

# GLADESVILLE RSL & COMMUNITY CLUB LTD

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*BY-LAWS 27 JANUARY 2022*

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## **1. NAME**

The name of the Company as per the Company's Constitution is Gladesville RSL & Community Club Ltd.

## **2. REPEAL OF EXISTING BY-LAWS**

All previous By-Laws in existence are hereby repealed and these By-Laws constituted in accordance with the Company's Constitution (Article 43 (b)) of Gladesville RSL & Community Club Ltd shall form the official By-Laws of the Club upon posting on the Notice Board of the Club.

## **3. DEFINITIONS**

Definitions used in these By-Laws shall be in the same wording and format as those appearing in Article (1)a of the Company's Constitution of Gladesville RSL & Community Club Ltd.

## **4. MEMBERSHIP & ENTRY TO THE CLUB**

- a) Effective 1 February 2022, membership subscriptions are determined to be \$0 for a term of 3 years (36 months) from the date of nomination.
- b) Members entering the Club are required to produce their membership card to a designated Club representative upon request.
- c) A member may be charged an administrative fee of \$3, for administering the claim for a new membership card.

## **5. RECITAL OF THE ODE**

- a) The Recital of the Ode will take place daily at 6pm.
- b) All patrons are required to stand during the recital of the Ode unless physically incapacitated.

## **6. DRESS REGULATIONS**

- a) The following dress is not permitted in the Club at any time:
  - i. Football shorts and stubbies
  - ii. Soiled team jerseys or workwear
  - iii. Singlets
  - iv. Hats (men) or baseball caps (men and women)
  - v. Provocative or offensive clothing
  - vi. Gang colours or supporters wear

- b) The overriding rule of entry into the club in conjunction with the above detail is clean, neat and tidy dress at all times.
- c) Managements' decision shall be final in all matters relating to dress.

## **7. MINORS ON THE PREMISES**

- a) The Club Liquor License allows persons under the age of eighteen years of age into all areas of the club except in the designated gaming area on the ground floor which are clearly marked with signage.
- b) Minors must not approach a bar area unless they are in the immediate company of a responsible adult.
- c) Minors must remain in the immediate company of a responsible adult at all times. Immediate company means the minor and the responsible adult must be in the immediate presence of each other at all times. A minor cannot sit in the lounge whilst an adult plays a gaming machine.
- d) A responsible adult under the Liquor Act is defined as an adult who is a parent, step-parent or guardian of the minor, or the minor's spouse or de facto partner, or for the time being standing in as the parent of the minor.
- e) All persons under the age of eighteen years of age must leave the clubs premises at 9pm, the exception being the bistro and any private function area. Management may allow a variance to the curfew in exceptional circumstances.
- f) Children are not permitted to attend shows or bands in the Club due to the potential for adult content within these shows. Children are permitted to participate in bingo and raffles, however are not permitted to purchase entries to these activities.

## **8. CLUB PROPERTY**

- a) Members will at all times take care of Club property and sporting equipment. Members will not take away or remove Club property without authority of management. Misuse of any Club property will be an offence subject to disciplinary proceedings.
- b) Members are not permitted to enter the Administrative office or Board Room unless invited by a Director or management.
- c) Members will not use Club stationery, administrative equipment or logos unless for Club business and with the prior consent of management.
- d) Members will not procure items on behalf of the Club or make representations on behalf of the Club without the prior consent of management.

## **9. STAFF**

- a) No Member of the Club or visitor shall reprimand any staff of the Club or direct such staff in their duties.
- b) The staff shall be under the control of management.

- c) Any complaints regarding staff shall be directed to management. The complaint will be referred to the Board of Directors unless the matter can be satisfactorily resolved by Management.

## **10. COMPLAINTS**

- a) A complaint to the Board of Directors must be in writing and contain the particulars of the allegations upon which it is founded.
- b) Complaints that are delivered anonymously or without sufficient detail will not be investigated.

