



BY-LAWS
OF THE
MUNDARING SPORTING CLUB INCORPORATED

February 2024

Constitution versus By-Laws

Whereas Rules of Association (The Constitution) are imposed by State Law to ensure proper governance, these By-Laws are local rules made by the Club for its Members. Basically, they coordinate the Club's activities. They supplement but do not duplicate, replace or oppose the Rules of Association. They are the basis of Club and Section business and will only be created through minuted Board of Management decree.

Structure and Purpose

The document is structured in the same order as the Constitution. By-Law entries will only be made for the purpose of interpreting or giving additional procedural and detailed direction to the Constitution. Accordingly, where no By-Law exists the Constitution is deemed to be suitably explicit.

The By-Laws will never be expected to conflict with the Constitution – where any interpretive or prescriptive doubt exists, the Constitution will prevail.

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1. NAME AND EMBLEM

Minute Date	Minuted By-Law
4 September 2017	Where any governance doubt exists in the Constitution or By-Laws, the Club will always rely on the Incorporations Act 2015 for guidance and interpretation.

2. OBJECTS

Minute Date	Minuted By-Law
Nil	Nil

3. POWERS OF THE BOARD OF MANAGEMENT

Minute Date	Minuted By-Law
5 October 2015	The hire of the premises for functions to third parties will be \$200 per event plus \$80 per hour up to 50 guests and then \$120.00 per hour if more than 50 guests for the use of the Bar.
10 April 2017	The maximum guests at any function shall be 200
10 April 2017	All Grant Applications of the Sections must be made in the name of the Club and with the approval of the Board of Management.
27 May 2020	The first meeting of the newly elected Board of Management will ratify the appointment of Members to the following critical operational positions: <ol style="list-style-type: none"> 1. Bar Manager (as per Bar Management Procedure 1.2 (iii)) 2. Membership Secretary 3. Club Cashier (as per By Law 40) 4. Club Payables Officer (as per By Law 40) 5. Functions Coordinator
May 2023 February 2024	

4. CLUB INCOME AND PROPERTY

Minute Date	Minuted By-Law
10 April 2017	All Assets used by the Sections are the property of the Club. There is no situation where an individual or Section has entitlement to an Asset.

5. CLUB YEAR

Minute Date	Minuted By-Law
4 September 2017	Reporting Quarters will be at the end of May, August, November and February.

6. MEMBERS

Minute Date	Minuted By-Law
February 2024	Additional sporting categories may be added

7. MEMBERSHIP

Minute Date	Minuted By-Law
Nil	Nil

8. QUALIFICATION FOR ORDINARY MEMBERSHIP

Minute Date	Minuted By-Law
Nil	Nil

9. SPORTING MEMBERSHIP

Minute Date	Minuted By-Law
Nil	Nil

10. JUNIOR MEMBERSHIP

Minute Date	Minuted By-Law
Nil	Nil

11. SOCIAL MEMBERS

Minute Date	Minuted By-Law
Nil	Nil

12. COUNTRY MEMBERS

Minute Date	Minuted By-Law
Nil	Nil

13. TEMPORARY MEMBERS

Minute Date	Minuted By-Law
Nil	Nil

14. LIFE MEMBERS

Minute Date	Minuted By-Law
Nil	Nil

15. HONORARY MEMBERS

Minute Date	Minuted By-Law
Nil	Nil

16. ELECTION OF HONORARY MEMBERS

Minute Date	Minuted By-Law
Nil	Nil

17. CANCELLATION OF HONORARY MEMBERSHIP

Minute Date	Minuted By-Law
Nil	Nil

18. RIGHTS OF HONORARY MEMBERS

Minute Date	Minuted By-Law
Nil	Nil

19. USE OF CLUB FACILITIES - OBLIGATIONS OF MEMBERS AND GUESTS

Minute Date	Minuted By-Law
5 October 2015	Financial members are entitled to hire the Club Premises at half price. Plus the full charge per hour for the use of the Bar.

20. RIGHT TO VOTE

Minute Date	Minuted By-Law
Nil	Nil

21. BOARD OF MANAGEMENT

Minute Date	Minuted By-Law
Nil	Nil

22. ELECTION OF BOARD OF MANAGEMENT

Minute Date	Minuted By-Law
4 September 2017	The Club will endeavour to stagger the biennial appointment of individual members of the Executive Committee. The purpose being to maintain a seamless transition of historical knowledge for new Boards of Management.
4 September 2017	The Board of Management members may be assigned additional position roles and responsibility in line with the Club's Strategic Plan.

