



Returned and Services League of Australia (Queensland  
Branch) Geebung Zillmere Bald Hills Aspley Sub Branch  
Inc.

By-Laws

By Laws Amendment and Review Status

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## **INTRODUCTION**

These By-Laws are made by the Board of the Returned Services League of Australia (Queensland Branch) Geebung Zillmere Bald Hills Aspley Sub Branch Inc pursuant to the power conferred upon the Board by the Constitution.

The Board may alter or repeal a By-Law as it may deem necessary or expedient for the proper conduct and management of Geebung RSL.

These By-Laws shall come into force and be duly operative on approval of the State Branch.

These By-Laws are to be read subject to the Constitution of the Returned Services League of Australia (Queensland Branch) Geebung Zillmere Bald Hills Aspley Sub Branch Inc. In the event of inconsistency, the Constitution shall prevail.

These By-Laws are binding on each Member of Geebung RSL in the same manner as if each Member has subscribed his/her name thereto.

## **1. GENERAL**

### **1.1 Sub Branch Board of Directors**

The Sub Branch Board of Directors shall consist of ten (10) members: President, Treasurer, Secretary and no more than seven (7) Directors.

### **1.2 Closing Dates for Nominations**

All nominations shall close at midday on the Friday prior to the General Meeting held before the AGM.

### **1.3 Notification of Nominees**

The names of those members nominated for positions on the Board of Directors are to be read out at the General meeting prior to the AGM. A list of these nominations is to be displayed on Geebung RSL's main notice board.

### **1.4 Delegates to Brisbane North RSL District**

The Sub Branch President shall be the delegate to Brisbane North RSL District. A ballot shall be conducted at the AGM to elect the Alternate Delegate.

## **1.5 Trustees**

The Sub Branch Trustees shall be the President, Treasurer, and Secretary.

## **1.6 Sub Branch Contributions to Sub Branch Members Funerals**

The Sub Branch shall contribute the following amounts to the “wake” of the deceased Sub Branch Member providing the wake is held on the premises of Geebung RSL.

**The Board will be responsible in determining the amounts to be spent at the individual wakes.**

- a) Non Active Sub Branch Member: \$200.00
- b) Long standing active Sub Branch Member \$250.00

## **2. DUTIES OF OFFICERS**

### **2.1 President**

#### **2.1.1 Nominal Head of Geebung RSL**

The President shall be the nominal head of Geebung RSL and shall be an ex officio Member of all Sub-Committees of Geebung RSL except the Judiciary Committee.

#### **2.1.3 Authority on Questions of Order**

The President shall have unlimited authority on every question of order, provided that such authority shall be exercised in a fair and unprejudiced manner towards all Members in accordance with the rules of debate as per the Constitution.

### **2.2 Deputy President**

#### **2.2.1 Roles and Responsibilities**

The Deputy President shall assist the President and shall deputise for him in his absence. He shall carry out special assignments as directed by the President or the Board of Geebung RSL or the Executive Committee.



## **2.3 Senior Vice President**

### **2.3.1 Roles and Responsibilities**

The Senior Vice President shall assist the President and shall deputise for him in his absence and in the absence of the Deputy President. He shall carry out special assignments as directed by the President or the Board of Geebung RSL or the Executive Committee.

## **2.4 Returning Officer**

### **2.4.1 Appointment of and Assistance Provided by Returning Officer for Annual General Meetings (AGM)**

- a) The Board of Geebung RSL shall appoint a Returning Officer at least one (1) month before the first Annual General Meeting, and the appointment shall be for a period of 12 months.
- b) The Returning Officer shall assist the Secretary in the duties as per the requirements of these By-Laws.
- c) The appointment can be terminated at the sole discretion of the Board of Geebung RSL. The Board of Geebung RSL shall appoint a returning officer on an interim basis in the event the original appointee dies, resigns or is dismissed.

### **2.4.2 Recording of Nominations by the Returning Officer**

In accordance with the Constitution the Returning Officer shall assist the Secretary by making sure that:

- a) All nominations for the election of officers duly proposed and seconded are lodged with the Secretary by the due date (one month before the AGM). He shall keep a record of those nominations which are received after the due date, for the assistance of the Chairman of the AGM.
- b) Candidate' names are posted at least fourteen (14) days prior to the AGM.
- c) Balloting lists in alphabetical order are prepared from the list of candidates.
- d) Only those entitled to vote at the AGM are issued with a ballot paper for the election of officers.

