

MARYBOROUGH GOLF CLUB (QLD) INC.

IA34829

Incorporated under the
Associations Incorporation Act 1981 (Qld)



BYLAWS

June 2022

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1. Introductory provisions

1.1. Interpretation

1.1.1. In these bylaws:

- a. **act** means the Associations Incorporation Act 1981 as modified and amended from time to time and includes any regulations made under that Act and any exemption or modification to that Act applying to the club;
- b. **bylaws** mean the bylaws of the club;
- c. **club** means Maryborough Golf Club (Qld) Inc., the incorporated association to which these bylaws apply;
- d. **fee** means a payment of money due to the club by its members;
- e. **in writing** means, unless the contrary intention appears, all forms of visible words, including printed, hard copy or electronic formats;
- f. **member** means a person who has been duly accepted as such by the management committee in accordance with the constitution and who has paid any fees and levies due to the club;
- g. **special resolution** means a resolution that is passed at a general meeting by the votes of at least 75% of the members who are present and voting.

1.1.2. A word or expression that is not defined in these bylaws, but is defined in the Act has, if the context permits, the meaning given by the Act.

1.2. Application

1.2.1. These bylaws complement and are to be read in conjunction with the club's constitution.

1.2.2. If a provision in these bylaws is inconsistent with any clause in the club's constitution, the constitution prevails to the extent of the inconsistency.

1.3. Premises

1.3.1. The club's premises are situated at 239 Queen Street, Maryborough, QLD, 4650.

2. Membership

2.1. Membership categories

2.1.1. In accordance with the club's constitution, membership of the club consists of full, restricted, junior and life members.

2.1.2. Sub-classes of full membership may include:

- a. full member plus members;
- b. intermediate members;

- c. graduate members;
 - d. silver members;
 - e. bronze members.
- 2.1.3. Sub-classes of restricted membership may include:
- a. country members;
 - b. lifestyle social members.

2.2. Membership eligibility

- 2.2.1. Intermediate members;
- a. intermediate members must be aged between 26 and 35 years at the date of annual membership renewals, and will remain as intermediate members until the first annual membership renewal date following their attaining 35 years of age;
 - b. intermediate members must possess government issued proof of age.
- 2.2.2. Graduate members;
- a. intermediate members must be aged between 18 and 25 years at the date of annual membership renewals, and will remain as intermediate members until the first annual membership renewal date following their attaining 25 years of age;
 - b. graduate members must possess government issued proof of age.
- 2.2.3. Country members;
- a. country members must be a full playing member of another golf club;
 - b. country members must live at least 150km from the Maryborough Golf Club.
- 2.2.4. Junior members:
- a. junior members must be below the age of 18 years at the date of annual membership renewals, and will remain as junior members until the first annual membership renewal date following their attaining 18 years of age.

2.3. Life membership

- 2.3.1. The committee shall use the following criteria as a guide when assessing the special valuable service rendered by a member to the club and the suitability of the member to be recommended for election as a life member;

- a. the member will have been an active member of the club for a cumulative period of 20 years; or
 - b. the member will have been an active member of the management committee for a consecutive period of 10 years and have provided a further period of 10 or more years of voluntary service to the club.
- 2.3.2. In accordance with clause 3.1.1.d in the club's constitution, management committee endorsement of a life member nomination is confirmation that the nominee meets the standard of "extraordinary and meritorious service" to the club. This endorsement is not to be considered as a recommendation for members to vote in a particular way.
- 2.3.3. In accordance with clause 3.1.1.d in the club's constitution, life members must be elected by the passing of a special resolution at a general meeting.

2.4. Membership renewal

- 2.4.1. Membership is current until renewal is due.
- 2.4.2. Other than life members, members who do not re-apply for membership and pay the prescribed fee when due are considered to have resigned.

2.5. Reciprocal arrangements

- 2.5.1. The club may enter into reciprocal arrangements with other clubs.
- 2.5.2. A current list of reciprocal clubs is available from the secretary upon request.