23. PATRON(S)

Minute Date	Minuted By-Law
Nil	Nil

24. DUTIES OF THE EXECUTIVE OFFICERS OF THE BOARD OF MANAGEMENT.

Minute Date	Minuted By-Law
Nil	Nil

25. RESIGNATION OF COMMITTEE

Minute Date	Minuted By-Law
Nil	Nil

26. SPORT, SOCIAL, RECREATION SECTION MANAGEMENT

Minute Date	Minuted By-Law
10 April 2017	Sections are to produce Operating and Capital Budgets at an account level for each month of the Club's Financial Year. Drafts must be

	presented to the Board of Management at the March meeting for subsequent approval.
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27. ANNUAL GENERAL MEETING

Minute Date	Minuted By-Law
Nil	Nil

28. AUDITORS

Minute Date	Minuted By-Law
Nil	Nil

29. SPECIAL GENERAL MEETINGS

Minute Date	Minuted By-Law
Nil	Nil

30. BOARD OF MANAGEMENT MEETINGS

Minute Date	Minuted By-Law
4 September 2017	<p>The Order of Business of a Board of Management Meeting shall be as follows:</p> <ol style="list-style-type: none"> 1. Open meeting, welcome, record attendances and apologies; 2. Minutes of previous Board of Management Meeting (to be signed by the Chairman as a true record of those proceedings); 3. Any business arising from the minutes; 4. Correspondence IN and OUT to be read if necessary received and endorsed; 5. Any business arising from the correspondence; 6. Treasurers Report and adoption thereof; 7. Reports to be tabled and adopted for the: <ol style="list-style-type: none"> i. Sections (from the three Presidents or their proxy) ii. Strategic Plan iii. Membership iv. Maintenance; 8. General business; and 9. Closure

31. QUORUMS

Minute Date	Minuted By-Law
Nil	Nil

32. SUBSCRIPTIONS

Minute Date	Minuted By-Law
May 2004 February 2020 February 2024	At least the CPI increase shall be applied to Members Fees each year. CPI put on hold CPI increase added to Full Sporting Members

	<p>Membership Categories and Fees</p> <ol style="list-style-type: none"> 1. Social - \$20.00 2. Ordinary - \$40.00 3. Junior - \$40.00 plus affiliation 4. Country Member - \$100.00 5. Temporary - No Fee 6. Honorary Member - No Fee 7. Life Member - No Membership Fee plus Sport Affiliation Costs 8. Bowls Scroungers and or Club Day - \$70.00 9. Bowls Full Sporting Member - \$190.00 plus Sport Affiliation Cost 10. Golf Scroungers/Club Day - \$70.00 Non Golf Link Members 11. Golf Full Sporting Member - \$190.00 plus Sport Affiliation Cost 12. Disc Golf Full Sporting Member – 2024 /25 \$100.00 - 25/26 \$150.00 - 26 / 27 Full Sporting Member annual fee as per Bowls and Golf plus PDGA Fees 13. New Full Sporting Member \$100.00 Annual Fee plus Sport Affiliation and/or PDGA Costs subject to the Constitution Clause 32 (d).
February 2017	<ol style="list-style-type: none"> 14. No Member shall represent the Club at Inter Club, Pennants or Championship events unless they are a Full Sporting Member of their chosen sport and paid affiliation costs. 15. Members who wish to play additional sport to contact Secretary of Club 16. Full Sporting Members may play any of the three sports – Golf / Bowls or Disc Golf at scrounger / club day level, however if wish to play competition level must pay the chosen additional sports affiliation costs..
February 2020	
May 2023	
February 2024	

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33. NOMINATION FEES

Minute Date	Minuted By-Law
Nil	Nil

34. PAYMENT OF FEES

Minute Date	Minuted By-Law
February 2024 clause d	Use of electronic communication can be used to contact members

35. PAYMENT OF OTHER DEBTS

Minute Date	Minuted By-Law
Nil	Nil

36. COMPLAINTS AGAINST MEMBER’S CONDUCT

Minute Date	Minuted By-Law
October 2019	That in the event that Secretary receive complaint against a member of the Board of Management that the said member will receive copy of complaint before a meeting is held to resolve the matter