### **2.4.3 Roles and Responsibilities of the Returning Officer**

The Returning Officer, at the AGM, is responsible to the Chairman of the Meeting in the exercise of the following duties:

- a) With the assistance of such Scrutineers as may be required, carry out the ballot in an orderly fashion, ensuring the votes are correctly cast.
- b) With the assistance of Scrutineers, to make an accurate count of the votes cast and to inform the Chairman of the result. On the motion of the Meeting, to destroy the ballot papers.

**Note:** Neither the Returning Officer or Scrutineers shall not be a candidate or mover or seconder in any ballot for the election of Officers.

#### **2.4.4 General Duties at Meetings**

The Returning Officer shall assist the Chairman at all Meeting of Geebung RSL, with respect to voting procedures. Particular reference should be made to the Constitution relating to secret ballots.

### **3. SUB COMMITTEES**

#### **3.1 Composition and Membership of Sub Committees**

- a) The Composition and Membership of Sub-Committees shall be prescribed by the Board of Geebung RSL.
- b) Membership of Sub-Committees may be drawn from Members of Geebung RSL.
- c) A Member appointed to a Sub-Committee shall retain their appointment to that Sub-Committee only whilst they retain their Membership of Geebung RSL, provided that the Board of Geebung RSL, at its discretion, may remove any Member from Membership of a Sub-Committee.
- d) It shall be the duty of the Secretary to refer for consideration and recommendation all matters properly relating to the jurisdiction of each Sub-Committee.
- e) A quorum for a meeting of a Sub-Committee shall be the nominated positions plus one.
- f) A Sub-Committee may at its discretion co-opt the services of any other Member of Geebung RSL or other person to assist in its deliberations, but such co-opted Member or person shall have no voting rights in relation to any decision to be made by the Sub-Committee.
- g) Reports and recommendations of Sub-Committees shall be presented in writing to the Board of Geebung RSL for approval.
- h) All positions on all Sub-Committees shall become vacant at the next Annual General Meeting.

## **4. DISCIPLINE**

### **4.1 Commitment to a Safe and Secure Environment**

Geebung RSL is committed to providing a safe and secure environment for all Members, Guests and Visitors of the Incorporated Association. Geebung RSL provides guidance, by-laws and procedures which assist in providing fairness, equity and consistency in the conduct of its operations. Where there is a need to resolve disputes or impose discipline, the Geebung RSL applies three very important principles.

### **4.2 Principal of Procedural Fairness**

The first principle in resolving disputes is "procedural fairness" which is sometimes referred to as "**natural justice**". Procedural fairness has three basic parts:

- a) Firstly, the affected person shall be given the opportunity to know and understand the case against them, and to state their case in response;
- b) Secondly, the decision maker shall be impartial, unbiased and have no personal stake or interest in the matter being decided; and
- c) Thirdly, the decision maker shall act only on relevant information or evidence.

### **4.3 Offences Committed by Members, Guests or Visitors**

Offences committed by any Member, Guest or Visitor whilst on licenced premises (including car parks) shall be dealt with as provided for within this By-Law or any other By-Law which is considered relevant to the offence.

### **4.4 Natural Justice**

The Judiciary shall deal fairly and reasonably with all disciplinary matters concerning Members, Guests and Visitors. The Board is bound by law to ensure that "An incorporated association shall be bound by the rules of natural justice when adjudicating on the rights of its members conferred by the rules of such association on its members".

#### **4.4.1 Rules of Natural Justice**

The rules of natural justice that apply in disciplinary procedures concern the rights of a Member/s. Those rights require that they are:

- a) Provided with adequate notice and particulars of the allegations made against them
- b) Given the opportunity to answer the allegations; and
- c) Receive a fair and unbiased hearing to determine the allegations.

**Note:** For the purpose of this By-Law "entry rights" means a Member's right of access to Geebung RSL premises; and/or to use and enjoy Geebung RSL facilities and equipment.

## **4.5 Removal and Suspension of Persons from the Premises**

The General Manager, the Operations Manager, any nominated Duty Manager and any other person authorised by the Board or the General Manager for the purpose of this By-Law, may suspend any Member, Guest or Visitor Entry Rights if that person believes, on reasonable grounds, that the Member, Guest and/or Visitor may be guilty of any conduct unbecoming of a Member (Misconduct).

### **4.5.1 Assistance Required from Police for Removal of Offender/s**

Should the need arise to seek assistance to remove the offender/s from the premises then Queensland Police shall be called to assist. The General Manager shall make arrangements for a copy of the Police report, or a case number is obtained as soon as possible and forwarded to the Secretary, along with the Offence Reports.

