



**BY-LAWS  
AND  
REGULATIONS**

**Amended 17<sup>th</sup> October 2016**

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# **Club Forster and Sporties Tuncurry By-Laws**

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## **Preliminary**

1. These By-Laws made by the Board of Directors of Club Forster pursuant to the power conferred upon the Board.
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.
3. These By-Laws will come into force and be duly operative upon the posting of an appropriate notice, containing the By-Law on the Notice Board.
4. These By-Laws are to be read in conjunction with the Constitution of the Club and in the event of any inconsistency, the Constitution shall prevail.
5. These By-Laws are binding on each member of the Club.
6. For the purpose of these By-Laws the term “the Club” means the registered Club known as Forster Tuncurry Memorial Services Club Limited ACN 000 919 817 trading as Club Forster and Sporties Tuncurry and the term “Club’s premises” means the Club Forster premises and/or the Sporties Tuncurry premises.
7. For the purpose of these By-Laws, the term “General Manager” means the General Manager of the Club or the General Manager’s delegated representative.
8. A copy of the Constitution and By-Laws of the Club are available from the Club upon request.
9. The Board and the Club’s employees will monitor compliance with and enforce these By-Laws.
10. Pursuant to Rule 30 of the Club’s Constitution, the Club may commence disciplinary proceedings against any member who fails to comply with these By-Laws.

## **Sections and Sub-Clubs**

1. Pursuant to Rule 30(n) of the Club’s Constitution, the Board has the power to create sections, sub-clubs and committees (“sub-clubs”) and to permit those sub-clubs to conduct, manage and control any sport or other activity at the Club.
2. Members wishing to form a sub-club may submit a written request to the Board. Upon request of a written request, the Board will determine whether to create the requested sub-club.
3. The Board may delegate to the Management Committee of such approved Club such powers as the Board may from time to time be revoked or altered.
4. In the event that such delegation will include the power to conduct a separate banking account then such approved sporting, recreational club must produce a statement of receipts and payments to the Board on request.

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5. The financial records of the Club shall be made available to the Board or their designated representative, for audit, annually or as required.
6. Any approved sporting, recreational or social club within the Club will only be open to members of the Club.
7. This section will apply to existing clubs with the Club.

## **1. Postal and Email Address of Members**

- 1.1 The postal and email address of a member (for the purposes of receiving notices) will be the postal and email address nominated by the member on the member's application form for membership, or any change to that postal or email address that the member has notified the Club. It is the responsibility of the member to advise the Club of any change of postal or email address as it occurs.

## **2. Membership Cards**

- 2.1 The Club's membership card will incorporate a colour photograph of a member.
- 2.2 Every applicant for membership and every member agrees to be photographed, subject to this By-Law, by the Club and to have that photograph displayed on their membership card.
- 2.3 Each member agrees to renew the photograph on their membership card at the time of renewal of membership.
- 2.4 The Club will only collect, use and disclose photographs of members in accordance with the Club's privacy policy, and the relevant legislation governing the collection, use and disclosure of such photographs.
- 2.5 The rights of members are not transferable. A member shall not transfer, lend or otherwise provide another person with their membership card for the purpose of gaining admission to the Club or accessing the rights and privileges associated with their membership.
- 2.6 Any member who is suspended from the Club must deliver to the General Manager their membership card, which will not be returned to the member until the charge is heard and/or during any period of suspension.

## **3. Entry to the Club's Premises**

- 3.1 Members must produce their current membership card when entering the Club's premises.
- 3.2 A person purporting to be a member may be refused admission to the Club (or be required to sign in as a temporary member or guest of a

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member) if the Club is unable to determine if the person is a member of the Club.

3.3 Subject to any legislative exemptions, persons under the age of 18 will not be permitted in:

- a) Areas of the Club's premises where poker machines are played; or
- b) Any bar except where it provides the only practical means of access to an unrestricted area or when it is reserved for a private function; or
- c) Any restricted area of the Club.

