

**Ingleburn**  
RSL Club



**INGLEBURN RSL SUB-BRANCH CLUB LIMITED**

**70 Chester Road Ingleburn NSW 2565**

**ABN 38 163 551 086**

## **BY-LAWS**

**Adopted by a resolution of the Board of the Club on:**

**28 August 2013**

**BY-LAWS of INGLEBURN RSL SUB-BRANCH CLUB LIMITED**

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# BY-LAWS of INGLEBURN RSL SUB-BRANCH CLUB LIMITED

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## 1. PRELIMINARY

- 1.1 These By-Laws are made by the Board of Directors of the Club pursuant to the power conferred upon it by Rule 28.17 of the Club's Constitution. They shall come into force and be duly operative when they are put up on the Notice Board.
- 1.2 The Board may alter or repeal a By-Law as it may deem necessary or expedient for the proper conduct and management of the Club.
- 1.3 These By-Laws are to be read subject to the Club's Constitution and in the event of any inconsistency, the Constitution shall prevail.
- 1.4 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.
- 1.5 In these By-Laws:
  - 1.5.1. the expression "the General Manager" means the person who is approved by the Independent, Liquor and Gaming Authority as the Secretary of the Club
  - 1.5.2. the expression "the Club" means the licensed club known as "Ingleburn RSL Sub-Branch Club Limited";
  - 1.5.3. the expression "the Constitution" means the Constitution of the Club;
  - 1.5.4. the expression "the Board" means the Board of Directors of the Club;
  - 1.5.5. the expression "Notice Board" means the Club's Notice Board as that expression is defined in the Constitution and includes any notice board at the Club's premises; and
  - 1.5.6. the expression "Club premises" means all of the Club's licensed premises.
- 1.6 Unless otherwise stipulated these By-Laws shall apply to all of the Club's licensed premises.
- 1.7 A copy of the Constitution is available for perusal from the General Manager.

## 2. MEMBERSHIP

- 2.1 Any member shall be able to lodge with the General Manager an objection in writing to any application for membership of the Club. The written objection needs to state the reasons for the objection.
- 2.2 The Board of the Club or the Election Committee formed to deal with membership applications shall consider any objection and shall if it deems it necessary call any evidence to determine whether any objection should be upheld.
- 2.3 The Board or the Election Committee as the case may be shall determine the validity of any objection and its decision shall be final. It shall not be required to give a reason for its decision nor shall it be required to notify the member making the objection of its decision.
- 2.4 In the case of any objection a candidate's name shall be withdrawn from the list of applicants for membership pending the Board's decision on the objection.
- 2.5 Notwithstanding anything contained in the Constitution or these By-Laws the Board may reconsider the election of a member and cancel their membership at any time within three (3) months of their election to membership if it receives evidence that had it been aware of at the time of approval of the membership application it would not have approved the application.
- 2.6 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 within the meaning of Rule 20 of the Constitution.
- 2.7 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.
- 2.8 Any candidate who withdraws their application for membership shall be entitled to have any subscription they paid when applying for membership refunded to them.

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- 2.9 Any member who has been expelled from membership of the Club shall not be able to reapply for membership of the Club for a period of at least four (4) years from the date of such expulsion.
- 2.10 The membership card issued to any member shall always remain the property of the Club.
  - 2.10.1 Any member who is expelled or suspended from membership of the Club pursuant to the provisions of Rules 20 or 23 shall within twenty-four (24) hours of such expulsion or suspension return their membership card to the General Manager or to the Club's office. After the period of suspension, the member shall be able to collect his membership card from the General Manager.
  - 2.10.2 The effect of the Board's decision to suspend a member shall take effect from the date of the disciplinary hearing as provided for in Rule 20; however the time from which the suspension ceases to have effect will be calculated from the date the member hands in his membership card to the Club.
- 2.11 Each member shall be expected to make himself/herself aware of and become familiar with the Constitution and By-Laws of the Club.
- 2.12 Nominations for life membership of the Club require the approval of the Board before consideration at a General Meeting. No nomination shall be approved by the Board unless it is confident it will be supported by the required majority of the members entitled to vote. The Board is not required to provide a reason for rejecting a nomination for Life membership.

