inc. and assist the association and its representatives to conform at all times with the requirements of the laws of the game as adopted by Bowls Australia and Bowls Queensland.

3.0 GENERAL ADMINISTRATION

3.1 ADMINISTRATION MANUAL

- The Management Committee must establish and maintain in a current state an Administration Manual for use by the Management Committee, Committee Chairpersons, Managers and Staff to assist in the conduct of the Club and its business affairs.
- This Manual is to describe, in practical terms, virtually all activities, systems and procedures required to control, manage and operate the Club.

3.2 QUALITY, EQUITY AND DIVERSITY

The club will provide for the benefit of members and guests the best service and product they consider both acceptable and of good value. Corresponding to membership status, all benefits and advantages will be open to members equally.

The Club shall ensure it meets its legal requirements associated with Equity and Diversity and ensure all staff, members and visitors are provided with Equal Opportunities for employment (if a staff member) and engagement in the club's facilities and bowls competitions as applicable if a member or visitor.

It is the legal obligation to protect against discrimination based upon a person's sex, gender, disability, sexual orientation, religion, belief, race or age.

3.3 MEMBERS TO BE BOUND BY THE BY-LAWS

All members on admission to the SBC will be deemed to have agreed to be bound by these By-Laws as per rule 5.1 of the constitution.

All of the Membership Categories listed shall meet with and abide by all relevant Rules and Requirements of the Club's Constitution and all other Relevant Associations, such as, Bowls Australia, Bowls Queensland and the District Association.

3.4 ALTERATIONS TO BY-LAWS

- (a) Changes proposed as per rule 36 of the constitution must be presented to a General Meeting.
- (b) To make, amend or repeal a By-Law any financial member may submit a written notice of motion to the secretary not less than 28 days prior to a General Meeting.

- (c) This notice of motion must be displayed on the club's general notice board not less than 14 days before the meeting.
- (d) If required a Special General Meeting may be called as per rule 14 and 15 of the Constitution.
- (e) If any alterations or additions to these By-Laws are passed and adopted at a General Meeting, they must be displayed on the club's general notice board and the digital version and master copies of the By-Laws must be amended. The amended or new By-Law will then become effective.
- (f) The Secretary is to forward a copy of the By-Laws (including any amendments) to Bowls Queensland for information purposes.
- (g) The By-Laws and any amendments will be made available digitally. Should a print copy be requested the member may be required to meet the cost of photocopying.

3.5 CLUB COLOURS

The registered club colours are: Royal, Cyan and Ochre. The relevant authorities (District and BQ) must be notified of any changes.

3.6 AFFILIATION

The Association must:

- Affiliate with BQ and accept and abide by the rules and by-laws of BQ in so far as they apply to the sport of Bowls.
- Be a member of a DBA and accept and abide by the rules and by-laws of the DBA in so far as they apply to the sport of Bowls.
- Submit BA and BQ affiliation fees and levies direct to BQ. BQ will notify the DBA of the payment.
- Renew its membership with the DBA each year in accordance with the rules of the DBA and pay annual membership fees to the DBA.
- Elect a delegate or delegates to the DBA in accordance with the rules and by-laws of the DBA.
- Provide to BQ and to the DBA the returns that are required by those bodies.
- Provide advice to BQ and to the DBA within 30 days of any event which would affect the status of the club's affiliation with BQ, the legal status of the club and/or any changes or amendments to the club's constitution; and
- Not make, amend or repeal a rule or by-law in relation to the playing of the sport of Bowls that conflicts with the rules and by-laws of BA, BQ or the DBA.

4.0 ELECTION AND COMPOSITION OF MANAGEMENT COMMITTEE

4.1 ELECTION PROCESS

4.1.1 RETURNING OFFICER

- (a) Prior to the Annual General Meeting each year, the Management Committee must appoint a Returning Officer whose duties are to control the issuing of ballot papers and subsequent collection and counting of same at the Annual General Meeting and subsequent general meetings.
- (b) The Returning Officer will liaise with the Secretary regarding the preparation of ballot boxes. He/she must ensure that only those entitled to vote are issued with the necessary ballot papers and that the ballot boxes are correctly located for the lodgement of same.
- (c) The Returning Officer will enlist the assistance of scrutineers as required to conduct the ballot. The Returning Officer or any scrutineer must not be a candidate in the ballot.
- (d) The Returning Officer will advise the Chairman of the meeting of the result of the scrutineers' count and the Chairman will announce the result to the meeting.
- (e) The ballot material must not be destroyed without the authority of a motion passed at the meeting and it is the duty of the Returning Officer to carry out this instruction.

