

SCARBOROUGH BOWLS CLUB INC.

By-Laws

August 2017

TABLE OF CONTENTS

1.0	DEFINITIONS	1
2.0	OBJECT OF BY-LAWS	1
3.0	GENERAL ADMINISTRATION	1
3.1	ADMINISTRATION MANUAL	1
3.2	QUALITY, EQUITY AND DIVERSITY	1
3.3	MEMBERS TO BE BOUND BY THE BY-LAWS	1
3.4	ALTERATIONS TO BY-LAWS	1
3.5	CLUB COLOURS	2
3.6	AFFILIATION	2
4.0	ELECTION AND COMPOSITION OF MANAGEMENT COMMITTEE	3
4.1	ELECTION PROCESS	3
4.1.1	RETURNING OFFICER	3
4.1.2	ELECTION AND BALLOT PROCEDURES	3
4.2	COMPOSITION OF THE MANAGEMENT COMMITTEE	4
4.3	EXECUTIVE COMMITTEE	4
4.4	MEN’S/LADIES DELEGATE	5
5.0	DUTIES OF MANAGEMENT COMMITTEE MEMBERS	5
5.1	THE CHAIRMAN	5
5.2	DEPUTY CHAIRMAN	5
5.3	SECRETARY	5
5.4	TREASURER	6
5.5	ASSISTANT SECRETARY/TREASURER	6
5.6	GREENS DIRECTOR	6
5.7	MEN’S/LADIES SECTION DELEGATE	6
6.0	OTHER COMMITTEES	7
6.1	SUB COMMITTEES	7
6.1.1	MANAGEMENT OF SUB-COMMITTEES	7
6.2	AD-HOC COMMITTEES	7
6.3	SECTION COMMITTEES	7
7.0	MEMBERSHIP FEES / SUBSCRIPTIONS	8
7.1	NOMINATION FEES	8
7.2	ANNUAL MEMBERSHIP	8
7.3	SPECIAL LEVIES	8
7.4	UNFINANCIAL MEMBERS	9
8.0	DUAL MEMBERSHIP	9
9.0	RECIPROCAL RIGHTS OF MEMBERSHIP	9
10.0	QUALIFICATIONS FOR VISITORS	9
11.0	CONDUCT AND CONTROL OF MEMBERS, VISITORS AND MINORS	9
11.1	MEMBERS	10
11.2	MINORS (JUNIOR MEMBERS)	10
11.3	MINORS OTHER THAN JUNIOR MEMBERS	10
12.0	BOWLS MANAGEMENT	10
12.1	BOWLS SECTIONS	10

12.2	PLAYING BOWLS	11
12.3	RINK AVAILABILITY	11
12.4	OPEN BOWLS ORGANISATION.....	11
13.0	GENERAL FINANCIAL MATTERS	12
13.1	EXPENDITURE	12
13.2	REIMBURSEMENT OF EXPENSES	12
13.3	GREEN FEES	12
13.4	GAME FEES	12
13.5	SPECIAL EVENTS	12
14.0	GRIEVANCE PROCEDURES.....	13
14.1	COMPLAINT ABOUT STAFF.....	15
15.0	DISCIPLINARY PROCEDURES.....	15
15.1	THE INVESTIGATION PROCESS	16
15.2	THE MANAGEMENT COMMITTEE	16
15.3	DISCIPLINARY PANEL	17
15.4	THE DISCIPLINARY HEARING	18
15.5	APPEALS	19
15.6	APPEALS PROCESS	19
15.7	SOCIAL MEMBERS	20
15.8	ANTI-DISCRIMINATION AND HARASSMENT AND CHILD PROTECTION	20
15.9	CRIMINAL ALLEGATIONS	20
APPENDIX A – AMENDMENTS TO BY-LAWS.....		21

This Document was Approved on 25 Mar 2018.

Amended at Special General Meeting on 17 July 2022.

Amended at Annual General Meeting on 1 October 2023.

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 GRIEVANCE PROCEDURES

The Grievance Procedure applies to any disputes or complaints under these rules between

- A member and another member
- A member and the Management Committee
- A member and the Scarborough Bowling Club Inc.

The Grievance Procedure does not apply to

- Any staff member
- A dispute involving a member being refused service, asked to leave, or refused entry to the premises under the Liquor Act.

Before engaging with the Grievance Procedure, parties must attempt to resolve the dispute between themselves.

