



Willoughby Legion Ex-Services Club Ltd

## **Club Willoughby By-Laws**

Adopted by the Board of Directors of Club Willoughby pursuant to the Club Willoughby Constitution and the Registered Clubs Act 1976 (NSW).

### **1. Preliminary**

These By-Laws regulate the conduct of members, guests, and visitors on Club premises. These By-Laws are binding on all members and their guests.

The Board of Directors may amend, add, or repeal By-Laws at any time, provided they do not conflict with the Constitution or legislation.

A copy of these By-Laws will be made available at reception, on the Club's website, and upon request.

### **2. Membership Categories (as defined in Clauses 9; 10; 11; 12 and 13 of the Club Willoughby's Constitution):**

- a. Ex-Service Members
- b. Ordinary Members
- c. Life Members
- d. Provisional Member
- e. Honorary Members
- f. Temporary Members

### **3. Membership Rights & Obligations**

Members must carry their membership card while on premises.

Under no circumstances are Membership cards to be loaned or transferred.

A member found lending his or her card or to another person or using the membership card of another person will be subject to disciplinary proceedings under the Constitution, which may include immediate suspension pending determination by the Board or disciplinary committee.

### **4. Renewal & Fees**

For the purposes of Section 30 (2B) of the Registered Club Act, membership renewal fees are set by the Board and in accordance with Club Constitution.

Failure to pay membership and/or renewal fees within the prescribed period may result in suspension or cancellation of membership and all privileges of membership of the Club.

## **5. Resignation**

A member may resign their membership by giving notice in writing to the Club or returning their membership card to the club and clearly indicating to the Club that they resign from membership.

## **6. Disciplinary Matters**

The Board may discipline a member who breaches the By-Laws or engages in conduct unbecoming of a member or prejudicial to the Club, in accordance with Clause 19 of the Club's Constitution.

Below is a list of penalties that are intended as a guide only for various offences. The Board or disciplinary committee is not bound to follow the guide and retains a discretion, on a case-by-case basis, to determine the penalty, taking into account mitigating factors and any other relevant matters. If an early guilty plea or attendance at the disciplinary hearing (with remorse) occurs the Board or disciplinary committee may consider this in deciding whether or not leniency should apply based on the severity of the offence.

Charge table	Penalty
Physical Assault	1 year to 5 years
Verbal Assault	6 months to 5 years
Disparaging remarks towards the Club, Directors, Management or staff through any means, namely verbal or written including social media avenues	1 year to membership termination
Damage to Property	1 year to 5 years
Asked to Leave due to approaching intoxication or other (Single or multiple occurrences)	6 months to 5 years
Use of another person's membership card	1 year to 5 years
Theft	1 year to 5 years
Breach of Gaming Machines Playing Conditions:	1 year to 5 years
Place the Club in potential breach of: • Registered Clubs Act • Gaming Machines Act • Liquor Act • Or any other Act in force the Club is bound by	5 year to membership termination
Place the Company Secretary or any Approved Manager in a position of a 'Strike' under the Liquor Act, Part 9A, Disciplinary Action – 3 Strikes.	5 year to membership termination
Any breach of Club Regulation or By-Laws not listed above	6 months to 5 years

Repeat Offenders: • First instance	• Penalty doubled
Repeat Offenders: • Second instance	• Membership terminated
Attempt to re-enter or found on premises while on suspension: • First instance	2 years
Attempt to re-enter or found on premises while on suspension: • Second instance	Membership Terminated

Decisions of the Board are final, subject to any rights under the Constitution or law.

## 7. Guests and Visitors

### a. Guest Admission

Members introducing guests must:

Sign them in via the Club's approved guest register, and

Remain with them while on the premises.

Guests must leave the Club when the introducing member departs.

### b. Visitors

All bona fide visitors of the Club may enter as visitors, and sign in the Club's approved guest register in accordance with the Registered Clubs Act, which no longer requires visitors who reside in a 5KM radius of the Club to be a member or be signed in by a member.

### c. Minors

Persons under 18 may only enter areas designated by law and be accompanied by a responsible adult at all times.

## 8. Dress Standards

Members and guests must be neat, clean, and suitably dressed. The following are not permitted unless otherwise approved:

Offensive or obscene clothing

Swimwear

Bare feet

Soiled clothing

Management and security staff reserve the right to refuse entry based on dress standards.

Patrons wearing flip flops (thongs) are permitted entry into the club until 8pm and are permitted to stay in the Club if they gained entry before 8pm.

## **9. Conduct and Behaviour**

All members and guests must behave in a courteous and respectful manner.