### **4.5.2 Suspension of Membership**

- a) Any Member removed from the premises shall have their membership suspended and the suspension shall remain in force until the next meeting of the Board, where the matter may be referred to the Judiciary, and the member shall be notified of the requirement to attend a disciplinary hearing.
- b) Where a Member cannot attend a Judiciary hearing, due to ill health or family reasons, the member shall make arrangements to notify the Secretary. The Secretary shall liaise with the Member and arrange a date suitable for the Member to attend the Judiciary. The Secretary shall then notify the Judiciary on the change of date so that the matter can be dealt with.

## **4.6 Judiciary**

### **4.6.1 Reporting Misconduct to the Secretary**

The General Manager or their delegate shall report all misconduct matters occurring on the licenced premises of the Club involving any Member, Guest or Visitor directly to the Secretary. The typed report shall be submitted using the Geebung RSL current Incident report form.

#### **4.6.2 Secretary to Inform the Board**

The Secretary shall inform the Board of breaches of misconduct. The Board may refer the matter to the Judiciary for adjudication.

#### **4.6.3 Reason for Exclusion of Judiciary Member/s**

Members of the Judiciary, who were involved or were a witness of the alleged incident or may have a conflict of interest, are not to sit on the Judiciary panel.

#### **4.6.4 Judiciary to Provide Independent Report**

The Judiciary is directly responsible to the Board for providing an independent report with suitable actions regarding suspensions or otherwise based on the evidence provided.

#### **4.6.5 Appointment of the Judiciary**

The Judiciary shall comprise of five (5) or more Members of Geebung RSL. The appointment of Judiciary Members shall be reviewed on an annual basis with names of persons nominating for Judiciary to be provided following Geebung RSL's Annual General Meeting. The names of those nominating for the Judiciary shall be reviewed by the Board for ratification and approval.

#### **4.6.6 Composition of the Judiciary**

The make-up of the Judiciary as appointed by the Board shall be as follows:

- a) Chairman; Member of Geebung RSL (Not a Director of the Board)
- b) A Secretary appointed from within the panel
- c) Any three (3) or more Members of Geebung RSL

### **4.7 Members Committing Offences**

#### **4.7.1 Process for Proceeding with Charge/s for Alleged Offence/s**

Once the Board has made a decision as to whether to proceed with the charge/s, the Secretary shall make the necessary arrangements to notify the Member in writing of the charge/s and/or allegation/s and the date and time the matter shall be heard.

#### **4.7.2 Notification by Secretary to Member/s Committing Offence/s**

The Secretary shall ensure the Member shall have at least fourteen (14) full days from receipt of that notification, to present to the Judiciary for the hearing.

#### **4.7.3 Member/s Rights Regarding Contacting Secretary for Copies of Relevant Information on Alleged Offence/s**

The Secretary shall also advise the Member of their right to contact the Secretary for copies of reports of the alleged offence/s. All copies of reports are to be de-identified for the purpose of confidentiality.

#### **4.7.4 Preparation of Reports by Secretary for Judiciary**

The Secretary shall arrange for the preparation of all reports (must be typed) for the Judiciary and shall notify the Judiciary of the time and date of the hearing and provide them with all relevant information regarding the incidents.

### **4.8 Defining a Guest and/or Visitor to Geebung RSL**

#### **4.8.1 Visitors to Geebung RSL**

Visitors can be either on a reciprocal Club basis or a person as defined by the current Liquor Act.

#### **4.8.2 Guests of Geebung RSL**

Members are responsible for Guests that they sign into the Geebung RSL and as such, the Guest can only remain within the premises whilst the Member who signed them in remains on the premises.

#### **4.8.3 Disciplinary Procedures for a Guest to Geebung RSL**

- a) Disciplinary procedures against a Member's Guest shall be the same as for a Member provided an address can be obtained.
- b) The Board shall determine if disciplinary action is required against the Member. Where disciplinary action is required, the Member shall be dealt with in accordance with the disciplinary requirements of this By-Law.

#### **4.8.4 Disciplinary Procedures for a Visitor to Geebung RSL**

If the Person is a Visitor as defined by the current Liquor Act or a Visitor from a reciprocal Club, the Board is to determine the appropriate action and the Visitor informed by letter by the Secretary forwarded to the Visitors address if available. Should that address not be available then the Secretary is to complete a check of the visitors register to attempt to ascertain the identity of the Member of the Club that signed that Visitor into the premises on the day in question.

