

**RETURNED & SERVICES LEAGUE OF AUSTRALIA (QUEENSLAND BRANCH)
BEENLEIGH AND DISTRICT SUB BRANCH INC.
TRADING AS BEENLEIGH RSL, BEENLEIGH RSL & GOLF CLUB**

By Laws

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1.0 By – Law 1

1.1 All matters of Discipline will be dealt with by a Sub Committee of 3 elected by the Management Committee. It will consist of 2 Committee Members and a third Member being an RSL Service, Life Subscriber or Life Member of the Sub Branch who is a qualified member of the Legal Profession, Judiciary or retired Judiciary. If there is not a suitable member to fill the third Committee position then a member of the Committee will be nominated. The President, Senior Vice President or Junior Vice President or in their absence another member of the Management Committee will chair the Committee. If a board member is the subject of a hearing then the President will chair the meeting.

1.2 This Rule applies in addition to any other Rule (including Uniform Rules).

1.3 For the purpose of these Rules:

“Entry Rights” means a Member’s right:

- a) of access to Sub Branch premises; and/or
- b) to use and enjoy Sub Branch equipment and facilities. “Authorised Officer” means:

A. The President

B. The Secretary

C. The General Manager employed by the Sub Branch; or

D. Any other person authorised by the Sub Branch

- 1.4 Despite anything to the contrary, the President, Secretary, any General Manager employed by the Sub Branch and any other person authorised by the Sub Branch for the purpose of this Rule (“Authorised Officer”) may do either of the following:
- a) immediately suspend a Member’s Entry Rights if the Authorised Officer believes that the Member may be guilty of conduct unbecoming a Member (“Misconduct”). The Authorised Officer must notify the Member that his or her Entry Rights are suspended; or
 - b) inform the member that his/her conduct will be the subject of a disciplinary hearing before the Disciplinary Committee.
- 1.5 A Member whose Entry Rights are suspended under this rule must immediately leave the Sub Branch premises and is not entitled to re-enter them until the suspension is revoked or lapses.
- 1.6 A Member who fails to leave the premises under this Rule may be removed, by force if necessary. The person removing the Member may obtain assistance from members of the Police Force.
- 1.7 Promptly after suspension of the Member’s Entry Rights, the Authorised Officer must prepare a report or reports (“Suspension Report”) of the circumstances of the suspension, including of the alleged Misconduct and provide report(s) to the Chairperson of the Disciplinary Committee. The Chairperson will convene a special meeting of the Disciplinary Committee within 21 days for the purpose of dealing with the alleged misconduct of the Member and advise the Secretary of the date time and place of the meeting.
- 1.8 The Secretary must give the member:
- a) at least 7 days’ notice of the time and place of the meeting;

- b) notice that the meeting will consider the allegation and determine whether the Member has been guilty of Misconduct; and
- c) advice that the Member may either at or prior to the meeting:
 - (i) request further particulars of the allegation against him or her;
 - (ii) put to the meeting such facts as he or she may consider relevant; and
 - (iii) address the meeting; and
 - (iv) a copy of the Suspension Report.

1.9 At the meeting of the Disciplinary Committee which considers the allegation of Misconduct against the Member:

- a) the Member must be given the opportunity to address the meeting and to present to the meeting such facts as the Member may consider relevant; and
- b) the Disciplinary Committee must determine whether it is satisfied that the Member has been guilty of misconduct.

1.10 If it determines that the Member has been guilty of misconduct, the Disciplinary Committee may:

- a) determine that the suspension of the Member's Entry Rights is to continue for a fixed period or until the Disciplinary Committee makes a determination to the contrary; or
- b) revoke the suspension; and
- c) make any other resolution provided for in Rule 15.

1.11

- a) subject to Rule 11(b) the Disciplinary Committee may adjourn its meeting for the purpose of undertaking further enquiries in connection with the alleged Misconduct or of considering its determination.
 - b) unless the Disciplinary Committee makes a determination to the contrary within two (2) months of the date of the alleged Misconduct, the Disciplinary Committee is taken to have found the Member not guilty of Misconduct and the suspension of the Member's Entry Rights lapses.
- 1.12 If the Disciplinary Committee determines that a Member has been guilty of Misconduct and to continue the suspension of a Member's Entry Rights, the Disciplinary Committee may impose conditions on the suspension, including for example, that a Member may enter Sub Branch premises but only for purposes connected with the business of the League.

1.13

- a) subject to Rule 13(b) any subsequent meeting of the Management Committee may revoke or vary any earlier determination made by the Disciplinary Committee under this Rule.
- b) a determination that a Member was not guilty of misconduct may not be revoked or varied.

1.14 If the Member determined to be guilty of misconduct is an RSL Service

1.15 Member, RSL Associate Member, RSL Life Member or RSL Life Subscriber then in addition to making a determination under Rule 11 the Management Committee may make a resolution provided for in the

Uniform Rules, including that the matter be referred to the State Branch.

1.16 If the Member determined to be guilty of Misconduct is a Club Associate Member, Club Social Member or Club Life Member then in addition to making a determination under Rule 10, the Management Committee may resolve to:

- a) issue a warning to the Member to improve his or her conduct; or
- b) terminate the membership of the Member.

1.17

- a) The rights of appeal provided for in the Uniform Rules apply to any resolution of the Disciplinary Committee covered by Rule 14.
- b) There is no right of appeal from any other determination or resolution of the Disciplinary Committee except termination of membership 15(b).

APPEALS AGAINST EXPULSION

1.18 Any person whose membership of the Sub Branch has been terminated under Rule 15(b) may within 7 days of receipt of a notice of such expulsion; lodge with the Secretary a written appeal against the decision of the Disciplinary Sub Committee.

1.19 The Secretary shall convene a meeting of the Management Committee within 2 months of the date of receipt of the notice of appeal against termination of Membership, to determine the appeal. At the meeting the Applicant will be given the opportunity to fully present the case in person or by written submission.

- 1.20 The appeal will be determined by a vote of members of the Management Committee present at that meeting and:
- a) if the majority vote for dismissal of the appeal, the expulsion shall continue in force and effect; or
 - b) otherwise the decision to terminate the Membership of the applicant may be revoked or varied in such manner as the Management Committee may, in its absolute discretion decide.

BANNING ENTRY – NON MEMBERS

- 1.21 This Rule applies to Member's guests and other persons who are not members of the Sub Branch ("Non-Members")
- 1.22 The Sub Branch may, in its capacity as the occupier of any premises and despite anything in these Rules, determine whether any Non-Member may enter those premises or impose conditions upon Non-Member's entry, as the Sub Branch sees fit.
- 1.23 In making any determination covered by this Rule, the Sub Branch is not obligated to give any reasons.
- 1.24 No member has any right of appeal or other recourse if the Sub Branch makes a determination covered by this Rule in respect of a Non-Member who is or is intended to be a guest of that member at Sub Branch premises.
- 1.25 Nothing in this Rule affects the rights of the Sub Branch or of a Member under any rule dealing with the discipline of Members or the suspension of Members Entry Rights.

2.0 By – Law 2

- 2.1 Any member who nominates for a position on the management committee will be ineligible if they are a committee member/ director of any club / company with which we have a contract or legal arrangement.