3.4 Members who are suspended are not permitted to enter the Club in any capacity unless expressly authorised to do so in writing by the Board or General Manager.

3.5 Persons who have been expelled from the Club are not permitted to enter the Club's premises in any capacity unless expressly authorised to do so in writing by the Board or General Manager.

### **4. Play on Greens – Sporties Tuncurry**

4.1 The Head Greenkeeper at Sporties Tuncurry will have the responsibility for determining the following in relation to the greens:

- a) When greens are open for play; and
- b) Which rinks are available for play.

4.2 Members must not instruct or interfere with the Head Greenkeeper carrying out his duties.

### **5. Guest of Members and Temporary Members**

5.1 Members must only sign in guests who accompany them to the club and/or any personally known by the member.

### **6. Conduct and Behaviour**

6.1 For the purposes of Rule 30 of the Club's Constitution, the following conduct shall be deemed to be conduct that is unbecoming of a member.

- a) Be intoxicated whilst on the Club's premises;
- b) Be under the influence of illegal drugs or substance;
- c) Cheat or defraud the Club or any person in any way whatsoever;

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- d) Be in possession of any offensive weapon or instrument;
- e) Racially vilify or denigrate any person;
- f) Refuse to leave the Club's premises when asked to do so for any reason by the General Manager or any other employee authorised to exercise such a power;
- g) Introduce liquor on to the Club's premises without permission;
- h) Use objectionable or obscene language on the Club's premises;
- i) Act in a violent, quarrelsome, abusive or obstructive manner whilst on the Club's premises;
- j) Damage Club property;
- k) Remove Club property without authority;
- l) Enter, or remain, on the Club's premises at any time that they are not authorised to do so;
- m) Disregard the lawful instructions of any Club employees;
- n) Cause, whilst on the Club's premises, offence to any member of the Club in a way which prejudices the good order of the Club or the comfort or welfare of members, their guests or visitors;
- o) Introduce gambling on the Club's premises;
- p) Gamble on the Club's premises other than as permitted under the *Registered Clubs Act and Gaming Machines Act*;
- q) Play any type of card, or board game on the Club's premises unless expressly authorised to do so by the General Manager;
- r) Whilst on the Club's premises sell, or supply liquor to any person under the age of 18 years;
- s) Engage in any unseemly conduct in the immediate vicinity of the Club;
- t) Acting in a manner which defames or otherwise embarrasses the Club.

6.2 Any member who wishes to lodge a complaint regarding the conduct of a patron (including a member or guest) must comply with the procedure set out in By-Law 25 below.

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## 7. Trading Hours

- 7.1 The Board or Management have the power to determine, and to alter, the trading hours of the Club premises or any part of the Club's premises.
- 7.2 Members, guests and visitors must vacate the Club's premises as soon as practicable after trading ceases, but in any event no later than 30 minutes after trading ceases.
- 7.3 All persons leaving the Club's premises, must do so quietly and with respect to surrounding neighbours and businesses.
- 7.4 No liquor will be made available, poker machine service rendered or jackpots paid after trading ceases.

## 8. Food

- 8.1 Unless otherwise permitted by the General Manager, no food may be consumed within the Club unless such food has been purchased within the Club's premises.
- 8.2 Permission must be obtained from the General Manager, for any relaxation of By-Law 10.1.
- 8.3 The removal, from Club premises, of foodstuffs purchased from, or supplied by, the Club is strictly prohibited, unless placed in an appropriate container or food sold for take-away purposes.

## 9. Prohibition of Canvassing

- 9.1 Except with the consent of the General Manager, no person may on the Club's premises:
  - a) Sell goods;
  - b) Canvas for, or solicit donations or subscriptions; or
  - c) Sell raffle or other tickets for any object or institution.
- 9.2 Except with the consent of the General Manager, no person may display or exhibit the following on the Club's premises:
  - a) Pamphlet;
  - b) Notice; or
  - c) Other material.

## 10. Club Dress Standards

- 10.1 All persons on the Club's premises must comply with the Club's Dress Standard as displayed at the Club's premises from time to time.