### 3. ELECTION OF THE BOARD

- 3.1 The Board shall prepare and approve the nomination form for the election of directors, together with any form of consent to act as a Director which nominees will be required to sign and deliver to the Club together with their nomination form.
- 3.2 Each nominee for election to the Board shall complete and sign a form of consent to act as a Director (in the form set out below which may be amended by the Board from time to time) and it must be submitted to the general office with any nomination form.

#### Form of Consent

##### Consent to Act as Director

To: The General Manager  
Ingleburn RSL Sub-Branch Club Limited  
70 Chester Road  
INGLEBURN NSW 2565

- 1. I hereby consent/confirm my consent to be a director of Ingleburn RSL Sub-Branch Club Limited (hereafter referred to as the Club).
- 2. Full details of my name, address and other particulars are set out in the schedule below:

#### SCHEDULE

Name: .....  
Residential address: .....  
Business address: .....  
Occupation: .....  
Date of Birth .....  
Place of Birth:.....

- 3. I have not been disqualified from managing a corporation for the purposes of section 206B of the Corporations Act 2001.
- 4. I have not been convicted of an offence that concerns the making or participating in the making of decisions that affect the whole or a substantial part of the business of a corporation or concern an act that has the capacity to affect significantly the corporation's financial standing.

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5. I have not been convicted of an offence under the Corporations Act.
6. I have not been convicted of an offence involving dishonesty.
7. I have not been convicted of an offence against the law of a foreign country that is punishable by imprisonment for a period greater than twelve months.
8. I am not an undischarged bankrupt nor have I entered into an agreement under Part X of the Bankruptcy Act 1966 or any similar law of an external territory or foreign country.
9. I have not been disqualified from holding office as a director or secretary of any registered club in New South Wales.
10. Upon ceasing to be a Director of the Club I shall as soon as possible after ceasing to be a Director return all Club property to the Club together with all Board and other papers and or documents that I received from the Club during the period that I was a Director of the Club. I understand that if I fail to return any property or documents after I have been requested to return the items that I shall be deemed to have acted in a manner prejudicial to the interests of the Club for the purposes of Rule 20.1 of the Constitution.

Signed:

Dated:

## 4. COMMITTEES

- 4.1 Pursuant to Rule 28.4 of the Constitution, the Board has the power to appoint committees. The Board confirms the appointment of the following committees. Each committee shall conform to any regulation or restriction that the Board may impose upon it.

The Board shall be able to disband any committee or to amend its structure at any time.

### Audit, Risk and Compliance (ARC)

- 4.1.1. The ARC Committee shall consist of four (4) members or such greater or lesser number as determined by the Board by resolution. A simple majority of members of the Committee shall constitute a quorum.
- 4.1.2. The General Manager should always be included in the meetings of the ARC Committee.
- 4.1.3. The Committee shall:
  - (a) oversee the Audit, Risk, Compliance and financial matters of the Club;
  - (b) be responsible to see that sound practices, systems and controls are operating within the Club with internal controls and security to be closely monitored;
  - (c) deal with all matters pertaining to the Club's finances and report and recommend thereon to the Board;
  - (d) deal with all matters pertaining to the Club's risk and compliance and report and recommend thereon to the Board;
  - (e) keep the Board fully informed of the income and expenditure of the Club and its relationship to estimates;
  - (f) prepare an income and expenditure budget and a capital expenditure budget;
  - (g) ensure that all claims upon the Club and cash disbursements have been properly authorised, and certified to by a responsible officer or officers and, after examination, make appropriate recommendations to the Board of Directors as to confirmation of and/or asking for payment thereof; and
  - (h) consider and make recommendations on reference made to it by other committees in the matter of ordinary or extraordinary expenditure.
- 4.1.4. The Committee should ensure that accurate statistics and data are available so that unfavourable trends can be detected. Monthly profit and loss reports showing comparisons should be prepared.

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## 4.2 Building Committee

4.2.1. The Building Committee shall consist of three (3) members or such greater or lesser number as determined by the Board by resolution from time to time. A simple majority of members shall constitute a quorum.