## **4.9 Disciplinary Hearing**

### **4.9.1 Member, Guest or Visitor not presenting themselves to Disciplinary Hearing**

Should the Member, Guest or Visitor accused of the alleged offence/s not attend the hearing after having been sent adequate notice as required by 4.6.3 of this By-Law, the matter shall be dealt with by the Judiciary in the absence of the accused.

### **4.9.2 Secretary to Inform Member, Guest or Visitor of Decision by the Judiciary**

The Secretary is to inform the Member, Guest or Visitor in writing of the Judiciary's decision and any further requirements or action.

**Note:** Any decision of the Judiciary is to be ratified as a matter of process at the next meeting of the Board.

### **4.9.3 Attendance by Member, Guest or Visitor at Judiciary Hearing**

If the Member, Guest or Visitor attends the Judiciary hearing, the hearing should proceed as follows:

- a) Minutes of the hearing are to be kept in the format of a recording and if required any other written notes
- b) The Judiciary is introduced to the accused by the Chairman;
- c) The charge/s and/or allegation/s and evidence are presented to the accused who is asked to confirm that the charge/s or allegation/s as presented are understood.
- d) The accused is asked to submit a defence. No time limit shall be imposed on the accused and the accused may produce evidence and/or witnesses at the hearing to support their case;
- e) The accused may obtain legal advice on the matter, however, shall not be allowed legal representation at the Judiciary
- f) Witnesses brought to the hearing by either the Geebung RSL or the accused may be cross-examined by either party. This cross-examination is not formal and must be kept simple and relevant
- g) Once the accused has concluded a defence, the accused is asked by the Chairman to leave the room whilst the Judiciary considers its decision.
- h) Once the accused has closed their defence, the Judiciary is to deliberate on the evidence presented at the hearing and reach a decision of either:
  1. Dismissal of the allegations;
  2. Impose a caution or a reprimand;
  3. Suspend the Member for a period of time as determined by the Judiciary;
  4. Termination of Membership and/or expulsion from Geebung RSL.

#### **4.9.4 Decision by Judiciary**

Upon reaching a decision by a majority of the Judiciary, the Chairman is to ask the accused to return to the Judiciary meeting where the Chairman is to inform the accused of the decision of the Judiciary and that;

- a) This decision shall be provided to the Secretary as a matter of record.
- b) The accused shall also be notified by the Secretary the decision by mail; and,
- c) Any current suspensions shall remain in place until notified otherwise by the Secretary.
- d) If the Judiciary makes and recommends a decision to suspend Membership, terminate Membership, or expel a guest or Visitor, this is to apply immediately and the guilty party is to return his Membership card immediately.

#### **4.10 Notification of Suspension or Expulsion**

##### **4.10.1 Secretary to Notify of Expulsion or Suspension**

The Secretary shall as soon as possible forward to a Member, Guest or Visitor expelled or suspended by the Judiciary a notice in writing of their suspension or expulsion and advise the General Manager of the decision of the Judiciary.

##### **4.10.2 The Secretary to Record Offences in Register**

The Secretary shall record and maintain pertinent details of expulsion/s or suspension/s in the register of offences. Staff members are to be advised only of the result of the findings for administration and entry purposes.

##### **4.10.3 Members Appeal against Expulsion**

A Member has a right of appeal to the Board of any decision made by the Judiciary. Formal notification shall be made by the Member to the Secretary who shall then notify the Board that the Member has taken up the option of right of appeal.

#### **4.11 Complaints and Grievances**

##### **4.11.1 Complaints against a Director**

Where a complaint has been made against a Director, the Board shall carry out compulsory mediation/conciliation procedures to resolve disputes. Where formal action needs to be taken the Board shall consider one of the following options:

- a) The matter shall be dealt with by the Board
- b) The matter shall be dealt with under Geebung RSL By-Law 4. Discipline



- c) The matter shall be forwarded to the State Tribunal Registrar to be dealt with under By-Law 7.4 by the RSL (Queensland Branch) Tribunal

#### **4.11.2 Members of Geebung RSL (Complaints against Staff)**

Members shall not reprimand or interfere with Staff Members. If a Member has cause of complaint, that complaint is to be put in writing and submitted to the General Manager.

#### **4.11.3 Staff Member: Complaints against Management or any other Member**

Any Staff Member that has a grievance with Management or any other Member, which has not been resolved through the Supervisor/General Manager process, may place the grievance in writing to the Secretary.