4.1.2 ELECTION AND BALLOT PROCEDURES

- (a) Nominations for positions on the Management Committee must be made in accordance with the Constitution.
- (b) Voting is to be by secret ballot. Life members and ordinary members who must be currently financial and present at the meeting, will be supplied with ballot papers.
- (c) The method of voting will be to place a tick in the box of the preferred candidate.
- (d) Any candidate present at the meeting and not well known to members should be introduced to the meeting by Chairman before the ballot is conducted.
- (e) The results of each ballot will be determined on "First past the post" principle. Should there be an equal number of votes for two or more candidates for any position in a ballot, a further ballot must be conducted between the two candidates who tied.
- (f) If insufficient nominations are received for the positions of elected Management Committee members no vote will be held and the candidates nominated will be declared elected. The meeting will then proceed to fill any remaining vacancies, and, if necessary conduct a ballot, but with nominations coming from the floor of the meeting.
- (g) Ballot papers may be issued to those entitled to vote not more than 30 minutes prior to the meeting being opened. The votes must not be collected by the Returning Officer until the Chairman of the meeting announces the closing of the ballots. All votes will be deemed to have been made after the opening of the meeting and before the closure of the ballots.

4.2 COMPOSITION OF THE MANAGEMENT COMMITTEE

The positions on the Management Committee will be:

Chairman
Deputy Chairman
Secretary
Assistant Secretary
Treasurer
Assistant Treasurer
Greens Director
Delegate Ladies Section
Delegate Men's Section
3 committee members

- (1) If either the Men's or Ladies delegate is unable to attend a particular meeting of the Management Committee he or she may be represented by a proxy at the Management Committee Meeting.
- (2) One person must hold the office of Chairman and another the office of Treasurer as per Queensland Associations Incorporations Act, 1981 Clause 61 (3).
- (3) No person can hold more than one official position on the Management Committee for more than one month unless the position is unable to be filled. A member can be appointed from outside the committee to fill a casual vacancy as per rule 26 of the Constitution or if no candidate can be found, the position must be declared vacant and it must proceed to a General Meeting. For vacancies which occur as a result of illness or vacation the position will be temporary.

4.3 EXECUTIVE COMMITTEE

The Executive Committee:

- (a) consists of the Chairman, Deputy Chairman, Secretary and Treasurer of which three members constitute a quorum for an executive meeting.
- (b) may transact any urgent business of the club that arises between Management Committee meetings and submit a report of any such business transacted to the next meeting of the Management Committee.
- (c) must not incur expenditure in excess of \$2000 between meetings of the Management Committee.

All business transacted by the Executive Committee must be ratified and approved by the Management Committee at the next Management Committee meeting.

4.4 MEN'S/LADIES DELEGATE

The Management Committee delegate of the Men's and Ladies Section must be preselected at the Annual General Meeting or a Special General Meeting of their respective sections. The successful candidates' details must then be forwarded to the club's secretary for inclusion in the election of the Management Committee at the club's Annual General Meeting.

This will give full voting rights to each delegate elected.

5.0 DUTIES OF MANAGEMENT COMMITTEE MEMBERS

The duties of each position will include but not necessarily be restricted to the listed responsibilities.

5.1 THE CHAIRMAN

- Preside at all meetings of the Management Committee and General Meetings of the Club
- Ensure that all decisions made at meetings are carried out
- Be an ex-officio member on all Sub Committees
- Prepare a written report for each General Meeting
- Be a signatory to the Club's bank accounts

5.2 DEPUTY CHAIRMAN

- Assist the Chairman to ensure all duties are properly carried out and in the absence of the Chairman, carry out the duties normally performed by the Chairman.
- Be a signatory to the Club's bank accounts.

5.3 SECRETARY

- Bring to the notice of the Chairman and or/Executive Committee matters of urgency arising between scheduled meetings.
- Attend meetings of the Management Committee and General Meetings of the club.
- Distribute prepared minutes of the Management Committee to members of the Management Committee and minutes of General Meetings to members.
- Present minutes for confirmation to the next succeeding Management Committee or General Meeting.
- Have the meeting Chairman sign the confirmed/amended minutes as being a correct record following confirmation or amendments of the minutes,
- Prepare all documentation for Nominations, Ballot and Election procedures as prescribed in Rule 21 of the Constitution.