However, a member may not initiate the procedure if:

- There is currently a process underway to discipline the member or terminate the member's membership, as provided in these rules and the dispute relates to that process or to a matter relevant to that process.
- The matter relates to a completed Disciplinary Procedure.

Notwithstanding, if a member has initiated the grievance procedure in relation to a dispute between the member and the association and there is no disciplinary procedure underway or completed, then the association must not take disciplinary action against that member or any person acting on their behalf until the grievance procedure has been completed.

The Grievance Procedure may be initiated following a written complaint from a member or by direction of the Management Committee or Executive acting in matters deemed to be urgent.

The Management Committee or Executive Committee will assess any written complaints and decide whether the matter should be managed under this Grievance Procedure or the Club's Disciplinary Procedures as outlined in the Club's By-Laws.

The determination of the Management Committee or Executive Committee shall be final and there shall be no appeal or review of this decision.

To assist in this assessment, see definition of Grievance in the Preamble to the Club's governance documents.

If a written complaint is received by any other person or sub-committee member, then they must forward the written document to the Management Committee Secretary as soon as possible.

If it is determined that the matter falls within the Grievance Procedure, then the Management Committee or Executive Committee must appoint a mediator.

The mediator can be any member of the Management Committee, Men's or Ladies Bowls Committee or any other sub-committee members or any other financial member or external

agent as deemed necessary, however they must not have any conflict or close association with the parties involved, and must at all times act professionally, ethically and in an unbiased manner.

Once appointed the mediator shall meet as soon as practicable with the parties, the subject of the dispute, to clarify and ascertain:

- i) If they are satisfied that the mediator does not have any conflict or close association with either party and can act without bias
OR
- ii) Whether they request an alternate mediator to be appointed.
- iii) If they are satisfied that the mediator should attempt to mediate the matter
OR
- iv) If they do not wish to attempt mediation but request an investigation and determination by a third party.
- v) If the parties wish for the matter to be referred to an external duly qualified mediator. (N.B. if requested then the parties are to pay for this at their own cost)

If the parties agree with the appointment of a mediator and the matter is suitable for mediation, then they should commence the mediation process. During the process the mediator shall

- Give each party every opportunity to be heard and
- Assist and guide the parties to formulate a successful outcome suitable to all parties.
- Determine the matter if requested by agreement between the parties.

During the process any party may

- Appoint any other person to represent them in any matter relating to the grievance procedure or have a support person present.
- Take part in the process either in person or via electronic means.

At the conclusion of the process the mediator is to complete a written report to be provided to the Management Committee Secretary as soon as practicable and no later than 28 days after the conclusion of the process.

The report must set out the names of the parties involved in the dispute, a brief description of the dispute and whether the matter has been successfully mediated to the satisfaction of the parties involved.

A copy of the report must be provided to all parties and they should be invited to endorse the report with their signature and make any further comments for the attention of the Management Committee.

A copy of the report must be provided to the Secretary of the Management Committee who will distribute the report to all members of the Management Committee at the next meeting.

The Management Committee is to consider and determine,

- i) If the matter is finalised and no further action is warranted
OR

- ii) If the matter is not finalised and requires further investigation with the outcome to be determined by a third party, not the mediator.
- iii) That the matter or any party involved should be referred to and dealt with in accordance with the Disciplinary Procedures as set out in these rules.
- iv) That the matter should be referred to an external body for investigation and/or mediation at the cost of the association.

A copy of the report must be retained and secured by the Management Committee Secretary.

If the mediation process does not resolve the dispute the parties may seek to resolve the dispute by applying to any other agencies or bodies or otherwise at law but must do so at their own cost.

14.1 COMPLAINT ABOUT STAFF

A complaint or grievance by a member in relation to any staff member should be made direct to the Manager and the Manager is to be responsible for the investigation and determination of the complaint.

Should the member not be satisfied as to the way the manager has dealt with the complaint then they should refer the matter to the Secretary of the Management Committee.

15.0 DISCIPLINARY PROCEDURES

In accordance with rule 44 of the Constitution, these Disciplinary Procedures are to be used by the Management Committee to deal with all disciplinary matters.

The Management Committee may resolve to take disciplinary proceedings against a member if

- the member fails to comply with the Constitution, By-Laws, Club's Code of Conduct or
- the member conducts themselves in a manner considered by the Management Committee to be injurious or prejudicial to the good character or interest of the Club, or to bring the sport of bowls into disrepute.