4.2.2. The Building Committee shall:

- (a) supervise any maintenance, repairs, alterations, additions and improvements of the Club's buildings and all its fixtures and fittings which have been approved by the Board;
- (b) recommend to the Board for its approval any alterations or additions which it may deem necessary; and
- (c) investigate and report to the Board of Directors upon any maintenance, repairs, alterations, additions or improvements to the Club's buildings, fixtures and fittings which it may deem necessary.

## 4.3 Welfare Committee

4.3.1. The Welfare Committee shall consist of three (3) or more Directors. A simple majority of members of the committee shall constitute a quorum.

4.3.2. The Welfare Committee shall:

- (a) investigate any application the Club receives for welfare assistance and assess whether the application is consistent with the Club's aims and objects;
- (b) report to the Board about all applications it has received and make recommendations in respect of all applications.

## 4.4 Membership Committee

4.4.1. The Membership Committee may consist of two (2) or more members, one of whom shall be a Director appointed by the Board and who shall also be the Chairman of the Committee. A simple majority of members of the committee shall constitute a quorum.

4.4.2. The Membership Committee shall:

- (a) assess all applications for membership of the Club;
- (b) carry out such interviews as considered necessary; and
- (c) report monthly to each Board meeting the names of each new applicant and the recommendation of the Committee thereon.

## 5. TRADING HOURS

5.1 The normal trading hours of the Club shall be as determined by the Board from time to time.

5.2 No variation of trading hours shall be permitted unless approved by the General Manager or in the General Manager's absence the Assistant General Manager or such other person to whom the Board may delegate such authority.

5.3 Members and guests shall vacate the Club premises as soon as practicable after trading ceases but in any event within thirty (30) minutes after trading ceases.

5.4 No liquor will be made available, poker machine service rendered or jackpots paid after the announced closing time.

## 6. DRESS STANDARDS

6.1 Whilst on the Club premises members and their guests shall be attired in a neat and tidy manner and in keeping with acceptable standards of respectability.

6.2 Dress requirements shall be displayed at or near each entrance to the Club.

## 7. NOTICE BOARD

7.1 The Notice Board shall be kept in a prominent position in the Club's premises on which shall be exhibited notices of meetings, nominations of new

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members, copies of By-Laws passed by the Board of Directors and such other items of information of interest to members.

7.2 Each and every member of the club shall be deemed to have received and not be entitled to receive any further notice of the subject matter of such exhibition except as to notices of meetings of the Club or as otherwise provided by the Constitution.

7.3 Only those staff members authorised by the Board are permitted to place notices on or remove notices from the Notice Board. The approving officer's signature and title must be appended to each notice.

## 8. NOTICES

8.1 A person, including any member, shall not put up any notice or other document anywhere within any of the Club's premises without the prior written approval of the General Manager, unless they are placed there by the person responsible for any of the Club's authorised sporting or social bodies and the notice or document relates solely to the purpose or purposes of such body.

8.2 Any member who places a notice or a document on the Club's premises without prior written approval in accordance with 8.1 above shall be deemed to have acted in a manner unbecoming of a member for the purposes of Rule 20 of the Constitution.

8.3 The General Manager shall be able to remove any notice or document from the Club's premises at any time.

## 9. STAFF

9.1 A member shall not reprimand any employee of the Club or direct them in their duties.

9.2 An individual director shall not reprimand or give any direction or instruction to any employee of the Club regarding the manner of their work or the terms of their employment unless they have been duly authorised to do so by the Board.

9.3 All complaints against any employee of the Club shall be made to the General Manager or in his absence to his authorised representative.

9.4 A member shall not direct an employee to go out of the Club's premises except with the approval of the General Manager or his representative.

9.5 A member of the Club shall not endeavour to induce any employee to leave the employment of the Club.

## 10. POKER MACHINES

10.1 Members and guests shall comply with any special rules governing the playing of poker machines which are on display in the poker machine areas.

10.2 No person under the age of 18 years is permitted to play the poker machines.

10.3 No member or guest shall play or engage more than one poker machine whilst there are insufficient machines otherwise available for other members or guests wishing to play a poker machine.