- Present the names of prospective new club members to the monthly Management Committee meeting and upon approval give notice to the club's office assistant.
- Be a signatory to the Club's bank accounts.

5.4 TREASURER

- Be responsible for reporting the financial position of the club at each monthly meeting of the Management Committee.
- Receive from the Office a copy of the relevant monthly financial statements and any other details of financial transactions as requested.
- Be responsible for presenting to the Annual General Meeting a financial report which must include a copy of the auditor's report.
- Be responsible for presenting a financial report to a General Meeting held to determine Membership Subscriptions.
- Be a signatory to the Club's bank accounts.

5.5 ASSISTANT SECRETARY/TREASURER

- Assist the Secretary and/or Treasurer in their duties.
- Relieve the Secretary and/or Treasurer in their absence. When so acting in these positions they will carry out duties and exercise all the powers of the Secretary and/or Treasurer.

5.6 GREENS DIRECTOR

- Liaise with the greenkeeper as to the maintenance of a good playing surface and seek advice about whether or not the greens are fit to be used for play. In the absence of the Greenkeeper and/or Greens Director an officer of the controlling body will be responsible for making a decision regarding the suitability of the greens for play.
- Liaise with the respective section's Games Director and/or Games Organisers about specific rink allocations for special events that may clash with other club games to ensure access to playing greens is maximised
- Present a written report regarding the greens to each monthly meeting of the Management Committee
- Take to the Management Committee decisions about the use of greens if their use involves extra financial outlay

5.7 MEN'S/LADIES SECTION DELEGATE

- Attend and present a report to the monthly meeting of the Management Committee
- Present a report from the Management Committee to their respective sections

6.0 OTHER COMMITTEES

6.1 SUB COMMITTEES

The Management Committee may establish sub-committees in accordance with rule 33 of the Constitution and will provide the brief for each committee's activities.

6.1.1 MANAGEMENT OF SUB-COMMITTEES

- Each sub-committee will conduct its business upon the same principles as those of the Management Committee.
- Unless otherwise directed by the Management Committee, the number of people comprising any sub-committee will be a minimum of three and a maximum of five.
- The chairperson/or representative of the sub-committee must advise the Management Committee of their progress.
- Each sub-committee will meet at least once a month unless otherwise agreed or directed. A summary of all matters discussed, conclusions reached and recommendations must be reported to the Management Committee for approval.

The Management Committee may grant permission for a sub-committee to proceed with the implementation of a specific suggestion or decision; however, matters relating to this must be clearly documented and reported back to the Management Committee.

6.2 AD-HOC COMMITTEES

- Ad-Hoc committees may be established to complete a task designated to them by the Management Committee with a time frame for completion of the task set by the Management Committee.
- Unless otherwise directed by the Management Committee, the number of people comprising any ad-hoc committee will be a minimum of three and a maximum of five.
- The committee should elect a chairperson for its meetings.
- The committee may meet and adjourn as it thinks proper.
- A written report of the committee's progress can be requested by the Management Committee at any stage of the committee's existence.
- A final written report must be submitted before the committee is disbanded.

6.3 SECTION COMMITTEES

The Ladies Bowling Section and the Men's Bowls Section will each be run by their respective committees as per By-Law 12.1

7.0 MEMBERSHIP FEES / SUBSCRIPTIONS

The Management Committee must, at least, annually review and establish the fees and charges associated with the membership of the Club in accordance with rule 8.1 of the Constitution.

- Ordinary Members must pay the full subscription
- Junior Members must pay a subscription determined by the Management Committee.
- Social Members must pay the subscription determined by the Management Committee.
- Life Members will be exempt from payment of annual subscription but will not be exempt from BA, BQ and relevant District levies.
- Temporary Members will pay a subscription as determined by the Management Committee.

7.1 NOMINATION FEES

All people nominated for membership of the Club (other than Social, Life and Temporary Members) will pay a nomination fee as determined by the Management Committee.