3. Governance structure

3.1. Management committee structure

- 3.1.1. The management committee comprises the following positions;
- a. president;
 - b. treasurer;
 - c. secretary;
 - d. captain;
 - e. volunteer coordinator;
 - f. marketing and publicity officer; and
 - g. member advocate.

3.2. Management committee duties

3.2.1. All management committee members shall:

- a. attend management committee meetings and general meetings of the club, as well as other meetings/workshops as they are called from time to time;
- b. attend functions held by the club as required;
- c. have the power to delegate appropriate duties amongst subcommittees and volunteers;
- d. maintain all documents, books, papers, keys, records and goods belonging to the club and pertaining to the office held and deliver them to the club at the completion of their term of office;
- e. hold a current blue card;
- f. undergo a criminal history check, if required by the club;
- g. maintain a good working knowledge of the club's constitution, bylaws, policies and procedures;
- h. provide guidance, mentoring and support for those taking over from their position at the end of their term of office;
- i. perform any such other duties as appropriate and as directed by the management committee; and
- j. where required, sign a confidentiality agreement with the club.

3.2.2. President or delegate:

- a. ensure the standards of good governance are acquitted in accordance with best practice, relevant legislation and the club's constitution, bylaws, policies and procedures;
- b. preside as chairperson at management committee meetings and general meetings and in doing so ensure that all business is conducted in a proper manner in accordance with the club's constitution, bylaws, policies and procedures;
- c. set the direction of the club and oversee the strategic development of the club through the development of plans, policies and procedures to meet the objects of the club;
- d. ensure management committee members and other volunteers fulfil their responsibilities as required;
- e. liaise as necessary with government departments, Councils, partners, sponsors and governing bodies where club representation is required;
- f. report to the management committee and members of the club as appropriate, including an annual report to be presented at the annual general meeting;

- g. ensure that planning and budgeting for the future is carried out in accordance with the wishes of members;
- h. ensure each subcommittee is responsible for its designated portfolio and serve as an ex-officio member on all subcommittees; and
- i. prepare a report to be given to the secretary prior to, and to be presented at, the annual general meeting.

3.2.3. Secretary or delegate:

- a. issue notices of meetings in accordance with the club's constitution, together with an agenda;
- b. collect and collate reports from office bearers;
- c. keep accurate minutes during all management committee and general meetings;
- d. act as the club's primary point of contact with governing bodies, deal with governing body queries and forward to appropriate club personnel;
- e. conduct all correspondence of the club as instructed by the management committee and keep files of such correspondence, records and reports of subcommittees, officers, delegates and officials;
- f. receive and place before the management committee all applications for membership;
- g. maintain an up-to-date register of members;
- h. ensure that a current copy of the club's constitution is available to each new member;
- i. prepare the annual report for presentation at the annual general meeting in conjunction with the president;
- j. call for nominations for club positions prior to the annual general meeting; and
- k. provide details of management committee and key contact changes to governing bodies, regulatory authorities and other relevant stakeholders.

3.2.4. Treasurer or delegate:

- a. act as the chief financial management officer for the club;
- b. keep all books and accounts of the club and prepare a statement of receipts and expenditure, profit and loss report, balance sheet and bank statements for presentation to each management committee meeting and general meeting;
- c. ensure all cash takings are counted by two people concurrently at the end of each day of activities, and ensure the prompt deposit of cash into the bank;

- d. pay fees due to governing bodies, when authorised by the management committee;
- e. act as a signatory on club bank accounts;
- f. following the end date of the club's financial year, close the club's books and prepare a set of financial statements as required by the auditor;
- g. submit the club's financial statements and other relevant records to the auditor with sufficient time prior to the annual general meeting; and
- h. present audited financial statements to the annual general meeting, in accordance with the club's constitutions and the Act.