10.4 No machine can be reserved for longer than 3 minutes. No player may reserve more than one machine at one time as per conditions of reservation displayed in the Club's premises.

10.5 Players when claiming bonuses or shortages must stand clear of the machine for inspection by a responsible officer, such as the General Manager, a supervisor or a poker machine attendant.

## 11. PATRONS MUST NOT SELL POKER MACHINE PRIZES

11.1 Only the patron who plays and wins prize money on a poker machine will be entitled to receive that prize money in cash and/or cheque in accordance with paragraph 11.2.

11.2 The Club will pay so much of the total prize money payable to a patron for a prize won by that patron in excess of \$2,000.00 from playing a poker machine:

11.2.1. by means of a crossed cheque payable to the person, or

11.2.2. if the person so requests by means of electronic funds transfer (if those means are available to the Club) to an account nominated by the person.

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- 11.3 A patron who has won a prize by playing a poker machine must not sell to another person the right to receive that prize from the Club.
- 11.4 A person must not offer to purchase from a patron the right to receive a prize (either cash or cheque) won by that patron by playing a poker machine.
- 11.5 A person must not make a payment to a patron as consideration for the right to receive a prize (either cash or cheque) won by that patron from playing a poker machine.
- 11.6 Any breach of this By-Law may result in:
  - 11.6.1. the matter being referred to the Office of Liquor, Gaming and Racing; and
  - 11.6.2. disciplinary action under the Club's Constitution against the person or patron concerned which may result in suspension or expulsion from membership of the Club;
  - 11.6.3. immediate removal of the person or patron from the premises of the Club.
- 11.7 The Club's premises are covered by security cameras which will be used to monitor patrons including for the purposes of compliance with this By-Law.

## 12. CHEQUES

- 12.1 The cashing of cheques is to comply with responsible gaming policy as set by the Board which is to be in accordance with all applicable legislation including those contained in the Gaming Machines Regulation 2010 and any guidelines or policies issued by any relevant government authorities.
- 12.2 In accordance with regulation 29 (1) (d) of the Gaming Machines Regulation 2010 if a member's or guest's cheque is not met on presentation to the Bank, the Club will not exchange for cash any further cheque from that member or guest until the entire amount owing under the original cheque has been paid to the Club. The Board may thereafter withdraw from that member or guest the privilege of cashing further cheques for a specified period or not at all.

## 13. DONATIONS, RAFFLES, PETITIONS, PAMPHLETS

- 13.1 No member or person shall solicit donations or subscription of any kind, nor shall any raffle or art union ticket or the like be tendered on the premises of the Club without the written approval of the Board or the General Manager.
- 13.2 No petition of any kind or any requisition for a general meeting of the Club shall be brought on to the Club premises for the purpose of signature or otherwise without the prior written approval of the Board. Any member who breaches this By-Law shall be deemed to have acted in a manner that is unbecoming of a member within the meaning of Rule 20 of the Constitution.
- 13.3 No pamphlet or other material will be displayed or exhibited in or upon the Club's premises without the prior approval of the General Manager.

## 14. SUGGESTIONS/COMPLAINTS

- 14.1 The Board welcomes constructive suggestions to improve the operation of the Club.
- 14.2 All suggestions should preferably be in writing and delivered to the General Manager.
- 14.3 Any complaint shall be in writing and delivered to the General Manager.
- 14.4 If the General Manager is unable to deal with a complaint, he shall raise it at the next meeting of the Board.

## 15. SPORTING AND SOCIAL SUB-CLUBS

- 15.1 A person must be a financial member of the Club before he can be admitted to membership of any approved sub-club of the Club. It is the responsibility of each sub-club to ensure that a person is a financial member of the Club before being admitted to membership of a sub-club.
- 15.2 Any approved sub-club shall supply to the Board a monthly and an annual statement of income and expenditure and shall make its financial records available at any time for audit by the Club auditor.
- 15.3 An approved sub-club shall not invest its money otherwise than with a bank or building society without the prior approval of the Board.