7.2 ANNUAL MEMBERSHIP

- The annual membership subscription will be payable by each member in advance and in full.
- The annual subscription will be determined at a General Meeting.
- The annual subscription is due on the first day of September and will apply for the ensuing 12 months.
- Failure to pay the subscription when due will result in a member being deemed to be unfinancial.
- The subscription, as fixed, will be payable by new members joining the club. Any person taking up membership subsequent to the commencement of the financial year will pay their subscription, pro-rata, from the date of the acceptance of their membership application to the end of the club's financial year, plus affiliation and capitation fees where applicable.

7.3 SPECIAL LEVIES

- The Club may, at any time, impose a special levy on all members by a special resolution at a General Meeting of the Club.
- Written notice of the special levy must be given to all members within 14 days of the meeting.
- If the levy has not been paid within 28 days of the letter of advice, the member will be deemed to be unfinancial and lose all privileges of membership.

7.4 UNFINANCIAL MEMBERS

Any member who becomes unfinancial will be deprived of all privileges of membership of the club including:

- The right to hold office, nominate or be nominated for any office in the club.
- The right to speak or vote at any meetings of Management Committee or at any general meeting of the club.
- The right to enter for and play in club matches or social play.

From the date of payment of all subscriptions and monies due to the club all privileges will be restored to a previously unfinancial member.

8.0 DUAL MEMBERSHIP

Any member holding dual membership will not be eligible to be elected to the Management Committee, the Men's Committee or the Ladies Committee or to retain a position on any of these Committees,

- (a) unless Scarborough Bowls Club is their registered and declared club, and
- (b) they choose to represent Scarborough Bowls Club in all forms of competition at all levels.

9.0 RECIPROCAL RIGHTS OF MEMBERSHIP

To be eligible for reciprocal rights a person must be a financial member of an affiliated bowls club.

Players under suspension or expulsion from another bowls club will not be entitled to claim reciprocal rights at the Scarborough Bowls Club.

10.0 QUALIFICATIONS FOR VISITORS

A person who is a bona fide guest of a member or is otherwise qualified as a visitor under the provisions of the Liquor Act may be admitted as a visitor to the Club provided, however, that he or she maintains proper standards of dress, behaviour and decorum.

11.0 CONDUCT AND CONTROL OF MEMBERS, VISITORS AND MINORS

The Duty Manager is fully responsible:

- (a) for the conduct and control of members, visitors and minors within the Club and is to undertake any lawful action at any time to ensure that the harmony and decorum of the Club is sustained at a high standard for members and their guests.
- (b) to ensure that the interests of the Club are not prejudiced under the provisions of the Liquor and Gaming Machine Acts by the actions of a member, visitor, minor, a member who is a minor or a member who is responsible for a minor.

11.1 MEMBERS

Members must:

- behave with respect towards others, the club and the broader community.
- not behave in a violent or abusive manner or use obscene language or gestures.
- not engage in any form of sexual harassment or intimidation.
- not use Social Media to engage in any form of bullying of other members or to denigrate the club or its members.

Infringements by ordinary members¹ will be dealt with

- by the Duty Manager who can ask the offending member to leave the club
- by the Management Committee under the Disciplinary Process By-Law 15

Infringements by social members² will be dealt with

- by the Duty Manager who can impose a three month ban from the club
- by the Management Committee as per By-Law 15.4.2

11.2 MINORS (JUNIOR MEMBERS)

Junior members are to fulfil all the duties and obligations of membership prescribed from time to time by the Management Committee to ensure compliance with the Club's Liquor Licence.

11.3 MINORS OTHER THAN JUNIOR MEMBERS

A minor is only permitted to enter the Club in the company of a member (other than a Junior Member) who will be fully responsible for the minor's conduct and behaviour in compliance with the rules prescribed from time to time by the Management Committee to ensure compliance with the Liquor Act and Gaming Machine Act.

Should a minor be in the company of a member in the Club and either the minor or the member is removed and excluded from the Club, the accompanying minor or member must also leave the Club for whatever time the offending minor or member is excluded from the Club.

12.0 BOWLS MANAGEMENT

12.1 BOWLS SECTIONS

To control the playing of bowls in the association, the club will be divided into two sections, the Ladies Section and the Men's Section. All male bowling members will automatically be members of the Men's Section and all female bowling members of the association will automatically be members of the Ladies Section.

¹ Amendment approved at Half Yearly General Meeting 25.3.18

² Amendment approved at Half Yearly General Meeting 25.3.18

Section Committees will be elected annually with a President, Vice President, Secretary, Games Director/Organiser and any other positions as determined by the Section.