The Management Committee or Executive Committee may initiate this process of their own accord or after receiving a written or verbal complaint from a member.

For clarity all complaints about an alleged breach whether received by a staff member, the Men's or Ladies Bowling Sections, or any other official of the club must be forwarded to the Management Committee without delay.

Once initiated by or referred to the Management Committee or the Executive Committee, they shall take one or more of the following actions:

- Make an assessment about the urgency of the matter.
- If exceptional circumstances exist and it is urgent and considered necessary for the protection and welfare of any staff or member, the Management Committee or Executive may suspend the whole or part of the alleged

offending member's rights and privileges to enter the premises for a period not exceeding 28 days or until the completion of any disciplinary process whichever comes first.

- Dismiss the matter and provide a written response to all parties involved setting out the reasons why this action has been taken.
- Direct that an investigation be conducted into the circumstances of the alleged breach.

15.1 THE INVESTIGATION PROCESS

- The Management Committee or Executive may appoint any financial member, including any member of the Management Committee, Men's or Ladies Bowls Committees, or any external agent to investigate the circumstances of the alleged breach, providing that person does not have a conflict of interest, or close association with any of the parties and is capable of acting objectively and without bias.
- Once appointed the investigator shall meet with the complainant and any witnesses and obtain a detailed statement about the alleged breach and record knowledge of the incident either by written statement or audio recording.
- The investigator shall provide a copy of all statements and any other documents including audio or video recordings to the member who is the subject of the complaint.
- The investigator must provide the member with an opportunity to respond to the complaint by either written statement or audio recording.
- The investigation process must be conducted as soon as practicable and within 28 days of the process being commenced. Failure to complete this process within 28 days will require that the matter be returned to the Management Committee for review.

At the conclusion of the investigation the investigator must report to the Management Committee and provide copies of all statements obtained and any audio or video recordings along with an investigator's report setting out whether in the view of the investigator the matter is

Substantiated (there is sufficient evidence to support the complaint)

Inconclusive (there is insufficient evidence either way)

Unsubstantiated (there is sufficient evidence to show that the complaint was unsubstantiated)

Mischievous, vexatious, or knowingly untrue.

The Investigator must also ascertain the complainant's desired outcome and expectations as to how this matter ought to be resolved.

15.2 THE MANAGEMENT COMMITTEE

After considering the recommendation of the Investigator, the Management Committee may

- Dismiss the matter and take no further action and provide a reason to the parties for taking no action.
- Refer the matter to mediation.
- Issue a caution or reprimand to the member concerned.

If in the opinion of the Management Committee the matter is of a serious nature and further disciplinary action, other than a caution or reprimand, is required, then the Management Committee must form a Disciplinary Panel to conduct a Disciplinary Panel Hearing.

15.3 DISCIPLINARY PANEL

The Disciplinary Panel shall be made up of four persons and include:

- One member from the Management Committee who will act as the Chair,
- One member from each of the Men's and Ladies Bowling Sections,
- One other financial member who is not a member of either of the above committees.

To remove any doubt the Chairman of the Management Committee or any other member of the Management Committee may be appointed as the Chair of the Disciplinary Panel.

If for any reason a properly constituted Disciplinary Panel cannot be formed from the above sections then an external person/s, not associated with the club and not having any conflict

15.4 THE DISCIPLINARY HEARING

The Disciplinary Panel Chairperson will be responsible for advising all parties and witnesses in writing of the date, time, and location for the hearing.

The Disciplinary Panel is to be provided with the Investigator's report and all statements and relevant documents prior to the commencement of the hearing.

The Disciplinary Panel may conduct the hearing in whatever manner it considers appropriate in the circumstances and determine what evidence will be admissible at the hearing provided it does so in accordance with the principles of natural justice, fairness and without bias to all parties concerned.

The Disciplinary Panel must give each party and any witnesses the opportunity to be heard and permit any party to ask questions which in the opinion of the panel are relevant and will assist in the determination of the matter.

The member may have a support person present but is not entitled to legal representation from solicitor or barrister.

The Disciplinary Panel is to determine the matter by majority verdict, (i.e. 3 out of 4) as to whether the complaint is sustained or dismissed.

