

## **By-law #13**

### **Disciplinary Matters and Terms of Reference for the Disciplinary Committee**

**Committee:** Disciplinary Committee

**Authority:** BOD 21.01

**Replaces:** 18/08/2021

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**Effective:** 28/01/21

1. Definitions are as listed in the Club Constitution. "Committee" means this Committee. "Secretary" means the General Manager and includes an authorised deputy.
2. Section 49 (d) of the Club's Constitution authorises the Board to appoint a Disciplinary Committee "to exercise the Board's powers in relation to disciplinary proceedings". The actions of the Committee are therefore actions of the Board.
3. The Board may appoint a sitting Chairperson for the Committee. The Chairperson will invite at least two other fellow Board members onto the Committee for each of its meetings.
4. The mechanisms of sections 49 and 50 of the Constitution ensure that a disciplinary penalty that suspends a Member's privileges (other than the 7-day period authorised to the Senior Employee on duty by section 50 of the Constitution) must be effected by the Committee or by the Board. They do not replace the powers of the Captain, Section Captains or Match Committees to apply penalties as contained in the R&A/USGA Rules of Golf. Nor do they impair the ability of the Secretary to issue a recorded caution to a member that an indictable offence has been reported.
5. The decision to charge a member will be made by the Secretary, or by their deputy if the Secretary is absent or is to give evidence, and the President. The decision to charge a member will be considered on the merit of the evidence on hand.

6. The notifying letter to the member will be issued by the Office of the Secretary once a date for the hearing has been fixed by the Chairperson of the Committee. The Board delegates to the Secretary or their deputy the authority to extend any temporary suspension of membership to the date of the hearing.
7. Meetings of the Committee will be only to consider a specific charge of misconduct brought against a Member, including a hearing to determine both guilt and the penalty to be applied. The Committee may elect to refer a charge back to the full Board if a majority of its members considers the matter to be of particular seriousness.
8. The Constitution (sections 49 and 50) lays out in full the conduct of any meeting of the Committee, being the same as when the full Board might conduct a hearing.
9. The Committee will defer to any decision of the full Board prior to a hearing.
10. The members of the Committee will vote by a show of hands.
11. The Secretary is to provide administrative support to the Disciplinary Committee and is entitled to attend any hearing if a staff member is being called to give evidence.
12. If a member is ejected from the licensed premises of the Club, the senior employee who effects the ejection should make it clear to the member if the ejection is for 24hrs under the Liquor Act or is a temporary (7 day) suspension of membership as per section 50 (d) of the Constitution. The senior employee is empowered to confiscate the membership card of the person so ejected.
13. **Duration of Penalties**  
 If a member who is serving a period of suspension either resigns from the Club or allows their membership to lapse, and sometime after applies to re-join the Club, then:
  - i) the Board directs that they will not be granted provisional membership, and
  - ii) their application, if it is still within the period of suspension ordained by the Committee, may/will be rejected by the Secretary, and if not so rejected,
  - iii) the application will be individually tabled at the next Board meeting.

If a member who has been expelled applies to re-join the Club, paragraphs i) and iii) above will apply.
14. **Privileges of Membership**  
 For all adult Members, Golfing and Social:
  - a) To enter the licensed premises of the Club
  - b) To purchase food and beverages in the premises at the Members' rate
  - c) To purchase and consume alcoholic beverages in the premises
  - d) To enter and use the gaming areas of the Club
  - e) To enjoy other pastimes and entertainments provided.

For Golfing Members:

  - f) To be granted a Golfing Australia (GA) handicap
  - g) to enter competitions for which a GA handicap is a requirement
  - h) to play the course or practice areas without needing to pay green fees on those days specified by their class of Golfing membership

- i) to play the course by paying a Member's rate of green fees on days when their class of membership does not give relief from green fees i.e Saturday and Sunday.

Authenticated  on this day   
C Flynn, President