The Committees will be responsible for the overall administration of their sections. They will also be responsible for the organisation of Coaching and Umpires. All positions will be honorary and elected.

To be eligible to serve on a Committee a member must meet the requirements as per rule 26 of the Constitution.

12.2 PLAYING BOWLS

- Prospective new bowlers both with and without experience must pay a nomination fee before being able to use the greens.
- Bowlers without experience must undergo coaching with an official club coach who will determine their competence to begin playing. They may then play three social games before having to pay their full membership fees.
- Prospective bowlers with experience may play three social games before having to pay their full membership fees.
- Guests participating in a sponsored corporate or a fund raising event will be able to bowl on the day of the event under the guidance of experienced bowlers.

12.3 RINK AVAILABILITY

- (a) In order to facilitate the organisation of bowling days the Games Director/Event Organiser is to provide details to the Greens Director of all Pennants, Super Challenge, Premier Sevens and similar competitions and of club championship/competition games planned for days other than the designated Ladies and Men's bowling days.
- (b) For events which will impact on social bowling days the maximum number of days' notice possible must be provided by the Games Director/Event Organiser to the relevant Games Organisers so that alternate playing arrangements can be made for social bowlers.
- (c) In planning club championship/competition rink allocations the requirements of social bowls must be considered with adequate rink allocations for their needs. This must be a minimum of four rinks.

12.4 OPEN BOWLS ORGANISATION

- (a) All open bowls days or events will be designated on the website and notice boards as Open Bowls Events. These days are to be jointly under the control of the Ladies and Men's Sections unless they are specific fund raising events for either section or listed in either section's yearly calendar of events.
- (b) The Games Directors/Organisers of each section will liaise. The Men's and Ladies Sections may choose another person to fulfil this role if the Games Directors/Organisers are unable/unwilling to do so.
- (c) They will report to the Management Committee as needed via the Men's and Ladies Delegates.

13.0 GENERAL FINANCIAL MATTERS

13.1 EXPENDITURE

- The Management Committee must obtain prior approval of a General Meeting of the club before authorising any project where expenditure will exceed a base figure of \$30,000 as at 30th June 2017. This figure is to be automatically increased at the close of each succeeding financial year by the CPI. A record of this increase is to be kept by the Treasurer.
- No member is to be paid an honorarium by the club.

13.2 REIMBURSEMENT OF EXPENSES

- Any person who undertakes any authorised activity for and/or on behalf of the club and who incurs an expense in association with that activity will have fair and reasonable reimbursement of that expense, without provision of any payment by way of commission or profit.
- An employee will be paid out-of-pocket expenses for any previously authorised expense on behalf of the club.

13.3 GREEN FEES

- A Green Fee, determined by the Management Committee, will apply to all users of the greens on all occasions except when the Management Committee otherwise determines.
- Green Fees will be payable when a player reports to the bowls games office prior to the commencement of play. All green fees collected for men's, ladies or open bowls will become the property of the Scarborough Bowls Club Inc.

13.4 GAME FEES

The component of fees paid for prize money on any particular playing day must only be used for events held on that day of the week. This money cannot be used to subsidise another event held on a different playing day.

13.5 SPECIAL EVENTS

The Bowls Sections must notify the Management Committee of any proposed special events. Special catering requirements must be detailed on the prescribed form in order for the Management Committee to determine the overall cost for that event. This cost is to be met by the section concerned.

14.0 COMPLAINTS HANDLING

Any complaint that relates to matters within the Men's Bowls Section or the Ladies Bowling Section will be dealt with by the committee of the relevant bowls section.

A member, who desires to complain about any alleged offence, injustice or neglect of duties by any member, office bearer or employee of the club, has the right to lodge a complaint in writing with the Management Committee Secretary.

It will then be dealt with under the Disciplinary Process.

14.1 MEMBER'S COMPLAINT ABOUT STAFF

Any complaint made by a member against any employee of the Club must be made initially to the Club Manager. If there is no resolution and the complaint is deemed to be sufficiently serious, it must be put in writing to the Secretary of the Management Committee. It will then be dealt with by the Management Committee in consultation with the Club Manager.

14.2 STAFF COMPLAINT ABOUT MEMBER

Any complaint made by an employee against a member must be made in writing to the Secretary of the Management Committee who will then inform the Club Manager. As this complaint is regarding an infringement by a member, it must be dealt with under the Disciplinary Process.