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15.4 Approved clubs must not rely on financial assistance from the Board.

15.5 The Board shall have the power to disband any sub-club at any time.

## 16. CONDUCT IN GENERAL

16.1 No political or religious subjects shall be discussed or displayed on Club premises.

16.2 No member shall give any money, fee or gratuity or other gift or any tip to any employee of the Club in any circumstances whatsoever, except in the course of a general collection approved by the Board.

16.3 All members are required to conduct themselves in a proper manner. Members are responsible for the conduct of their guests.

16.4 Any member or visitor being intoxicated, becoming disorderly, or using obscene or abusive language, shall be requested to leave by the General Manager or responsible officer and the Board shall be informed of such incidents involving a member.

16.5 A member shall not sign in or attempt to sign in as a guest to the Club any member whose membership is currently under suspension or any member who has been expelled from membership of the Club.

16.6 No member including one on rostered duty is permitted to enter the kitchen, the bar or the strong - room unless that duty requires their attendance in that place.

16.7 No advertisements of any kind shall appear on the Club premises nor may any goods or services be offered for sale without the prior approval of the General Manager or his authorised representative.

16.8 Unauthorised gambling is forbidden on the Club premises and the Club telephone must not be used for this purpose.

16.9 On Club premises members shall park vehicles within marked parking bays only. Additionally, the Board may reserve, and must so identify, parking bays for specified purposes and personnel.

16.10 A member has engaged in conduct that is unbecoming of a member if that member says or does anything or engages in any conduct 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.

## 17. WELFARE

17.1 The Board shall appoint a Welfare Officer whose responsibilities shall include the following;

- maintaining contact with members who are ill or otherwise indisposed;
- keeping members advised of the position regarding visitors being able to see members who are hospitalised.
- keeping the Welfare Board up-to-date.

## 18. STANDING ORDERS AT GENERAL MEETINGS

18.1 The following standing orders shall be observed at the Club's meetings, subject to any suspension, or amendment of, or addition to, these orders adopted for the purposes of that meeting by the members present at a meeting:

18.1.1 the mover of a motion shall not speak for more than 10 minutes. Subsequent speakers shall be allowed 5 minutes, and the mover of the proposition 5 minutes to reply. The meeting may however by simple majority extend in a particular instance the time permitted by this rule;

18.1.2 whenever an amendment to an original motion is proposed, no second amendment shall be considered until the first amendment is disposed of;

18.1.3 if an amendment is carried, the motion as so amended shall displace the original motion and may itself be amended;

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- 18.1.4 if an amendment is defeated, then a further amendment may be moved to the original motion. However, only one amendment shall be submitted to the meeting for discussion at one time;
- 18.1.5 the mover of every original motion, but not of an amendment, shall have the right to reply. Immediately after this the question shall be put from the chair. No other member shall speak more than once on the same question, unless permission is given for an explanation, or where the attention of the chairperson is called to a point of order;
- 18.1.6 any discussion on a motion or amendment may be closed by a resolution "that the question be now put" being moved, seconded and carried. Such resolution shall be put to the meeting without debate.
- 18.2 Motions and amendments shall be submitted in writing, if requested by the chairperson.
- 18.3 Any member, or visitor invited to attend the meeting by the Board, may speak on any issue at a meeting with the permission of the chairman provided that the permission may be conditional.
- 18.4 Standing orders may be suspended for any period by ordinary resolution.

## **19. CLUB NOT TO BE USED FOR BUSINESS PURPOSES**

- 19. Members shall not use the premises of the Club for the purposes of conducting any business, trade or profession and in particular, a member shall not:
  - (a) Use the premises of the Club as a place to meet applicants for employment or engagement in any business, trade or profession which the member is conducting or with which the member is directly or indirectly associated;
  - (b) Advertise, represent or hold out the premises of the Club as a place where that member will transact any activities in relation to any business, trade or profession which the member is directly or indirectly associated with;
  - (c) Advertise on, or in connection with the premises of the Club (including on any notice board) any business, trade or profession or any activity of or associated with a business, trade or profession, irrespective of whether the member is associated with the activity or with the business, trade or profession.



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