

Dunoon and District  
Sports & Recreation Club  
Limited

# By-laws



Approved by resolution of the Board of Directors: 14/10/2020

# Dunoon and District Sports & Recreation Club Limited



## 1. Preliminary

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1.1. For the purposes of these By-laws:

- a) “the Club” means Dunoon and District Sports & Recreation Club Limited; and
- b) “the Club’s premises” means any or all of the premises operated by the Club
- c) “Person” means any Club member, patron or member of the public.

1.2. These By-laws are made by the Board of the Club pursuant to Section 19.1 of the Club’s Constitution.

1.3. These By-laws (as amended from time to time) are binding on every member of the Club.

1.4. The Board and the employees of the Club will monitor compliance with and enforce these By-laws.

1.5. These By-laws are to be read in conjunction with the Constitution and in the event of any inconsistency, the Constitution shall prevail.

1.6. The Board may alter or repeal a By-law as it may deem necessary for the proper conduct and management of the Club.

1.7. These By-laws will come into force and be duly operative upon approval by the Board of Directors and the posting of an appropriate notice on the Club website.

1.8. A copy of the Constitution and these By-laws are available from the Club upon request.

## 2. Membership Cards

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2.1. A member must produce their current membership card on request when entering the Club’s premises and when on the Club’s premises.

2.2. If a member fails to produce a valid membership card, he or she may be refused admission to the Club’s premises or be turned out of the Club’s premises.

- 2.3. A member shall not transfer, lend or otherwise provide another Person with their membership card for any reason.
- 2.4. If a member loses his or her membership card, the member must immediately notify the Club and the member may be responsible for the costs of the Club issuing a replacement membership card.

### **3. Guests and Temporary Members**

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- 3.1. A member must only introduce a Person as a guest of the member if that Person is personally known to the member, unless otherwise approved by Club management.
- 3.2. Unless prior written approval has been obtained from the Board or the Club Manager, any member who is currently under suspension from the Club or any Person who has been expelled from the Club shall not be entitled to attend the Club's premises.
- 3.3. The Club Manager or senior employee then on duty may remove any Person who is not permitted to attend the Club's premises under clause 3.2 from the Club's premises.
- 3.4. Any Person who resides outside of a five kilometres radius of the Club's premises may enter the Club's premises as a temporary member in accordance with the Club's security and entry requirements and subject to any other applicable restrictions which may apply from time to time.

### **4. Trading Hours**

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- 4.1. The Board shall determine the trading hours of the Club and the trading hours of any part of the Club's premises.
- 4.2. The Club Manager may temporarily alter the trading hours of the Club premises or any part of the Club's premises, subject to meeting community expectations, licensing conditions and strategic objectives of the Club. Any such exceptions shall be reported to the subsequent Board meeting.
- 4.3. All Persons leaving the Club's premises must do so quietly and with respect to surrounding neighbours.
- 4.4. No liquor will be made available, poker machine service rendered or jackpots paid after trading ceases.

### **5. Food**

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- 5.1. Unless otherwise permitted by the Club Manager, no food may be consumed within the Club unless such food has been purchased within the Club's premises.

### **6. Tickets, Subscriptions, Raffles and Donations**

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6.1. No Person shall sell or canvass for sale:

- a) any good or service; or
- b) any ticket or subscription list including any ticket in any lottery, raffle or art union

unless permitted to do so by the Board or the Club Manager.

6.2. No Person shall solicit donations for any purpose on the Club's Premises unless permitted to do so by the Board or the Club Manager.

## **7. Club Dress Standards**

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7.1. All Persons must be reasonably attired at all times when on the Club's premises.

7.2. The Club shall determine the Club's dress regulations and the Club shall be entitled to amend the Club's dress regulation without any further notice.

7.3. The Club, at its absolute discretion, shall determine whether a Person's clothing is acceptable and complies with the relevant dress standards and any decision by the Club on this matter is final.