- a. In accordance with Rule 22 the Club's Constitution and section 77 of the Liquor Act, the CEO and or their delegate, has the power to refuse to admit and or remove a member (including a Temporary and/or Provisional member) or a guest from the premises for the reasons as set out in Rule 22 including if the member is intoxicated, violent, disorderly or quarrelsome
- b. While not a complete list of the type of behaviour which will not be tolerated in the Club some examples are intoxication; violent acts; refusal to comply with a lawful direction of the CEO (or their delegate); assisting under-age guests to access alcoholic liquor; use or supply of any illegal substance; engaging in anti-social behaviour, disorderliness, or offensive language.
- c. The type of conduct referred to in paragraph (b) is an offence for which a member or guest may be asked to leave Club premises and/or be cited to appear before the Board to show cause why the member or guest should not be reprimanded, suspended, or expelled from membership.
- d. No political or religious matters shall be promoted or displayed on Club premises unless in a private function in the Club's Event's Centre.
- e. No member is permitted to enter the kitchen, the bar or any employee back of house area.
- f. All members are required to conduct themselves in a proper manner. Members are responsible for the conduct of their guests.
- g. A member shall not sign in or attempt to sign in as a guest to the Club any member whose membership is currently under suspension or any member who has been expelled from membership of the Club.
- h. No advertisements of any kind shall appear on the Club premises nor may any goods or services be offered for sale without the prior approval of the CEO or their authorised representative.
- i. Unauthorised gambling is forbidden on the Club premises.
- j. A member has engaged in conduct that is unbecoming of a member if that member says or does anything or engages in any conduct on any 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 in any way.
- k. Patrons may not remove empty beverage containers from the Club premises for any reason whatsoever. Any bottle of a beverage consumed on the Club premises remains the property of the Club. Any member causing damage to the Club's property may be suspended immediately and required to fully compensate the Club for the value of all damage caused
- l. A person on club premises shall not solicit money/cigarettes and/or any items of food or beverage.
- m. Only (alcoholic and otherwise) beverages purchased from the Club may be consumed in the Club.
- n. Only food purchased from the Club may be consumed in the Club
- o. Members and guests are not permitted to leave the premises with any opened alcoholic beverage container with the exception of bottled wine if it has been re-capped or re-corked and is removed from the premises during licensed take-away hours only

## **10. Responsible Service of Alcohol (RSA)**

- a. The Club practices RSA in accordance with the Liquor Act 2007 and the Club's Responsible Service of Alcohol Policy (available in the Club Policies section of the Club's Website).

- b. Staff have the authority to refuse service and request any person to leave.
- c. The Club may impose drink restrictions during peak periods or special events.

**11. Responsible Conduct of Gambling (RCG)**

- a. The Club practices RCG in accordance with legislation and the Club's Responsible Conduct of Gaming Policy and Gambling Plan of Management (both available in the Club Policies section of the Club's Website).

**12. Smoking**

- a. Smoking is prohibited in all indoor areas.
- b. Smoking is only permitted in designated outdoor smoking areas in compliance with the Smoke-free Environment Act 2000.
- c. E-cigarettes and vaping are subject to the same restrictions as smoking.

**13. Complaints and Disputes**

- a. Complaints must be made in writing to the Secretary.
- b. Members must not reprimand staff directly; all concerns are to be directed through management.
- c. Disputes between members will be handled in accordance with the Constitution and the Registered Clubs Act.

**14. Lost Property**

- a. Lost property must be handed to reception.
- b. The Club will hold lost property for 30 days before disposal.

**15. Trade Competitions**

- a. Unless otherwise specified, trade competitions are limited to financial members as defined by the Club's Constitution.
- b. Directors, employees and their immediate families are ineligible to participate in trade competitions operated by the Club.
- c. Contractors/sub-contractors engaged by the Club are ineligible to enter into trade competitions conducted by the Club.

**16. Elections of the Board**

- a. Any nominee for election to the Board shall be required to meet all requirements under rules 27 and 27A of the Club's Constitution.
- b. Complete a declaration in the form nominated for the time being by the Board for this purpose, and shall, in accordance with the timetable as provided, lodge the completed form with the Chief Executive Officer of the Club.

## **17. Assistance and Service Dogs**

Club Willoughby fully supports the rights of individuals accompanied by Assistance Dogs (also referred to as Service Dogs). These dogs are specially trained to assist a person living with a disability and are protected under the Disability Discrimination Act 1992 (DDA).

Conditions of Entry for Assistance Dogs:

- Assistance Dogs are permitted in all areas of Club Willoughby where the public is normally allowed to go.
- The dog must be:
  - \* Trained by, or currently in training with, an accredited organisation (such as those recognised by Assistance Dogs International or the State Government).
  - \* Fully assessed and re-accredited annually via the Public Access Test.
- Handlers may be asked to provide appropriate identification, such as:
  - \* A distinctive vest, harness, or collar from the training organisation.
  - \* An official ID card or documentation verifying the dog's assistance status.

## **Emotional Support Dogs**

While Club Willoughby acknowledges the important role Emotional Support Dogs (ESDs) play in the wellbeing of individuals, under Australian law, ESDs are not recognised as Assistance Dogs and therefore do not have Public Access Rights under the Disability Discrimination Act (DDA). As such, ESDs are not permitted entry into Club Willoughby. Exceptions may be made only where a designated area has been allocated for a specific function or event, and prior approval has been obtained from Club Willoughby management. In these instances, the ESD must remain under the supervision of its owner, at all times.

## **Club Willoughby's Responsibility**

Club Willoughby upholds its obligation to accommodate persons with disabilities, accompanied by assistance dogs. However, in line with Club Willoughby's responsibility to maintain a safe and enjoyable environment for all guests, Club Willoughby reserves the right to request the removal of any dog (including assistance dogs) that:

- Behave in a manner that is disruptive, interfering, threatening, or aggressive
- Causes fear or discomfort among other patrons
- Fails to remain on a lead or harness, under the effective control and direct supervision of the handler (at all times)

## **18. Amendments**

- a. These By-Laws may be amended by resolution of the Board.
- b. Members will be notified of significant changes via noticeboards, or the Club website.

## **19. General**

- a. The Club reserves the right to refuse entry to any person.
- b. These By-Laws operate in conjunction with the Constitution and all relevant legislation.
- c. In the event of inconsistency between these By-Laws and legislation, the legislation prevails.