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- 10.2 Management shall determine whether a person's clothing complies with the Club's Dress Standards. The General Manager may refuse admission to or turn out any person who does not comply with the Club's Dress Standards.
- 10.3 Subject to By-Law 10.4 the following clothing must not be worn on the Club's premises, unless approved by Management.
- a) Swimwear;
  - b) Men's and Ladies Headwear;
  - c) Running shorts or training apparel;
  - d) Abbreviated shorts;
  - e) Singlets; or
  - f) Muscle shirts;
  - g) Bare feet;
  - h) Bike shorts;
  - i) Bare midriffs;
  - j) Offensive slogans/logos;
  - k) No motor cycle colours or affiliated attire.
- 10.4 Patrons are not permitted to wear hats or headwear of any description in the Club's premises other than in outdoor areas and/or as required for medical, religious or other sporting occasions.
- 10.5 For the purpose of attending the outdoor areas work clothing may be worn, however, dirty, torn or offensive clothing is not permitted.

### **11. Club Property**

- 11.1 Members must take reasonable care of Club property.
- 11.2 Members must take reasonable care of the Club's equipment.
- 11.3 Members are not permitted to enter the Administrative Office, or Boardroom at the Club's premises, unless invited by the General Manager or a Director respectively.
- 11.4 Unless such stationery and equipment is intended for use by member, members will not use:
- a) Club stationery; or
  - b) Club equipment,
- without the authority of the General Manager.



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- 11.5 Members will not remove:
- a) Club stationery; or
  - b) Club equipment,
- from the Club's premises without the authority of the General Manager.
- 11.6 Club telephones, other than pay phones, may not be used for outgoing calls by any person unless permission has been received from the General Manager.
- 11.7 Persons must not move, transfer or remove any furniture or Club property or interfere with any organisational planning that may be displayed at various functions.

### 12. Use of Club Premises

- 12.1 Written approval from the General Manager must, first be obtained for:
- a) Use of the address of the Club or of the Club's premises in any advertisement;
  - b) Use of the address of the Club or of the Club's premises in any circular, letter or document in connection with any business undertaking;
  - c) Exhibition of any pamphlet, advertisement or notice of any kind on the Club's premises; and
  - d) Meetings of any description on the Club's premises.
- 12.2 Any person booking shows, or the use of any rooms at the Club's premises, will do so in accordance with the relevant procedures of the Club as determined from time to time.

### 13. Poker Machines

- 13.1 The Club reserves the right to delay, or refuse, the payment of any monies purporting to have been won on any of the Poker Machines operating in the Club's premises where the General Manager believes, on reasonable grounds, that:
- a) The machine is faulty; or
  - b) The machine has been manipulated; or
  - c) The person claiming payment has not been signed into the Club in accordance with the *Registered Clubs Act*.

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- 13.2 Persons are not permitted to reserve a machine (other than the one they are playing), and the practice of alternating between machines is discouraged.
- 13.3 No machine will be reserved for more than three (3) minutes unless authorised by the Duty Manager.
- 13.4
- a) A player wanting to use a machine which has been reserved for longer than three (3) minutes must first request the Duty Manager for the Club's premises.
  - b) The player making the request may only play the machine after receiving permission to do so from the Duty Manager for the Club's premises.
- 13.5 Persons may only use Australian legal tender when playing the Club's gaming machines.
- 13.6 The gaming machines on the Club's premises can only be played by persons who have attained the age of eighteen (18) years and who are lawfully on the Club's premises.
- 13.7 No jackpot or prize will be paid unless the winning combination is seen by authorised staff and verified to be paid pursuant to the Club's procedures made pursuant to the *Registered Clubs Act* for paying jackpots.
- 13.8 No jackpots, prize or winning combination will be paid to a player if won before the opening time of the Club or after closing time has been announced and persons have been requested to leave.
- 13.9 In the case of a member, a jackpot or prize of \$5,000 or more may be paid within 72 hours of verification of financial membership.
- 13.10 In the case of a non-member, any jackpot or prize of \$5,000 or more may be paid within 72 hours by cheque and will be mailed to the address of that person as respectively shown in the register of Guest of Members or the Temporary Member's Register.
- 13.11 The Club reserves the right to ensure that every jackpot, short pay or machine refill is played off.
- 13.12 The Club reserves the right to refuse any persons the right to play gaming machines on the Club premises.
- 13.13 The Club may refuse payment if, in the reasonable opinion of the Clubs, the machine has malfunctioned and/or if a winning combination showing has not been registered on the machine.
- 13.14 A player of this Club's gaming machines acknowledges, by choosing to play the Club's gaming machines, that the Club's decision as to whether a gaming machine has malfunctioned or not and/or if a