## **11. NOMINATION & ELECTION OF THE BOARD OF DIRECTORS**

- a) Nomination and election details not specified in the Constitution will be determined by the Board of Directors.
- b) A notice specifying nomination and election details will be posted on the Club Noticeboard.
- c) The Board of Directors will select a nomination period during which all nominations must be in writing on the form provided.
- d) It is a requirement for a nomination to be accepted, nominees who are not incumbent Directors must have completed Mandatory Director Training as specified in the Registered Clubs Amendment (Training) Regulation 2013. A certificate of completion dated no older than 36 months prior to submission must be submitted with the nomination form.
- e) If a nominee elects to complete Mandatory Director Training through the Club, the nominee must pay any costs involved. If a nominee is successfully elected the Club will reimburse these costs.
- f) The Board of Directors will select a Returning Officer and determine the method of voting.

## **12. WORKPLACE HEALTH & SAFETY POLICY**

- a) Gladesville RSL Club is committed to providing a healthy and safe working environment for all workers, contractors, visitors and volunteers.
- b) To enable us to fulfil this commitment we will: -
  - i. Set measurable objectives to ensure continuous improvements in our organization
  - ii. Consult wherever possible on changes that may affect the health, safety and welfare of workers and other interested parties
  - iii. Make this policy available to all workers and other interested parties
  - iv. Comply with all applicable legislation
  - v. Ensure all workers are aware of their obligations to comply with health and safety policies, procedures and legislation to ensure their own health and safety and the health and safety of others
  - vi. Ensure all workers are trained to do their job effectively and safely
- c) This policy will be reviewed annually or when necessary to ensure it remains relevant and current.

### 13. GAMING OPERATIONS

All persons who play gaming machines in any of the Club's premises do so subject to the following Gaming Machine Playing Conditions which shall be the terms and conditions of play. The decision of the Club as expressed by its officers and/or employees as to the interpretation of these By-Laws shall be final.

By participating in gaming machine play in the Club you agree to abide by these conditions. You should read them carefully before playing any gaming machine. Do not play any gaming machine if you do not understand and accept the Conditions below:

- a) No patron is required to participate. Any playing of machines is at your sole option, discretion and risk.
- b) Gaming machines provide information about their particular games and winning combinations. The player should not play any gaming machine unless it is understood how to play it and the combinations that provide a prize.
- c) Player information brochures located in the gaming room provide information about the general nature of gaming machines. These should be read before commencing gaming machine play.
- d) Gaming machine play involves the risk of financial loss. The player should set a budget before commencing gaming machine play and stick to it. It is the players responsibility to decide how much time and money the player wishes to spend.
- e) It is illegal for gaming machines to be played by anyone under the age of 18 years.
- f) No cheques will be cashed in the Club.
- g) Only Australian legal tender shall be used to play gaming machines and only in the denominations marked on each particular machine. Damaged or unclean notes must not be inserted into gaming machines.
- h) Patrons must not play any machine that the Club has marked or indicated as withdrawn from play. The Club will not pay any prize won on any such machine.
- i) Club employees and former employees, and contractors and suppliers to the Club (and their officers and staff) must observe all relevant restrictions imposed by the Club from time to time regarding such persons. Without limiting those general words, an employee must not play machines whilst on duty nor during meal or rest periods or other breaks from duty. Prizes won by an employee or former employee, or by contractor or supplier (or one of their officers or staff) when playing a machine in breach of this condition, will not be awarded.
- j) The Club may refuse any person the right to play or continue to play a gaming machine in its discretion at any time without giving any reason.
- k) A patron may play multiple machines however they must play each machine consecutively and all machines must be played throughout. Management has the right to instruct players to reduce the number of machines being played if there are others wishing to play.
- l) Patrons who play blackjack machines are not permitted to engage in card counting or utilize any external software applications for advantage. Patrons who are believed to be card counting or using external software for advantage will be asked to leave the Club.