37. RESOLVING DISPUTES

Minute Date	Minuted By-Law
Nil	Nil

38. RESIGNATION OF A MEMBER

Minute Date	Minuted By-Law
Nil	Nil

39. BY-LAWS, CLUB POLICY AND STANDING ORDERS

Minute Date	Minuted By-Law
4 September 2017	<p align="center">Code of Conduct</p> <p>The Mundaring Sporting Club Incorporated Member’s Code of Conduct applies equally to members and their guests, including players from other clubs visiting our Club for sporting competitions and social functions.</p> <p>The Board of Management will rely on the following Policy and associated Breach conditions when managing related disputes at the Club:</p> <p>Competition Conduct</p> <ol style="list-style-type: none"> 1. Players must display respect to their team mates, and opponents, and play the game within Bowls, Golf and Disc Golf sport’s governing bodies, Laws and/or Conditions of Play, to the highest degree of sportsmanship and honesty. 2. Players will not engage in offensive or abusive language,

dissent, conduct unbecoming, or actions which would bring the game or the Club into disrepute.

3. Spectators will conduct themselves in a manner that ensures that players are not distracted.

General Conduct

1. Members, family and guests are encouraged to enjoy the hospitality of the club without fear of acts of discrimination, racial vilification, bullying, harassment or verbal abuse.
2. Members, family and guests will ensure that the comfort of other patrons is not unreasonably disturbed.
3. Members, family and guests will respect other patrons and will conduct themselves in a manner that will not cause offense.
4. Abusive or offensive language is not permitted within the clubhouse or its surrounds.
5. The House Management Policy (Section 5.21) and the Code of Conduct (Section 5.2.2) of The Bar Management Business Operations Manual shall be the basis for the management of Conduct when members, family and guests consume alcohol.
6. Neat dress standards are important to the culture of the Club.

Smoking Conduct

The Club relies on the Tobacco Products Control Act (2009) to manage the behaviour of it's members and guests. Accordingly:

1. Smoking is not permitted by law in the clubhouse or within five (5) metres of any entrance. Smoking is not permitted on any [location/green] where competitions are being played under the auspices of Bowls, Golf and Disc Golf sport governing bodies.
2. Smokers must dispose of butts correctly.
3. Members are to respect the rights of other members who wish to smoke in allowable areas.

Social Media Conduct

1. All club references in social media postings, blogs, status updates and tweets will be treated as public 'comment'. No statements should be made that are misleading, false or likely to injure a person's reputation or bring our club into disrepute.
2. Any abusive, discriminatory, intimidating, misleading or offensive statements will not be tolerated. Offending posts will be removed and those responsible will be blocked from the site.
3. When sharing information or posting material on public websites connected to the club, members must follow the

	<p>following guidelines for electronic communication:</p> <ol style="list-style-type: none"> 4. It should be restricted to club matters 5. It must not offend, intimidate, humiliate or harass another person 6. It must not be misleading, false or injure the reputation of another person 7. It should respect and maintain the privacy of members 8. It must not bring the club into disrepute. 9. Members who send inappropriate electronic communication or post online content or comments that harass, offend, intimidate or humiliate another member may be found in breach of the Member’s Code of Conduct and as a result may be liable for a claim of misconduct, under the Club Constitution. <p>Breach of Code of Conduct</p> <ol style="list-style-type: none"> 1. Any member who is the subject of a breach in the Code of Conduct may notify the Club President in writing, so that an investigation can be conducted and appropriate action taken. 2. Any member who witnesses another member being subjected to a breach in the Code of Conduct may notify the Club President in writing, so that an investigation can be conducted and appropriate action taken. 3. If the complaint involves the Club President then the member may address their concerns to the Management Committee. 4. All members must follow and are subject to the Club Constitution Clauses 36 and 37 to handle any disputes with another member or with the management committee of the Club. 5. Any member who breaches this policy, or who makes a false claim of a breach in the Code of Conduct shall be subject to counselling and/or disciplinary action, which may include suspension or expulsion.
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40. FINANCIAL CONTROL AND BANKING SYSTEM

Minute Date	Minuted By-Law
March 2014	All financial activity relative to a Section must be assigned to that section; this includes subscriptions, affiliation fees, depreciation and third party material/services donations and associated expenditure offsets.
March 2014	Sinking Funds are approved to ensure that Sections have sufficient Club Funds available when the commitment requires acquittal.
March 2014	Sections must generate sufficient funds each year to at least Cash Break Even; this includes any current year Sinking Fund commitments.
10 April 2017	All purchases, repairs and maintenance by Sections outside the approved