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winning combination showing has not been registered on the machine, is final.

- 13.15 If the gaming machine is able to be operated without payment, (except for the playing of “free” games won), it is the player’s responsibility to immediately report the malfunction to an employee of the Club.
- 13.16 If the gaming machine overpays, pays on a non-winning combination or otherwise malfunctions, the player must immediately report the malfunction to a Club employee.
- 13.17 Tilting, rocking, manipulating or in any way moving or damaging a Club gaming machine is strictly prohibited.
- 13.18 It is a breach of the *Registered Club Act*, and offence under that Act, for a person:
- a) To have possession of a device made or adapted, or intended by the person to be used, for interfering with the normal operation of a Club gaming machine; or
  - b) To do anything calculated, or likely, to interfere with the normal operation of a Club gaming machine; or
  - c) To do anything calculated to render a Club gaming machine capable or incapable, even temporarily, or producing a winning combination.
- 13.19 The Club reserves the right to refuse payment to any person, who in the reasonable opinion of the Club has breached this By-Law 13.
- 13.20 Any person breaching this By-Law may be requested to immediately leave the Club’s premises and a member may also be liable for disciplinary action.

### **14. Credit Facilities**

- 14.1 No credit will be extended, in any circumstances, to any person.

### **15. Use of the Club’s Car Park**

- 15.1 Persons using the Club’s car park must drive in a safe manner and follow all signage.
- 15.2 Persons must not park their vehicles in those areas set aside for use by designated Club officials at the Club’s premises.
- 15.3 Persons may only park in the Club car park at the Club’s premises when they are attending the Club and/or engaged on Club business.

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15.4 When a person is on the Club's premises they must comply with any instructions given by a Club employee in relation to the use of the car park and parking.

15.5 All persons use the Club's car park at their own risk. The Club is not responsible for damage or theft to vehicles or vehicle contents.

15.6 Persons must observe all car parking directions.

### **16. Code of Conduct – Directors**

16.1 All Directors in discharging their duties of the Club are bound by, and must act in accordance with, Club Forster and Sporties Tuncurry Board policy.

### **17. Director Honorariums and Uniforms**

17.1 The payment of Director Honorariums is a token payment in good faith in return for services rendered to the Club.

17.2 The Board of Directors each to receive an honorarium to be agreed upon by the Board annually and prior to the Annual General Meeting. The level of honorarium is recommended and referred to the Annual General Meeting, for members consideration and determination.

17.3 The Club will reimburse all reasonable costs or expenses in relation to the provision of uniforms for the use of each Director when representing the Club.

### **18. Reimbursement of Expenses**

18.1 The Club will reimburse any reasonable expenses incurred by a member acting in good faith on behalf of the Club, where:

a) The member is acting in:

- (i) An office to which they have been elected; or
- (ii) A position to which they have been appointed by the Board of Directors; and

b) The expenditure was approved in advance by:

- (i) The Board of Directors; or
- (ii) The General Manager; or
- (iii) For expenditure occurring in relation to Club Forster and Sporties Tuncurry by the Board of Directors and the General Manager; and

c) The expenditure is not contrary to the Constitution.

18.2 Despite By-Law 20.1, if a member has expended money on behalf of the Club, in good faith, and in circumstances of emergency where no

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authorisation for the expenditure had been obtained, the Board of Directors may, in its absolute discretion where the expenditure is not contrary to the Constitution and in accordance with this By-Law, determine to reimburse the expenditure or some part of it.