- m) When asked by the Club a player must provide their full name and address plus details of the basis on which they are on the Club's premises, with such documentary proof as the Club reasonably requires. The Club may prevent you from playing or continuing to play any gaming machine if you do not satisfactorily comply with this requirement.
- n) The law requires all gaming machine players to provide to the Club their full name, address and date of birth as well as identifying documentation such as a drivers licence. Prizewinners may be required to provide additional identifying information. The law requires the Club to retain the players information for a period of time and to provide certain information to government agencies.
- o) For a monetary prize, the Club will pay the prizewinner an amount equal to but not exceeding the value of the credits accumulated by the prizewinner from playing a gaming machine.
- p) Prizes are not payable to any person who is not, either a financial member, provisional member, temporary member, honorary member or a bona fide guest of a member and on the premises in compliance with all requirements of the law and the Club's Constitution and playing the machine in the reasonable company of the member concerned.
- q) Prizes are not payable to any person who has signed a self-exclusion agreement with the Club while that self-exclusion agreement is currently in force.
- r) Prizes or accumulated credits of \$5000 and over will be paid by crossed cheque made payable to the prizewinner, or may be paid by electronic funds transfer to an account nominated by the prizewinner where that is requested by the prizewinner and agreed to by the Club.
- s) Monetary prizes and stored or accumulated credits will be paid within 48 hours of a request for payment by the prizewinner. The Club in its discretion may pay part of a prize in advance of paying the balance.
- t) Where a prize is awarded in a non-monetary form, there is no option to take the prize in any other non-monetary form except as the Club may have specified in writing.
- u) A claimed prize will not be paid where it arises as a result of a machine malfunction or simultaneously with a machine malfunction.
- v) A prize will not be paid unless the winning combination is seen by an authorised staff member of the Club and verified for payment according to the Club's standard procedure for paying prizes.
- w) A prize will not be paid if it is won before the opening time of the Club, or after the announced closing time of the Club.
- x) Patrons must immediately report to a Club staff member any gaming machine that appears to be malfunctioning, and must stop playing that machine.
- y) You must not tilt, rock, move, damage or interfere with a machine or do anything calculated or likely to interfere with the normal operation of a machine.
- z) Payment will be withheld if the circumstances show any sign of interference with a gaming machine which may be unlawful or in breach of these Conditions or which is otherwise improper.
- aa) It is an offence under section 80 of the Gaming Machines Act 2001 for a person:
  - i. To have in possession a device made or adapted, or intended by the person to be used, for interfering with the normal operation of a gaming machine in the Club; or
  - ii. To do anything calculated, or likely to interfere with the normal operation of a gaming machine in the Club; or

- iii. To do anything calculated to render a gaming machine in the Club incapable, even temporarily, of producing a winning combination.
  - iv. The maximum penalty for an offence is currently \$11,000, 12 months imprisonment or both. The Club will report to the Police any person that it believes may be committing any such offence or other offences under the Gaming Machines Act 2001 or the Gaming Machines Regulation 2010 (NSW).
- bb) Patrons may reserve a gaming machine for a maximum of 3 minutes in any hour. However the Club may decide in its discretion not to allow a machine reservation to continue. The Club may in its discretion also allow a player to reserve a gaming machine for a longer period than 3 minutes under the loyalty program. The Club has no liability if a player reserves a machine which is then played by another player.
  - cc) The Club may reserve any number of machines for a particular promotion or activity. If you are not entitled to play a machine under any such particular arrangement then you are not entitled to claim any prize won on the machine whilst it is so reserved.
  - dd) Patrons must not loiter in the gaming machine area if you are not playing a gaming machine or accompanying another person who is playing a gaming machine.
  - ee) Any credits on a machine which do not belong to the person playing the machine must not be played or redeemed and must be reported to the Duty Manager.
  - ff) A person in the club shall not:
    - i. ask or require any other person to give or lend him or her any money;
    - ii. give money or lend money to any other person; or
    - iii. take any actions to recover monies claimed from or owed by any other person.
  - gg) A patron is not permitted to purchase another patron's jackpot, payout or double up, whether for full or other value.
  - hh) A patron is not permitted to enlist others to play poker machines upon their behalf.
  - ii) A member is not permitted to insert their card into a poker machine which is being played by another person.
  - jj) If patrons leave the gaming machine area, patrons should take all belongings with them. The Club shall not be responsible for any property, including money, left by players in or near an unattended gaming machine.
  - kk) If the Club offers any machine which is operated as part of an inter-club linked gaming system then progressive jackpots (and other similar prizes) are payable by the operator of the linked gaming system alone and the Club has no liability to pay and gives no representation or warranty concerning any such jackpot prize or other benefit offered by that operator.
  - ll) The Club may immediately withdraw a machine or any progressive system from play if the Club suspects a malfunction.
  - mm) Only the actual winner of a prize can receive payment of a prize. They must do so in person on the Club premises and provide such evidence of identity as the Club may require. The Club may in its absolute discretion waive this condition.
  - nn) If the Club in good faith pays or awards a prize to someone who appears to be or to duly represent the prizewinner then to the maximum extent permitted by law that payment or award fully discharges the club from all liability in relation to the prize.