7.4. The Club, at its absolute discretion, may refuse admission to or turn out any Person who does not comply with the Club's relevant dress standards and any decision by the Club on this matter is final.

## **8. Club Property**

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8.1. All Persons must take reasonable care of Club property and equipment.

8.2. Any Person who is responsible for the damage of Club property and equipment may be required to pay the cost of making good such damage.

## **9. Use of Club's Premises**

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9.1. No Person shall use or refer to the Club or its premises in any advertisement unless permitted to do so by the Club Manager or the Board.

9.2. No Person shall use the Club for business purposes unless permitted to do so by the Club Manager or the Board.

9.3. No Person shall place or display a paper, notice or placard on the Club premises except with the written permission of the Club Manager.

9.4. No Person shall seek to borrow or solicit money in the Club.

## **10. Restricted Areas**

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- 10.1. Unless permitted by a Director, Club Manager or an employee, Persons are not permitted to enter the following:
- a) offices;
  - b) store rooms;
  - c) kitchen, food storage and preparation areas; and
  - d) bar areas.
- 10.2. Doors marked “staff/employees only” or with any other caution sign, are not to be used by any Person (other than employees or other authorised Persons) unless in an emergency or authorised by a staff member.
- 10.3. Door and window safety locks and fittings are not to be tampered with.

## **11. Employees**

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- 11.1. No Person will in relation to the Club’s employees:
- a) act discourteously to them;
  - b) reprimand them; or
  - c) direct, or attempt to direct, them in their duties.
- 11.2. If a Person wishes to complain about an employee of the Club, the complaint should be made to the Club Manager.

## **12. Functions and Bookings**

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- 12.1. Functions may be conducted at the Club’s premises from time to time with the approval of the Club Manager.
- 12.2. To facilitate such functions, Persons may be restricted from using certain areas of the Club’s premises.
- 12.3. Wherever possible, the Club will display a notice advising Persons of functions and if required, the areas that they are restricted from using and the timeframe for such restrictions.
- 12.4. All Persons must comply with such notices.

## **13. Credit Facilities**

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13.1. No credit will be extended to any Person.

## **14. Conduct of Persons on Club's Premises and Offences**

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14.1. Without limitation, it is not permitted for any Person at the Club's premises to:

- a) defraud the Club or any Person;
- b) be in possession of any offensive weapon;
- c) be under the influence of any illicit drug or substance;
- d) be in possession of, use or attempt to dispose of, or offer any banned or unlawful substance on the Club premises;
- e) assault, intimidate, molest or harass any Person on the Club's premises;
- f) act in an offensive manner or use any offensive language;
- g) racially vilify or denigrate any Person;
- h) hinder or impede any member of management or Board in the execution of their duties or to fail to obey any reasonable direction from the same;
- i) interfere with, damage or steal the property of the Club or any other Person; commit a wrongful act in respect of the Club, its members or management or any other Person whatsoever;
- j) breach any current gaming and liquor laws and regulations or be knowingly concerned with such breach by any other Person;
- k) be under the influence of excess liquor or introduce liquor on the premises without permission;
- l) use objectionable or obscene language;
- m) damage Club property;
- n) remove Club property without proper authority;
- o) enter or remain in areas of the Club at unauthorised times or without authorised intentions; or
- p) disregard the instructions of Directors or management.

14.2. If a member engages in any of the conduct referred to in clause 14.1, the Club may commence disciplinary proceedings against the member in accordance with Section 4.15 of the Club's Constitution.

## **15. Gaming**

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15.1. No gaming machine shall be operated in any manner contrary to its design and specification.

15.2. Where gaming machines are designed to accept currency, only notes or coins of legal tender appropriate for each particular machine shall be used.

15.3. A malfunction in respect of gaming machine voids all plays. A malfunction shall be deemed to have occurred when a machine overpays or pays, or purports to pay on a non-winning combination. Whether or not a malfunction has occurred shall be determined by the Club in its absolute discretion.