18.3 Any member seeking the reimbursement of reasonable expenses must, to obtain reimbursement, promptly provide, and in any event no later than 14 days following the expenditure receipts detailing:

- a) The nature of the expenditure;
- b) The date of the expenditure;
- c) The place of the expenditure; and
- d) The amount of the expenditure.

### **19. Employees of the Club**

19.1 No member or guest 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.

### **20. Board Elections**

20.1 A member, must not issue, promote or distribute within any of the Club's premises or surrounds, or at any Club function or at any Club sponsored event, any "how to vote" ticket or other material which advocates either for, or against, the election of any member to the Board of Directors or to any other office in the Club.

20.2 A copy of the Club's Constitution and By-Laws and the Director's Code of Conduct may be supplied to each person requesting a nomination form for election to the Board of Directors.

20.3 All nominees for positions on the Board of Directors must complete and sign the Statutory Declaration attached to the Code of Conduct for Directors, signifying their acceptance, understanding and undertaking to abide by the Code.

### **21. Voting Procedures for Elections**

21.1 In accordance with Rules 35 and 36 of the Club's Constitution, the following By-Laws shall apply in respect of the election of the Board of Directors:

- 1) Not less than two weeks before the day fixed for any Annual General Meeting at which an election of Directors is to take

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place nominations for the offices of Directors shall be delivered to the Secretary.

- 2) Out of persons nominated the general body of members shall elect a Director in accordance with Section 30 and Schedule 4 of the Registered Clubs Act 1976
- 3) Not less than three weeks prior to any meeting at which an election of Directors is to take place a notice shall be given by the Secretary of the Club to all members of the Club of the meeting and the fact that Directors are to be elected as advised.

### 21.2

- a) The Secretary shall immediately after receiving nominations post the name of the candidates and their proposers on the Notice Board and if so directed by the President shall notify members by mail of the names of the candidates and their proposers.
- b) If the full number of candidates for the positions of Directors is not nominated as required, additional nominations may with the consent of the nominee or nominees be made in accordance with Clause 51 of the Constitution. If there be more than the required number nominated an election by ballot shall take place but if there be only the requisite number nominated the Chairman shall declare those nominated duly elected.

### 21.3 An election by ballot of the members of the Board of Directors shall be conducted in the following manner:

- a) The Board of Directors will appoint a Returning Officer and Electoral staff to conduct the ballot for the election of the Board of Directors.
- b) The ballot shall commence and close at the time fixed by the Board.
- c) The voting papers shall contain a list of all duly nominated candidates for the position of Director. The order of names on the list to be decided by ballot.
- d) The voter shall record his vote for Board Members numbering in order of preference from one to nine.
- e) At the closing of the poll the Returning Officer and electoral staff shall proceed with the examination of the voting papers and shall report the result to the meeting and the Chairperson who shall then declare such candidate or candidates who received the greatest number of votes to be duly elected.

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- f) In any case of doubts as to the formality of the voting paper it shall be referred to the Returning Officer whose decision shall be final.
- g) In the event of any equality of votes in favour of two or more candidates the Returning Officer will cause a draw to be made from a receptacle to fill any remaining offices undecided.

### **22. Complaints**

22.1 Complaints by the Club's employees concerning the conduct of members, guest or visitors must be:

- a) In writing;
- b) Be directed to the General Manager in relation to Club Forster and Sporties Tuncurry;
- c) Set out sufficient details of the matter complained of to enable the complaint to be properly investigated.

22.2 Any complaint by a person against another person must be:

- a) In writing;
- b) Be directed to the General Manager.
- c) Set out sufficient details of the matter complained of to enable the complaint to be properly investigated.

22.3 Any complaints regarding any Club employee must be:

- a) In writing;
- b) Be directed to the General Manager.
- c) Set out sufficient details of the matter complained of to enable the complaint to be properly investigated.