- oo) Any gaming machine credits or tickets issued by the Club are not transferable to another person and is only redeemable by the prizewinner at the Club. The Club may refuse to redeem the credits or tickets if the prizewinner does not provide documentary proof of identity as required by the Club.
- pp) By claiming a prize, a prizewinner consents to use of their name and likeness by the Club for marketing purposes without additional compensation. A prizewinner may ask the Club in writing to refrain from publishing anything that discloses their identity in which case the Club may still publish general information about the prize won but shall not publish any information that may identify the prizewinner.
- qq) For information about privacy concerns, ask staff about the Club's Privacy Policy.
- rr) The Club offers self-exclusion for gaming machine players who have a gambling problem. Speak to Management about how to self-exclude.
- ss) If patrons feel they have a problem with gambling, they should contact ClubSafe, who provide the Club's problem gambling counselling service. ClubSafe can assist with problem gambling counselling, self-exclusion, information and referral. ClubSafe brochures are available in the club.
- tt) If patrons are dissatisfied with any matters to do with gaming machines, please ask the Duty Manager about the Club's complaint handling procedures.
- uu) A member who breaches any of these Conditions is liable to disciplinary action by the Club in addition to any disqualification from claiming a prize and any other lawful penalty.
- vv) The Club may withdraw or amend any of these Conditions at any time in its absolute discretion. Any change becomes operative immediately it is displayed anywhere in the Club.

## **14. RESPONSIBLE CONDUCT OF GAMING**

- a) The Club has accepted its obligation to deliver, advertise and promote gambling services in a lawful and responsible manner, having regard to the potential for harm that may be caused by gambling and the community concerns about the conduct of gambling.
- b) The Club's mission is to be achieved through a variety of measures and strategies which include the following:
  - i. Policies and procedures for the implementation of the responsible service of gambling
  - ii. Mandatory RCG training for gaming staff and management
  - iii. Providing staff support for assistance with the handling of any gambling-related incidences which may occur at the club and advice on the RCG policies and procedures
  - iv. Providing counselling and crisis intervention service for club patrons and staff who have a gambling problem or know someone who has a gambling problem
  - v. Conducting community awareness campaigns and promoting responsible gambling practices among club patrons and the local community
- c) The Club has accepted its obligation to provide gaming and wagering services in a responsible manner through the creation of a responsible gambling environment for its patrons and employees. This has been achieved by adopting a responsible conduct of gambling (RCG) program that is being promoted under the ClubSafe logo.

- d) Part of the Club's service is the facility for a patron who recognises they have problem is to self exclude. Any patron wishing to avail themselves of this service can contact a Duty Manager to assist them.