3.2.5. Captain or delegate:

- a. act as the club's lead on golf operations;
- b. maintain annual club events calendar;
- c. take a lead role in handicapping and events;
- d. liaise with greens staff through the director of operations;
- e. lead match subcommittee.

3.2.6. Volunteer coordinator or delegate:

- a. implement induction, training and safety initiatives for volunteers;
- b. lead the recruitment and retention of club volunteers
- c. plan projects in conjunction with the Greens Supervisor;
- d. liaise with the manager to ensure that all WHS requirements are being met.

3.2.7. Marketing and publicity officer

- a. promote the club and club events to the community;
- b. liaise with community groups for charity and corporate golf days;
- c. lead and coordinate the member newsletter and club's social media presence.

3.2.8. Member advocate or delegate:

- a. present member concerns to the management committee;
- b. represent juniors, ladies and veterans groups;
- c. lead dispute resolution;
- d. arrange regular induction sessions for new members;
- e. liaise the golf professional or manager to promote golf clinics for members.

3.3. Subcommittees

3.3.1. Membership section subcommittees may include:

- a. junior committee;
 - b. ladies committee;
 - c. veteran member's committee.
- 3.3.2. Operational subcommittees may include:
- a. match committee.
- 3.3.3. The veteran member's committee shall consist of the elected president, elected captain and such numbers appointed in accordance of clause 5.5 of the club's constitution.
- 3.3.4. The match committee shall consist of the club captain, a junior representative, a ladies members representative, a men members representative and veteran members representative and such numbers appointed in accordance with clause 5.5 of the club's constitution.

3.4. Subcommittee duties

- 3.4.1. Junior committee:
- a. be responsible for management and conduct of all junior events under the jurisdiction of the management committee;
 - b. be responsible to make recommendations to the management committee regarding any issues affecting the junior members.
- 3.4.2. Ladies committee:
- a. be responsible for management and conduct of all ladies events under the jurisdiction of the management committee;
 - b. be responsible to make recommendations to the management committee regarding any issues affecting the lady members.
- 3.4.3. Match committee:
- a. supervise and control all matters pertaining to play;
 - b. arrange for and superintend all competitions;
 - c. allot and post handicaps;
 - d. ensure compliance with the club's conditions of play;
 - e. hear member protests in connection with any match or competition;
 - f. report to the management committee as required.
- 3.4.4. Veteran member's committee:
- a. arrange matches and administer all golfing matters for those veteran members whose handicaps are controlled by Golf Australia and who are eligible to play under the rules of the Queensland Veteran Golfers Union;

- b. subject to clause 5.5 in the club's constitution, deal with any matter relating exclusively to veteran members.

4. General manager

4.1. Appointment of general manager

- 4.1.1. A general manager may be appointed by the management committee.
- 4.1.2. A person currently serving as a management committee member may not apply to fill the position of general manager.

4.2. Powers, duties and authorities of general manager

- 4.2.1. The general manager holds office on the terms and conditions (including as to remuneration) and with the powers, duties and authorities, delegated to them by the management committee.
- 4.2.2. The exercise of those powers and authorities and the performance of those duties by the general manager are subject at all times to the control of the management committee.

4.3. Delegation to general manager

- 4.3.1. The management committee may delegate to the general manager the power (subject to such reservations on the power as may be decided by the management committee) to conduct the day-to-day management and control of the business and affairs of the club.

4.4. Dismissal of general manager

- 4.4.1. Subject to any contract or legislation, the general manager may be dismissed by the management committee on the grounds that they:
 - a. resign from office by notice in writing to the management committee. Such resignation shall take effect at:
 - i the time the notice is received by the management committee; or
 - ii if a later time is stated in the notice and is approved by the management committee, the later time; or
 - b. have been guilty of persistent or gross neglect in the discharge of their duties; or
 - c. conduct themselves in a way considered by the management committee to be injurious or prejudicial to the character or interests of the club; or
 - d. become disqualified from managing a corporation or being a responsible person for a legal entity; or
 - e. are convicted of an indictable offence or is made bankrupt; or

- f. do not otherwise comply with the requirements of this constitution.
- 4.4.2. Before the general manager can be dismissed under bylaw 4.4.1, the management committee must:
- a. conduct a due and proper inquiry into the existence and sufficiency of the ground for dismissal;
 - b. give details on the ground for dismissal to the general manager, who shall be given full and fair opportunity to show cause why they should not be dismissed.