22.4 If a complaint is to be made about the Manager at Sporties Tuncurry, the complaint shall be lodged with the General Manager and the other provisions of the By-Law will be applied.

22.5 If a complaint is to be made about the General Manager of Club Forster, then the complaint shall be lodged with the Chairperson and the other provisions of this By-Law will be applied.

22.6 A person must not make a false or frivolous complaint about any other person.

### **23. Standing Orders**

23.1 The following procedures will be adhered to as far as practicable at all

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Meetings of the Club.

- 23.2 The Chairperson will take the Chair for the meeting and upon ascertaining that a quorum is present will then declare the meeting open for the transaction of business, provided that if no quorum is present within the time prescribed, the meeting will not proceed to business.
- 23.3 The order of business (Standing Orders) for general meetings, other than special general meetings, will be:
- a) Attendance and apologies;
  - b) Business as notified;
  - c) Minutes will be presented for confirmation, but no discussion will be allowed except as to their accuracy as a record of the proceedings;
  - d) Business arising out of minutes;
  - e) Financial statements and accounts;
  - f) Reports; and
  - g) General business on notice.
- 23.4 The order of business for special general meetings will be:
- a) Attendance and apologies; and
  - b) Business as notified.
- 23.5 A motion on notice will be required to suspend Standing Orders at a General Meeting other than a Special General Meeting.
- 23.6 Standing Orders cannot be suspended at a Special General Meeting.
- 23.7 Any member seeking to suspend Standing Orders will give notice, in accordance with the Constitution, to the General Manager.
- 23.8 A member may at a meeting give Notice of a Motion to be moved at a future meeting by handing a copy thereof to the General Manager.
- 23.9 A Notice of Motion will be dealt in the order in which it stands in the Agenda, in relation to other similar notices, provided that a Motion to adjourn Standing Orders will be dealt with prior to the Agenda item of concern being dealt with.
- 23.10 No Notice entered on the notice paper will be proceeded with unless the member, who has given such Notice, is present when the business is called in its order.



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- 23.11 Notices not proceeded with will be struck out.
- 23.12 No new business will be taken later than three (3) hours after the commencement of a meeting unless an extension of time is granted by the meeting.
- 23.13 Any member engaging in misconduct during a meeting or obstruction of the business of the meeting will be called to order by the Chairperson and, if after being called to order, the member persists in the misconduct or obstruction or otherwise refuses or fails to comply with the Chairperson's direction, that member will be immediately excluded from taking any further part in the business of the meeting and may be physically expelled from the meeting.

### **24. Rules of Debate**

- 24.1 No discussion will be allowed except on a Motion or Amendment, duly proposed and seconded.
- 24.2 A call for a seconder will only be put twice at which time if the Motion or Amendment has not been seconded it will lapse.
- 24.3 Any member desiring to propose a Motion or Amendment or to discuss any matter under consideration must address the Chairperson.
- 24.4 No member will address the meeting unless, and until, called upon by the Chairperson.
- 24.5 When the Chairperson speaks during a meeting the member then speaking, or offering to speak, will cease so that the Chairperson may be heard without interruption.
- 24.6 The Chairperson will call to order any speaker who departs from the question or who violates the courtesies or rules of debate.
- 24.7 If the Chairperson determines to participate in a debate at any meeting then the Chairperson will vacate the chair whilst participating and the Deputy Chairperson will take the chair of if the Deputy Chairperson is not in attendance then another Chairperson will be appointed by members participating in the meeting.
- 24.8 All Motions will be determined in the following manner:
  - a) The proposer of the Motion will have five (5) minutes at the time of moving the Motion to present argument in support of the Motion and three (3) minutes to reply, where the reply is limited to the answering of arguments advanced against the Motion;
  - b) The seconder of a Motion and all other speakers will be limited to three (3) minutes;

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- c) The meeting, on Motion without debate, may extend the time of any speaker but an extension of time must not exceed three (3) minutes – the meeting may agree to further extensions on the same basis;
- d) The Chairperson will call attention to the time of all speakers one (1) minute before their time expires and Motions for extensions may be made when the Chairperson so calls, but not later;
- e) After the Motion has been moved and seconded, no more than two (2) members will speak in succession on one side, either for or against any question before the meeting and if at the conclusion of the second speaker's remarks no member rises to speak on the other side, the Motion or Amendment will at once be put to the meeting, subject to 24.8(a) of this sub By-Law.