15.0 DISCIPLINARY PROCESS

15.1 INTRODUCTION

In accordance with rule 44 of the Constitution, this Disciplinary Process is to be used by the Management Committee to deal with all disciplinary matters and complaints.

15.2 ANTI-DISCRIMINATION AND HARASSMENT AND CHILD PROTECTION

Matters in relation to child protection, transgender persons, sexual relations, anti-discrimination and harassment will be dealt with under the Bowls Queensland Member Protection Policy.

15.3 CLUB COMPLAINTS AND DISCIPLINE CRITERIA

Any member of the Club who -

- fails to observe the Rules and By-Laws of the Club;
- is deemed guilty of an act, practice or conduct which would bring discredit on the Club or the game of Bowls;
- engages in illegal gambling or betting on Club premises;
- uses obscene or abusive language

will be dealt with under the club's Disciplinary Process.

15.4 NOTICE OF ALLEGED BREACH

15.4.1 BREACH BY ORDINARY MEMBERS³

Where the Management Committee is advised in writing, that a member has allegedly intentionally breached, failed, refused or neglected to comply with a provision of the Constitution and By-Laws, the Management Committee will meet to determine one or more of the following courses of action:

- dismiss the matter and provide a written response to all parties involved
- provide mediation for all parties involved
- refer the matter to a Disciplinary Panel

Notices of the alleged breach must be submitted to the Management Committee within 14 days of the alleged breach occurring.

A member will retain membership rights prior to a hearing by the initial Disciplinary Panel.

15.4.2 BREACH BY SOCIAL MEMBERS⁴

All breaches of the Constitution or By-Laws by a social member will be dealt with by either the Duty Manager or the Management Committee. A report or complaint in writing must be submitted to the Management Committee for action to be taken. No right of appeal will be allowed. Any social member who is temporarily suspended by the Duty Manager or who has their membership withdrawn by the Management Committee will not be eligible for full membership of the Club.

15.5 COMPOSITION OF A DISCIPLINARY PANEL

15.5.1 REGISTER OF PANEL CANDIDATES

The Management Committee will be responsible for compiling a register of financial Members who are willing to serve on a disciplinary panel when required.

Depending upon the severity or circumstance of the alleged breach, the Management Committee may call for an independent external person (not associated with the club) with suitable qualifications to participate on the disciplinary panel. A list of possible candidates for this should also be kept in the Register.

15.5.2 PANEL STRUCTURE

A Disciplinary Panel for each disciplinary hearing will consist of either three or five persons which will include both men and women appointed by the Management Committee from the register of candidates.

If insufficient candidates are available from the register other impartial people may be approached to assist with forming a panel.

³ Amendment approved at Half Yearly General Meeting 25.3.18

⁴ Amendment approved at Half Yearly General Meeting 25.3.18

The Management Committee will appoint a member of the Disciplinary Panel to act as Chairperson after consultation with the panel. Members of the Management Committee and Men's and Ladies Section Committees are ineligible to be appointed to a Disciplinary Panel.

A person who has been directly involved in, or affected by, the matter in dispute, or where a conflict of interest exists or would otherwise arise, will not be eligible to be a member of the selected Disciplinary Panel.

Any panel member when called to participate must declare any "Conflict of Interest" prior to accepting a position.

15.6 NOTICE OF HEARING

As soon as practicable following the appointment of a Disciplinary Panel, the alleged offender/s must be served a notice in writing:

- (a) Setting out the specific details of the alleged breach by the member and the facts and grounds on which the alleged breach is based
- (b) Providing the alleged offender with a copy of the original complaint
- (c) Stating the date, place and time of the disciplinary panel hearing which will be no earlier than seven days and no later than 28 days after the notice is served
- (d) Informing the alleged offender/s that he/she may:-
 - Attend the hearing or be available via phone to clarify issues during the hearing, and/or
 - Give the disciplinary panel, at least three days before the date of the hearing, a written statement regarding the alleged breach
 - Informing the alleged offender that if he/she chooses not to do any of the above, the hearing will proceed and the matter will be determined in his/her absence.

Despite Rule 15.6 (c), the hearing may be held at any other time that the Chairperson of the Disciplinary Panel and the alleged offender/s agree however this time must be no later than 28 days after the notice is served.