5. Meeting procedures

5.1. Standing orders

- 5.1.1. The club shall conduct its meetings in an orderly manner, generally in accordance with the customary procedure at meetings.
- 5.1.2. The level of formality required at a meeting is to be determined by the chairperson, subject to the operational requirements of the club and the seriousness or confidentiality of any matters to be resolved at that meeting.
- 5.1.3. The chairperson of any management committee meeting, general meeting or subcommittee meeting shall have authority to apply the following standing orders:
 - a. meetings shall, subject to the presence of a quorum, start at the time set out on the notice, and shall, subject to the discretion of the meeting, continue until all business on the agenda is disposed of;
 - b. in the event that a meeting lapses, all business on the agenda of the lapsed meeting shall be included on the agenda of the next meeting and shall take precedence over any new business;
 - c. any member desiring to speak shall raise their hand and when called upon by the chair shall address the chair. If two or more members raise their hand simultaneously, the chair shall call upon the member who first caught the eye of the chair;
 - d. when the chair speaks, any other member speaking shall cease speaking;
 - e. no member other than the proposer of a motion or an amendment shall speak to it until it has been seconded. A motion or amendment lapsing for want of a seconder shall not be recorded in the minutes;
 - f. a motion or amendment before the chair shall not be withdrawn except by its mover and with approval of the meeting. No motion shall be withdrawn while any amendment is under discussion or after any amendment has been adopted;

- g. if required to do so by the chair, the proposer of any motion or amendment shall submit it in writing;
- h. subject to approval of the meeting, the mover may reword a motion or amendment before the chair;
- i. no member shall speak more than once to any question, except that the mover of a motion shall have a right of reply, which shall close the debate;
- j. a member moving a motion or amendment shall be deemed to have spoken to it. A member seconding a motion or amendment without speaking to it may reserve the right to speak to it subsequently;
- k. when an amendment is before the chair, discussion shall be confined to that amendment. No further amendment shall be proposed until the amendment before the chair has been disposed of;
- l. the chair shall, as far as practical, call on speakers for and against a motion or amendment alternatively, subject to the right of the seconder to speak immediately after the mover. If two consecutive speakers have both argued for or against a motion or an amendment, and there is no member wishing to argue the opposite view, or, in the case of a motion, to move an amendment, the motion or the amendment shall, subject, in the case of a motion, to the mover's right of reply, be put without further debate;
- m. any member may raise a point of order, which shall take precedence over all other business, and which shall be open to discussion. The point must be raised at the time the alleged irregularity occurred. An explanation or contradiction shall not constitute a point of order;
- n. any member disagreeing with the chair's ruling on a point of order may move dissent. The chair shall then vacate the chair and such motion shall be put forthwith without debate;
- o. a question arising at a meeting is to be decided by a majority vote of those members present and voting at the meeting and, if the votes are equal, the question is decided so as to maintain the status quo;
- p. a general meeting may at any time during the discussion of a motion or an amendment resolve itself into a Committee of the Whole;
- q. standing orders (a) to (p), or any of them, may be suspended by a majority of those present. A motion to this effect shall be open to debate;
- r. no member shall reflect on the vote of a meeting, except on a motion for the rescission of any resolution previously adopted;

- s. any decision made by a validly constituted meeting shall not be void by reason only of a departure from these standing orders which was not detected until after the decision had been made.