## **15. RESPONSIBLE SERVICE OF ALCOHOL**

### **HOUSE POLICY ON THE RESPONSIBLE SERVING OF ALCOHOL**

- a) The Club recognises that it is against the law to serve any person to intoxication.
- b) The Club recognises that it is against the law to serve or supply alcohol to any person under the age of 18.
- c) The Club recognises that it is against the law to allow intoxicated, disruptive or violent behaviour to occur on the premises.
- d) The Club seeks to ensure that no harm comes to patrons as a result of our service of alcohol.
- e) The following Policies and Procedures have been adopted to ensure the responsible service of Alcohol:
- i. A range of drinks are offered on these premises, including non-alcoholic beverages.
  - ii. The Club will not serve more than a nip (30ml) of spirits per glass.
  - iii. The Club discourages drinking "shots". Straight drinks of spirits/liquors will be served at the manager's discretion.
  - iv. The Club reserves the right to restrict the number of alcoholic drinks a patron can purchase at a time. Management may implement this policy to assist staff monitoring alcohol consumption.
  - v. The Club reserves the right to request the intended recipient of an alcoholic drink to present themselves to the bar. Management may implement this policy to assist staff determine whether or not service should be refused.
  - vi. The Club ceases the service of alcoholic drinks 30 minutes prior to the end of trade. This period may be extended at the discretion of management.
  - vii. The Club restricts visitation in the last 60 minutes of trade to Members & Guests of Members only. As a security precaution Temporary Members are not permitted access during this time.
  - viii. The Club seeks to create an environment that discourages drunken, disruptive or violent behaviour.
  - ix. The Club does not seek to encourage rapid or excessive consumption of alcohol through pricing.
  - x. Low alcohol beers and non-alcoholic beverages are stocked and promoted. Iced water is provided on a complimentary basis and snack food is available for purchase.
  - xi. If a staff member feels that a patron has become intoxicated they will be asked to leave as this is a legal requirement.
  - xii. If such patrons fail to leave the Police will be called and patrons may be fined.
  - xiii. Staff will determine whether or not service should be refused. Management will not overturn the decision of staff.

## **UNDER AGE DRINKING**

- a) If a staff member believes that a person, who is ordering or being supplied alcohol, is under 18 years of age, they will politely request proof of age (Passport, RTA Photo Card or Photo Drivers Licence).
- b) If the person is less than 18 years of age, or refused to produce identification, staff will refuse service and request the person to leave Club Premises.

## **DISRUPTIVE, VIOLENT OR INTOXICATED BEHAVIOUR**

- a) The Club does not allow intoxicated persons to enter Club premises.
- b) If a staff member becomes aware that a person's behaviour is becoming disruptive or violent they will notify management.
- c) If the behaviour is not reduced management will require the person(s) to leave Club premises.
- d) As a last resort Police will be called to remove person(s).

## **DRIVING WITH ILLEGAL BLOOD ALCOHOL CONCENTRATION**

- a) Staff members will seek to discourage persons who appear to have a blood alcohol concentration higher than the legal limit from driving.
- b) The Club offers services designed to discourage drinking and driving, including making alternative transport arrangements and holding of car keys in a safe place.

## **REFUSAL OF SERVICE**

- a) If service of alcohol is refused to members or guests the staff members refusing service will emphasise that the individual's patronage is greatly valued. The staff member will then inform the member or guest that further service of alcohol is illegal and could jeopardise the Club's Liquor Licence.
- b) All staff have been informed about this policy on responsible service of alcohol and adequately trained to support this policy.
- c) The Club seeks to publicise and promote its position on responsible service practice.

## **EXCLUDED PERSONS**

- a) Excluded persons are required by law to move more than 50 metres away from our premises.
- b) Excluded persons cannot return to our venue for at least 24 hours.
- c) Excluded persons are not permitted to return to the vicinity within 6 hours.
- d) If excluded persons fail to comply, an offence has been committed and Police may take action.

## **16. COMMITTEES OF THE BOARD**

In accordance with the Article 43 of the Company's Constitution there shall be constituted the following Social and Sporting Sub-Committees of the Board:

- a) The Board of Directors may appoint a Director or the Chief Executive Officer (or their delegate); to officiate on their behalf to oversee the operations of the associated sporting and social sub-committees of Gladesville RSL Club.
- b) The following sub-committees are authorized to operate:
  - Gladesville RSL Midweek Golf Club
  - Gladesville RSL Snooker & Billiards Club
  - Gladesville RSL Darts Club
  - Gladesville RSL Dads Army
  - Gladesville RSL Youth Council (Youth Club)
- c) The objective of the sub-committee will be to conduct the sport or social activity for which the club or members appoint them for competitive and social participation in that sport or activity. It will be the duty of each sub-committee to conduct all matters relative to the actual playing of the sport or activity that they represent.
- d) The sub-committee (excluding Gladesville RSL Youth Council) shall hold an Annual General Meeting (AGM) each year on the Club premises. The Club is to be advised of this date should the delegate wish to view proceedings. At the AGM the sub-club committee is to present annual financial statements to their members and elect a sub-committee for the coming year.
- e) Where membership numbers allow, each sub-committee will consist of a minimum of 3 members; with a designated President/Chairperson, Secretary and Treasurer [or combined Secretary / Treasurer]. Decisions of a sub-committee require a quorum of 3 members.
- f) All persons who are members of an affiliated sub-club must be financial Ordinary Members or Life Members of Gladesville RSL & Community Club.
- g) Members of a sub-club may be charged a fee/s as determined by the sub-club's committee to conduct all matters relative to the actual playing of the sport or activities they represent; however, the Board of Directors reserves the right to amend these fees as they see fit.
- h) For the purpose of identification and for brevity in inclusion in competition draws, etc, each sporting section shall be known as "Gladesville RSL", "Gladesville RSL [name of section]" or similar descriptive title as approved by the Gladesville RSL Club Board.
- i) Sub-Clubs are only permitted to use the Gladesville RSL logo in the manner prescribed in the Style Guide. The logo is not to be altered in any way and no other logos are permitted to be used. Any use of the Sub-Club name should be in text format only, however this must remain separate from the logo with the logo being the dominant feature.
- j) The approved Club colours are gold and black as identified in the Style Guide. All uniforms and marketing collateral should feature these colours, however the use of either white or charcoal in combination with the Club logo is permitted with prior approval of the Club.
- k) Use of licensed parts of the Club premises in connection with the conduct of any sport or activity shall be subject to the approval of the Board. Written application regarding accommodation, entertainment, refreshments, food, etc., shall be made through the Chief Executive Officer (or their delegate) in sufficient time to allow provision to be made for any requirements.
- l) The Board may approve the waiver of any Club Room Hire Fees (on an annual basis) to any affiliated sub-club that utilizes the venues for sub-club committee meetings, sub-club meetings or activities, fundraising activities, functions, annual general meetings, etc.

- m) The rules or by-laws of each sub-club may be amended by the majority of sub-club members at a general meeting of such members, providing no amendment proposed shall have effect unless approved by the Board of Directors.
- n) Sub-committees have the right to suspend members of their club for breaches of their rules or bylaws after a due process is adhered to. Suspended sub-club members may not participate in sports/activities on Club premises or represent the Club at other sites. Sub-clubs must report any disciplinary action to the Board of Directors together with reasons for such action.
- o) The financial grant awarded to an affiliated sub-club or sporting association by the Board will be paid on an annual basis (excluding Gladesville RSL Youth Club). To receive funding a request should be submitted 6 weeks prior to funding being required and is to include the following:
  - Minutes of the AGM
  - Current sub-club membership list
  - Statement of Income & Expenditure for 12 months
  - Bank Reconciliation for 12 months
  - Sub-Club Submission (maximum 1 page) with a brief summary of activities for the prior year, financial grant requested and summary of how the funds will be used
- p) Should an affiliated sub-club cease operating or the sub-club is disbanded for any reason, then the finances & assets of the sub-club will be returned to the Club.
- q) Gladesville RSL Youth Council is not subject to the same requirements as other sub-committees as Gladesville RSL & Community Club Ltd are responsible for the financial and human resource obligations. The Gladesville RSL Youth Council is an advisory committee to carry out the directions of the Board and provide advice and recommendations on Youth Club activities. The Gladesville RSL Youth Club Charter document specifies the Youth Council role, protocols and procedures for the operation of Gladesville RSL Youth Club.

## **17. GENERAL**

- a. Any breach of the Club By Laws may be dealt with as an offence under Article 33 of the Company's Constitution.
- b. Where the By Laws are inconsistent with any provisions of legislation or the Company's Constitution, they will take precedence over the By Laws.
- c. These By-Laws shall not be amended or rescinded except at a Board of Directors meeting following recommendation from any standing Committee member or management.
- d. The onus shall be on every Member to make themselves familiar with the Company's Constitution and By Laws. The Constitution is made available on request to the General Manager, By Laws will be posted on the Club Noticeboard.