24.9 All votes at meeting will be subject to the following:

- a) The Chairperson will read the Motion and determine the question on the voices, provided that the Chairperson may call for a show of hands;
- b) Every question submitted to a Meeting will be decided by a show of hands, unless a poll is demanded by five (5) of the members present;
- c) In the case of any equality of votes whether on show of hands or on a poll the Chairperson of the meeting will have a second or casting vote; and
- d) The Chairperson will then declare the Motion carried or lost.

24.10 In the event of a Motion being carried or lost by a narrow majority, any five (5) members may demand a division and on a division being called for, those in favour will go to the side of the room on the Chairperson's right and those against to the Chairperson's left and the number on each side will be counted and the number of voters (for and against) will be recorded in the minutes.

24.11 At any time during debate on any Motion it will be competent for any member who has not spoken to the Motion to move an amendment, which will be subject to the following:

- a) All amendments must be seconded;
- b) Apart from Special Resolutions, motions may be amended by adding words, by deleting words, or by deleting words and inserting others in their place;
- c) The effect of any proposed amendment cannot be to establish a direct negative to the question contained in the motion;

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- d) Only one amendment will be received at a time and that amendment must be disposed of before any further amendment may be considered or moved;
  - e) All amendments will be put before the original Motion;
  - f) The proposer of any amendment will not have a right of reply; and
  - g) Should an amendment be carried it becomes the substantive Motion and thereon a further amendment may be proposed, however, if no further amendment is proposed, the amendment which has become the substantive motion, will be put without further debate subject to 24.11(e) of this sub By-Law and 24.8 of this By-Law.
- 24.12 Where a Motion is considered by a meeting without any amendments being proposed no member except for the proposer of the Motion will speak more than once on the Motion, unless by way of personal explanation or with the consent of the Chairperson.
- 24.13 Where an amendment or amendments are proposed, then a member may speak for or against any amendment which is proposed.
- 24.14 Any member who thinks they have been misrepresented by a speaker may with the indulgence of the Chairperson interrupt the speaker to correct the misstatement, but the member must not enter into argument.
- 24.15 It will be competent at any time during a debate for a member who has not spoken to a Motion under consideration to rise and move "That the question be now put" but no discussion will be allowed and if this Motion is seconded and carried, the Chairperson will immediately call upon the member (if any) who may have the right of reply, and then, immediately following the reply, the Chairperson will put the Motion which will include the amendments (if any) that have been moved and accepted.
- 24.16 No Motion upon any other subject will be submitted until the one before the Chair is disposed of in accordance with this By-Law.
- 24.17 Should any question have occupied the attention of the meeting for 20 minutes, the discussion on such question will be closed and the Chairperson will then call on the proposer to reply, unless the meeting decided by resolution to continue the discussion of the matter in question.
- 24.18 A Motion may be dealt with by:
- a) Adoption as moved;
  - b) Rejection as moved;

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- c) Adoption after amendment of the subject matter;
- d) Any of the following Motions, will be in order despite a Motion (or Motion with amendments) being before the meeting:
  - (i) "The Order of the Day", i.e. that the next business in order be now taken;
  - (ii) Postponement of the question, either to a definite time or a time to be fixed;
  - (iii) Reference to a committee;
  - (iv) Adjournment:
    - (a) Of the debate;
    - (b) Of the meeting.

### 24.19 A Motion for adjournment:

- a) May be moved and seconded at any time during the meeting;
- b) May be debated, provided that not more than four (4) speakers be allowed both for and against the Motion, inclusive of the mover and seconder;
- c) Provided no right of reply for the mover of the Motion; and
- d) Will be successful if carried by a majority of members present.