5.2. Management committee meetings

- 5.2.1. As per clause 7.1.1 in the club's constitution, the management committee meets a minimum of once every four calendar months to exercise its functions.
- 5.2.2. The management committee may invite representatives from subcommittees to attend management committee meetings, in order to present reports and engage in general discussion.
- 5.2.3. Unless they are also a management committee member, a subcommittee representative may not vote at a management committee meeting.

5.3. Subcommittee meetings

- 5.3.1. At a subcommittee meeting, more than 50% of the members currently serving on the subcommittee form a quorum.
- 5.3.2. If the chairperson of a subcommittee is not present within ten minutes after the time fixed for a meeting, the members present may choose one of their number to be chairperson of the meeting.
- 5.3.3. If there is no quorum within 30 minutes after the time fixed for a subcommittee meeting:
 - a. the meeting is to be adjourned for at least one day; and
 - b. members of the subcommittee who are present are to decide the day, time and place of the adjourned meeting.
- 5.3.4. If, at an adjourned meeting mentioned in bylaw 5.3.3, there is no quorum within 30 minutes after the time fixed for the meeting, the subcommittee members present form a quorum.
- 5.3.5. A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is resolved so as to maintain the status quo.

5.4. Support for decisions and resolutions

- 5.4.1. Any management committee member or subcommittee member shall support all decisions and resolutions carried at management committee or subcommittee meetings.
- 5.4.2. Bylaw 5.4.1 shall apply, even if a management committee member or subcommittee member voted in the negative during consideration of the proposed decision or resolution.

6. Finance and Membership

6.1. Reimbursements of approved out-of-pocket expenses

- 6.1.1. Management committee and subcommittee members and any other key personnel/volunteers shall be entitled to claim reimbursement for out-of-pocket expenses incurred whilst acting in an official capacity on behalf of the club, provided that receipts for any expenses must be supplied within one month of incurring the expense.
- 6.1.2. Any out-of-pocket expense exceeding \$200 must be approved by the management committee prior to expenditure.

6.2. Funds and accounts

- 6.2.1. In accordance with clause 10.1 in the club's constitution, any cheque or electronic funds transfer from a club account must be signed or approved by two authorised people.
- 6.2.2. No such payment may be authorised by two people who are partnered, reside at the same address or in any way related to one another.

7. General Policies

7.1. Adopted guidelines and policies

- 7.1.1. The club adopts and adheres to the following;
 - a. Golf Australia's codes of conduct;
 - b. Golf Australia's hot weather guidelines;
 - c. Golf Australia's member protection policy;
 - d. Golf Australia's social media policy;
 - e. Queensland Government blue card and child protection provisions;
 - f. Sport Integrity Australia's Australian National Anti-doping policy.

7.2. Alcohol

- 7.2.1. The club supports the responsible consumption of alcohol and takes seriously any inappropriate behaviour that results from excessive drinking.
- 7.2.2. Members and visitors are to ensure that they do not consume alcohol to such an extent as to be intoxicated.
- 7.2.3. The club meets all liquor licencing requirements and alcohol is only served with regard to the safety and wellbeing of patrons.

7.3. Confidentiality agreement

- 7.3.1. Committee members, employees and club members may be required to sign a confidentiality agreement.

7.4. Damage to property

- 7.4.1. Any member negligently or wilfully breaking or otherwise damaging any club property shall pay such sum as may be determined by the board sufficient to cover the damage.

7.5. First aid

- 7.5.1. The club is committed to providing a safe and healthy sporting environment. The club will endeavour to provide appropriate and adequate first aid treatment in the event of a person sustaining an injury or illness.
- 7.5.2. The club will meet first aid legislative requirements as a minimum standard.
- 7.5.3. First aid facilities will be maintained on a regular basis.

7.6. Incident and injury policy

- 7.6.1. All incidents and injuries occurring at the club, or during club events, must be reported in writing to the board.

7.7. Smoking policy

- 7.7.1. Smoking whilst using the club facilities is governed by the Tobacco and Other Smoking Products Amendment Act 2004.
- 7.7.2. The management committee will establish policies and signage in compliance with this Act.