#### **4.11.4 Secretary Receiving a Grievance from a Staff Member**

The Secretary shall on receipt of any grievance, which cannot be managed through the Supervisor/ General Manager Process shall immediately contact the Executive of the Board who shall appoint independent mediator to assist in resolving the matter.

#### **4.12 Return of Geebung RSL Property by Members**

Any Member that has their Membership terminated under this By-Law or By-Law 7 of the State By-Laws shall immediately deliver up to the Secretary or General Manager, any item or property owned by Geebung RSL.

### **5. SPORTS COUNCIL**

#### **5.1 Sports Council Chair/Meetings**

The Sports Council of Geebung RSL shall be chaired by the President or nominated Board Member of Geebung RSL and shall meet regularly, at least once every two months unless otherwise notified.

#### **5.2 Sports Council Committee**

The Geebung RSL Sports Council Committee shall consist of:

- a) A Chairperson who is a member of the Board, appointed by the President of Geebung RSL
- b) An Assistant Chairperson who is a member of the Board, appointed by the President of Geebung RSL
- c) Treasurer of Geebung RSL.

- d) Two (2) members from each Geebung RSL Sports Clubs. The appointment of Members from Geebung RSL Sports Club's to the Sports Council Committee shall be ratified by the Board of Geebung RSL.
- e) An elected Secretary responsible for recording and distribution of minutes.

### **5.3 Sports Council Reports to the Board**

The Geebung RSL Sports Council Chairman shall report to the Board of Geebung RSL on a monthly basis.

## **6. MEMBERSHIP**

### **6.1 Service Member**

A Service Member is a person who is a Member of the Sub Branch or is eligible to be a Member of the Sub Branch conditional to meeting eligibility and criteria requirements for membership as detailed in the Geebung RSL Sub Branch Constitution.

### **6.2 Service Life Subscriber**

A Service Life Subscriber is a person who is a member of Geebung RSL Sub Branch and has paid their membership for life to the RSL league.

### **6.3 Associate Members**

Any Service, Life Subscriber or Life Member who is a member of any Sub-Branch in Australia, which for the sake of clarity is not the association (Associate's Sub-Branch), may apply to be admitted as an Associate Member of Geebung RSL Sub Branch and in accordance with the Sub Branch Constitution Rule 12.

### **6.4 Affiliates**

An affiliate is a person who has been approved as an affiliate and admitted to the Geebung RSL Sub Branch and in accordance with the Sub Branch Constitution Rule 13.

**Note:** An affiliate cannot vote on Sub Branch matters, however is eligible to vote on Geebung RSL matters.

## **6.5 Service Life Members**

Service Life Members are Members of the RSL League who are recognised for their outstanding contribution within the RSL league. Service Life members can be identified by the RSL Badge of Life Membership.

## **6.6 Social Members**

A Social Member is a person who has been approved for membership by the Board after meeting criteria and eligibility requirements. A Social Member is a person who:

- a) Is not eligible or chooses not to be to be a Service Member of the League
- b) Is over the age of eighteen (18) years
- c) Has signed a Social Member Application Form
- d) In the opinion of the Board, is a fit and proper person to be a member of Geebung RSL
- e) Has paid the applicable membership fee and
- f) Shall abide by the rules contained in Annexe 1 of the Geebung RSL Sub Branch Constitution.

## **6.7 Social Life Members**

Social Life Members are Members of Geebung RSL who are recognised for their outstanding contribution within Geebung RSL. Life Members can be identified by the Social Member Badge of Life Membership. Social Life Members shall be exempt from paying club subscriptions.

## **6.8 Temporary Members**

A person is eligible to be a Temporary Member if the person meets any of the following criteria:

- a) Overseas or interstate visitors, or intrastate visitors whose principal place of residence is located at least 15 kilometres from the club for a period of one day at a time only;
- b) Members of other similar Sub-Branches and their guests (at a limit of two (2) guests per member) provided that appropriate reciprocal rights are in force with those Sub-Branches for a period of one day at a time only;
- c) Members of a Club where reciprocal rights are in place with Geebung RSL for a period of one day at a time only;
- d) Persons who have made application for membership who have also paid the applicable membership fee, during the period they are awaiting a decision from the Board.
- e) Members of other similar Sub-Branches or Clubs who are either the managers of members of sporting teams visiting the association's premises for the purpose of taking part in sporting competitions or social functions, for the days of the competition or function only.

**Note:** Temporary Members must provide adequate proof that they fall within at least one of the above categories.

**End of By-Laws**