If the Panel is equally divided in their decision, then the matter must be found in favour of the member accused of the breach.

At the conclusion of the hearing the Disciplinary Panel may

- dismiss the matter and take no further action and provide a reason to the parties for taking no further action.
- issue a caution or reprimand.
- place the member on a good behaviour bond for a period not exceeding 2 years.
- suspend all and any part of a member's rights or privileges for a period not exceeding 2 years.
- terminate the member's membership.

The Disciplinary Panel is to advise all parties concerned of the outcome of the Disciplinary Hearing and this shall be done as soon as practicable and no later than 48 hours after determining the matter. This notification shall be done verbally and with a follow up confirmation letter to be forwarded to the parties. Failure to meet this timeline will not invalidate the decision of the Disciplinary Panel as long as a bona fide attempt has been made to deliver the notification.

The decision of the Disciplinary Panel takes effect immediately upon notification.

In making their decision in relation to any penalty the Disciplinary Panel should consider:

- The prior good behaviour and standing of the member.
- Any remorse or contrition shown by the member.
- Any apology offered by the member.

- Any prior officially recorded, offences, cautions, reprimands, suspensions or good behaviour bonds issued against the member.

15.5 APPEALS

Any member who is a party to the proceedings including the complainant member may appeal the decision of the Disciplinary Panel however such appeal must be lodged in writing, stating the reason/s for the appeal, within 7 days of receiving written notification of the decision.

15.6 APPEALS PROCESS

The Management Committee will be responsible for compiling a register of financial members who are willing to serve on an Appeals Panel when required.

The Appeals Panel will consist of either three or five members which will include both male and female members.

No member of the Management Committee, Men's or Ladies Bowls Committees or the original Disciplinary Panel is permitted to be a member of the Appeals Panel.

If insufficient candidates are available from the register, other impartial people including an external person, not associated with the club, may be appointed to form the panel.

The Appeals Panel will elect their own chairperson who will give notice to all parties as to the date, time and location where the appeal will be held.

Prior to the appeal the Panel must be supplied with all documents, statements, audio and video recordings and any other information that was used by the Disciplinary Panel.

During the appeal hearing, the Chair of the Disciplinary Panel may appear and provide the Appeals Panel with either a written or verbal submission as to why the appeal ought to be dismissed.

The Appeals Panel may conduct the hearing in whatever manner it considers appropriate in the circumstances and determine what evidence will be admissible at the hearing provided it does so in accordance with the principles of natural justice, fairness and without bias to all parties concerned.

The Appellant member must be provided with an opportunity to be heard and may provide any written or verbal submission and ask relevant questions of or directed to any party or witness. They may not be represented by any solicitor or barrister but may have a support person present.

At the conclusion of the appeal the Appeals Panel may

- dismiss the appeal.
- uphold the appeal.
- alter any penalty or sanction imposed by Disciplinary Panel.
- direct that a further Disciplinary Panel hearing be conducted.

In deciding the matter of a suitable penalty, the Appeals Panel may consider:

- The prior good behaviour and standing of the member.
- Any remorse or contrition shown by the member.
- Any apology offered by the member.
- Any prior, officially recorded, offences, cautions, reprimands, suspensions or good behaviour bonds issued against the member.

The decision of the Appeals Panel is final and effective immediately upon notification to the party.

Any member of the club who is suspended or expelled, is ineligible to play bowls in any event conducted at the club.

Any member of the club who is on a Good Behaviour Bond, suspended or expelled is ineligible to hold any office within the club.

No further appeals will be allowed in relation to this decision. The Appeals Process will be available if a further Disciplinary Panel hearing is conducted.

15.7 SOCIAL MEMBERS

Social members are not to be dealt with pursuant to this policy. Any breaches of the Constitution, By-Laws or Code of Conduct will be dealt with by the Club's Manager or the Management Committee who may take immediate action, including the immediate suspension and banning from the Club's premises. There shall be no right of appeal from a decision of the Club's Manager or Management Committee to suspend or ban a social member provided they have acted in a *bona fide* manner or in good faith and without discrimination.

15.8 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.

15.9 CRIMINAL ALLEGATIONS

These rules do not hinder, prevent or restrict a member's right to report serious criminal offences to Queensland Police or any other law enforcement agency for investigation.

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
By-Law 14, 14.1, and 15, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9 Grievance Procedures	Annual General Meeting	1 October 2023