15.4. Legal proceedings may be instituted against any Person who is observed using any foreign object on, in, or near any poker machine which is used to intend the machine to malfunction.

15.5. Damaging gaming machines is strictly prohibited.

15.6. The failure to report any malfunction of a gaming machine may result in disciplinary proceedings and/or legal proceedings being instituted against the relevant Persons.

15.7. No payouts will be issued after gaming floor hours of operation.

15.8. The balance of any jackpot over \$600 will be payable by cheque or EFT within 48 hours.

15.9. All Persons present on the gaming floor may be asked to provide proof of identity and the Club may refuse a Person admission to or remove a Person from the gaming floor if they fail to comply with such a request.

15.10. The Club may refuse payment to any Person who fails to comply with these by-laws.

15.11. The Club may refuse a Person admission to or remove a Person from the gaming floor if they fail to comply with these by-laws.

15.12. Members are responsible for the conduct of their guests on the gaming floor.

15.13. The Club may commence legal proceedings and/or disciplinary proceeding against any Person acting contrary to these by-laws.

## **16. Smoking**

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16.1. Persons can only smoke in designated smoking areas at the Club's premises. For the avoidance of doubt, this By-law also applies to cigarettes and e-cigarettes.

16.2. Persons must dispose of cigarette refuse in the receptacles provided by the Club in designated smoking areas.

## **17. Children**

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17.1. Persons under the age of 18 years may not purchase or consume alcohol whilst on the Club's premises.

17.2. Unless permitted by law, Persons under the age of 18 years of age are not entitled to be in any restricted area of the Club

17.3. Persons under the age of 18 years shall not use or operate poker machines on the premises of the Club.

17.4. It is an offence to leave children unattended in a motor vehicle or in the Club's premises.

17.5. Persons under the age of 18 shall be supervised by an adult whilst on the Club's premises.

## **18. Public Comment and Social Media**

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18.1. Members shall not engage in any conduct on any media or 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.

## **19. Suggestions and Complaints**

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19.1. The Board welcomes constructive suggestions to improve the operation of the Club.

19.2. All suggestions should preferably be in writing and delivered to the Club Manager.

19.3. The Club Manager may raise at the next Board meeting any notice received in accordance with by-law 19.2.

19.4. Should a member have a complaint concerning any aspect of the Club's Personnel or operation, the matter should be drawn to the attention of the Club Manager or a Director as appropriate.

19.5. Matters of a serious nature are to be submitted in writing to the Club Manager and/or the Board.

## **20. Television, Air Conditioning and Heating Facilities**

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20.1. No Person shall interfere with the setting of the television, air conditioning or heating controls.

20.2. A request for adjustment to these facilities shall be directed to a staff member.



## **21. General**

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- 21.1. No animals (other than guide dogs or such other animals which are permitted by law within the Club's premises) shall be brought into the Club's premises by any Person, unless otherwise approved by the Club Manager.
- 21.2. A Person representing the Club at an external function or meeting is to act so as not to bring discredit to the Club.
- 21.3. A Person taking part in a Club organised trip or tour is subject to these by-laws as appropriate.
- 21.4. All Persons are expected to report any hazard, potential incident or threat which may cause damage to patrons or Club property.
- 21.5. In the event of an emergency, Persons must follow the instructions provided by Management regarding the quick and effective evacuation of the building.
- 21.6. Persons must observe all car park signage and directions from the Club's employees and agents, including parking attendants.
- 21.7. Members must advise the Club of any change to their contact details (including their postal address and email address) as it occurs.
- 21.8. All Persons must comply with all of the Club's policies and regulations, as amended from time to time.

## **22. Consequence for Failure to Comply with By-laws**

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- 22.1. The failure to comply with any of these By-laws shall constitute "wilfully refusing or neglecting to comply" in accordance with Clause 4.15.a of the Club's Constitution.
- 22.2. Pursuant to Section 4.15 of the Constitution, the Club may commence disciplinary proceedings against any member who fails to comply with these By-laws.