<p>February 2024 10 April 2017</p>	<p>Budget that are in excess of \$200 must be approved by the Board of Management before purchase; items of \$200 or less may be approved retrospectively. Increased to \$400.00 January 2024</p>
	<p style="text-align: center;">DETAILED TREASURER ROLE</p> <p>Financial Management Structure To enable the Club to guarantee Financial Independence and Duty Separation the Board of Management agree that the Treasury role for the Club will be structured as follows:</p> <ol style="list-style-type: none"> 1. each Section will have its own Treasurer. 2. the Club Treasurer role will be segregated into four distinct activities, namely: <ol style="list-style-type: none"> i. Club Treasurer – this position is responsible for the MYOB Data Entry, Monthly Reporting including all related returns, Budget Coordination, Audit Compliance and the overall Financial Governance of the Club’s Finances. This is the position of Treasurer that is elected bi-annually at the Annual general Meeting; it does not handle cash or initiate electronic banking. ii. Cashier – collects and banks all net Club Receipts. The position also makes cash reimbursement payments to Members for Club and Section related payments from Club Receipts. This position is sourced and approved annually by the Board of Management. iii. Payables Officer – this role makes electronic payment of Creditor Invoices via the Club’s Operating Bank Account. The position also files in monthly envelopes all electronically paid invoices and banking supports from the Cashier and Section Treasurers. This position is sourced and approved annually by the Board of Management. iv. Secretary – is responsible for banking all Membership and Function Receipts received by mail or direct in the form of cash or cheque. <p>The Cashier and Section Banking Responsibilities In general the Club Cashier and Section Treasurers are responsible for the recording of Revenue and Expenditure for their relative areas; this responsibility is to include:</p> <ol style="list-style-type: none"> 1. the collection of all monies relative to the Club or Section. 2. the payment of any member’s expenses relative to the operation of the Club or Section.

	<p>3. the correct allocation of all monies relative to the Club or Section; this is the essential data for the Club Treasurer to record all Financial Activity in MYOB. .</p> <p>4. the banking of all monies relative to the Club or Section.</p> <p>Process Requirements The Club and Section Treasurers must comply with the following:</p> <ol style="list-style-type: none"> 1. Banking must be supported with deposit book evidence. 2. Banking must also be supported with a Club endorsed Revenue and Payments allocation cover sheet. 3. Reimbursement payments to members that are for services or materials must have GST Invoice support. 4. Reimbursement payments to members must be supported by a signed official approval advice sheet. 5. Revenue and Payments allocation sheets with all reimbursement payment supports must be placed in the MYOB folder for the Club Treasurer. 6. Electronic payments initiated by the Payables Officer must have secondary electronic approval from the Club Treasurer or other approved bank signatory. 7. The Club Treasurer must be advised by the Secretary with the Section/Club allocation amounts for Subscriptions banked by the Secretary. 8. at a minimum The Club Treasurer must Report or have available the following detail on a monthly basis: <ol style="list-style-type: none"> i. an Executive Summary, Profit and Loss, Balance Sheet, Cash Flow and Capital Additions. ii. each report to have a Section for the Month, Year To Date and Annual Comparisons. iii. Each Section must have the Actual and Budget Comparison. iv. Each Section is to have where possible comparative figures for at least four prior years.
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41. DISSOLUTION

Minute Date	Minuted By-Law
Nil	Nil

42. INTERPRETATION OF THE CONSTITUTION

Minute Date	Minuted By-Law
Nil	Nil

43. ALTERATION TO CONSTITUTION

Minute Date	Minuted By-Law
Nil	Nil

44. COMMON SEAL

Minute Date	Minuted By-Law
Nil	Nil

45. DEBENTURES

Minute Date	Minuted By-Law
Nil	Nil

46. LEVIES

Minute Date	Minuted By-Law
Nil	Nil

47. SUPPLY AND SALE OF LIQUOR

Minute Date	Minuted By-Law
10 April 2017	The Bar will be operated in accordance with the Club's Bar Management Business Operations Manual
10 April 2017	No 18 th or 21 st birthday parties shall be allowed

48. MISCELLANEOUS

Minute Date	Minuted By-Law
Nil	Nil

EXECUTION OF BY-LAWS

These By-Laws replace all prior By-Laws and amendments as of the date below and at the time of its adoption constitutes the only By-Laws of the Mundaring Sporting Club Incorporated.

<u>President</u>	<u>Vice President</u>
Signature: <input type="text"/>	Signature: <input type="text"/>
----- - Name	----- - Name
-----/-----/----- Date	-----/-----/----- Date