15.7 HEARING

No party will be entitled to be represented by a solicitor, barrister or other agent, nor are they permitted to directly question the other party. All questions to either party will be made by the Disciplinary Panel only. A junior member will be entitled to be accompanied by a parent or guardian.

At a hearing of the Disciplinary Panel, the Panel will –

- give the alleged offending member/s every opportunity to be heard
- give the aggrieved parties and any witnesses the right to be heard and present evidence
- Any written statements to be considered at the hearing, must be presented 3 days in advance. No written statements will be considered on the day of the hearing.

- give due consideration to any written statement submitted by the member as per 15.6 (d) above.
- hear and determine matters relating to the alleged breach in whatever manner it considers appropriate in the circumstances, and determine what evidence will be admissible at the hearing, providing that it does so in accordance with the principles of natural justice
- by resolution, determine whether the alleged breach occurred

15.8 DECISION

The Disciplinary Panel will make its decision as soon as possible following the conclusion of the hearing and inform the Management Committee of their decision in writing stating the reasons for their decision.

If the Disciplinary Panel considers that the alleged breach did not occur the matter will be dismissed and a written notice stating this will be given to the Management Committee.

The Secretary will as soon as possible after being provided with the written report from the panel, send a letter to the parties involved stating the decision and reason/s for the decision.

The Disciplinary Panel has no authority to award costs to a party.

Any pre-existing incidents, complaints or disciplinary actions associated with the alleged offending member will be taken into consideration when adjudicating a new complaint and/or determining any disciplinary actions.

15.9 PENALTIES

If the Disciplinary Panel considers that the alleged breach occurred, it may impose any one or more of the following penalties:

- issue an official warning which will be recorded
- direct the member/s to make a verbal or written apology – failure to carry out this instruction satisfactorily will result in further action being taken.
- direct that any rights, privileges and benefits of membership be removed for a period of time
- suspend the member from the Club (suspension periods may be 3, 6 or 12 months as determined by the Disciplinary Panel).

However, any substantiated claim of a member allegedly involved in an incident which potentially places the club at risk of prosecution under the Workplace, Health and Safety Act or Liquor Licensing Act will result in the member/s involved receiving a **minimum** six months suspension followed by 12 months Good Behaviour.

- expel the member from the Club
- impose any other penalty that the Disciplinary Panel considers appropriate

If the Disciplinary Panel imposes a penalty which deprives a person of rights of Membership, this penalty will be enforced immediately and remain in force before and during an Appeals process.

When considering any application of a penalty the Disciplinary Panel must also consider whether any previous warnings or reprimands have been applied to the member concerned.

A maximum of two warnings or reprimands will be considered sufficient to apply a higher grade of penalty.

Similarly, repeat suspensions from the club or breaches of 'Good Behaviour' bonds will result in a recommendation to impose a longer period of suspension or termination of membership.

A witnessed breach of a Good Behaviour Bond will automatically result in a period of suspension to be determined by the Management Committee.

15.10 APPEAL

A member may appeal a decision of the Disciplinary Panel to the Management Committee. This appeal must be in writing detailing the reasons for the appeal and must be received by the Secretary of the Management Committee no later than 14 days following notification to the member of the decision of the Disciplinary Panel.

The appeal will be heard by a new panel appointed by the Management Committee as per rule, 15.5, of this By-Law.

The members of an Appeals Panel must be different from the original Disciplinary Panel.

The Appeals Panel will provide a written report to the Management Committee at the conclusion of its hearing.

The Secretary of the Management Committee will notify the appellant in writing of the result of the Appeal.

No further appeals will be allowed at club level.

15.11 REPORTS

Each Disciplinary Panel must provide a written report to the Management Committee at the conclusion of its hearing.

APPENDIX A – AMENDMENTS TO BY-LAWS

All changes to the constitution and by-laws will be recorded in an electronic register which will contain the rule made/amended/repealed, the effective date and the reference for approval. The master copies will also be updated.

Clause Change	Authority	Effective Date
By-Law 11.1 and 15.4 added to and amended to include the distinction between ordinary and social members.	Half Yearly General Meeting	25 March 18
By-Law 4.2, point (1) deleted. Tenure of any particular honorary office is not to exceed three consecutive years except in the event that no other nominations have been received for that position.	Special General Meeting	17 July 2022