24.20 A second Motion for adjournment will not be moved until the subject under discussion at the time of the first motion for adjournment has been disposed of.

24.21 Questions of order will be decided by the Chairperson, whose ruling will be final unless challenged by a formal Motion submitted to the meeting.

24.22 Any member may rise to a Point of Order when the member considers the rules of debate to have been violated provided that the member must submit the "Point of Order" to the Chairperson, who will decide the question.

24.23 Upon the Point of Order being raised, the member addressing the meeting at the time will take their seat and will remain seated until the Point of Order has been decided.

### 24.24

- a) A ruling given by the Chairperson on any question may be subject to a Motion of dissent calling the meeting to disagree with the ruling.

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- b) On the Motion of dissent becoming seconded, the Chairperson will vacate the chair which will be taken by the Deputy Chairperson or otherwise a member elected by the meeting.

24.25 No Motion of dissent from the Chairperson's ruling will be permitted unless it be made before any other business has been proceeded to.

24.26 The procedure to determine a Motion of dissent will be as follows:

- a) The member moving the Motion of dissent will be given five (5) minutes to support the Motion;
- b) The Chairperson will be given five (5) minutes to defend their ruling; and
- c) The Acting Chairperson will then put the question and on the question being determined the Chairperson will resume the chair.

### **25. Patrons**

For the purposes of Rule 15(a)(i) of the Club's Constitution (which relates to Club Patrons), the following shall apply:

- (a) The Board may from time to time appoint a Patron or Patrons of the Club.
- (b) If such Patron or Patrons are not members of the Club, they shall thereupon be deemed to be Honorary members of the Club and, subject to the Club's Constitution, shall remain Honorary members while they remain Patron.

### **26. General Rules**

- 26.1
  - i) Members are requested to pay their accounts promptly.
  - ii) Members are not permitted in any staff areas.
  - iii) Paging of Members over the public address system will cease whilst the entertainment is in progress.
- 26.2 No dogs or other animals will be allowed on the Club premises or grounds unless special permission is granted by Management or otherwise permitted by law (for example, guide dogs).
- 26.3 No person shall enter any prohibited area in the Club.
- 26.4 In these By-Laws made by the Board of Directors words importing the masculine gender shall be deemed to include the female gender.

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- 26.5 No member or visitor is to conduct a petition on the Club premises without the prior approval of the Board.
- 26.6 No person is to borrow or lend money to another person whilst on Club premises.
- 26.7 The Board welcomes constructive suggestions to improve the operations of the Club. All suggestions must be in writing delivered to the General Manager.
- 26.8 No photographs or videos are to be taken on premises without the prior approval of Management.

Authorised and approved by the Board of Directors

At the Board Meeting of the 17<sup>th</sup> October 2016

Peter V. Clarke FCPA  
General Manager

*For and on behalf of the Board of Directors*

# Club Forster and Sporties Tuncurry By-Laws

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## FORSTER-TUNCURRY MEMORIAL SERVICES CLUB LIMITED

ACN 000 919 817

### NOTICE TO MEMBERS

#### NEW BY-LAW

Notice is hereby given that, pursuant to Rule 38(b) of the Constitution of Forster-Tuncurry Memorial Services Club Limited, the Board has made the following new By-Law 25:

**"25 Patrons**

*For the purposes of Rule 15(a)(i) of the Club's Constitution (which relates to Club Patrons), the following shall apply:*

(a) *The Board may from time to time appoint a Patron or Patrons of the Club.*

(b) *If such Patron or Patrons are not members of the Club, they shall thereupon be deemed to be Honorary members of the Club and, subject to the Club's Constitution, shall remain*

*Honorary members while they remain Patron."*

Note: Pursuant to By-Law 3 (Preliminary) of the Club's By-Laws, the above By-Law comes into force and is duly operative upon the posting of this Notice on the Club Notice Board.

By Direction of the Board

17<sup>th</sup> October 2016

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**Peter Clarke**

Chief Executive Officer