

Dated: 27<sup>th</sup> October 2021



Gregory Roberts  
Chief Executive Officer/Company Secretary

**BY-LAWS OF**  
**MURRAY DOWNS GOLF & COUNTRY CLUB LIMITED**

The Board of Directors of the Murray Downs Golf & Country Club Limited, pursuant to powers conferred on it by sections 26.10 to 26.13 inclusive of the Constitution hereby make the following By-Laws.

**BY-LAW I POKER MACHINE BY-LAWS**

General: These By-Laws shall be called the Poker Machine By-Laws.

1. Only notes and coins of legal tender are to be used to play poker machines except for those machines that accept the appropriate poker machine printed tickets.
2. If the poker machine is able to be operated without inserting a coin or note, it is the player's responsibility to report the malfunction.
3. If a poker machine overpays or pays on a non-winning combination it is the player's responsibility to report the malfunction.
4. Legal proceedings may be instituted against any person who is observed using any foreign object on, in, or near any poker machine which is used to cause the machine to malfunction.
5. Tilting, rocking or in any way damaging any poker machine in this Club is strictly prohibited.
6. Failure to report any malfunction of a poker machine in this Club may result in legal proceedings being instituted against the player or players.
7. No jackpot or winning combination will be paid to a player after closing time has been announced.
8. Any member violating these poker machine Rules may be liable to suspension or legal action.
9. Any visitor violating these poker machine Rules may be asked to leave the Club and the member who signed in the visitor may be liable to legal action or suspension.
10. Any Jackpot of \$5,000.00 or more may be payable by cheque within forty-eight (48) hours and will be mailed to the address shown in the Guest Register, or the address shown on the members record.
11. This Club reserves the right for poker machine staff to "KEY OFF" every jackpot, short pay or refill.
12. Any visitor playing poker machines may be asked to prove their identity to Club staff.
13. This Club reserves the right to refuse payment to ANY person, member or visitor, who is not abiding by any of the abovementioned Rules.
14. This Club also reserves the right to refuse any person, member or visitor, the right to play poker machines in the Club.
15. It shall be the responsibility of members to ensure that their guests abide by these Rules.

## **BY-LAW 2     DISPUTES AND COMPLAINTS**

All complaints shall be made to the Chief Executive Officer or Operations Manager of the Club who, if unable to satisfy them, shall submit them to the Committee. If it needs referral to the Committee, the complaint must be in writing so as to avoid misinterpretation.

## **BY-LAW 3     BREAKAGES OR DESTRUCTION OF PROPERTY**

No member of the Club shall remove, deface, tear or injure any article or property of the Club. Members breaking or injuring any articles the property of the Club, shall pay for the same.

## **BY-LAW 4     CONDUCT OF MEMBERS**

All Members are expected:

1. To conduct themselves in such a manner that will not put at risk the safety and well being of other members, visitors or employees.
2. To obey directions given by officials and employees of the club whilst on the golf course, surrounds or in the buildings.
3. To conduct themselves in such a manner that they do not interfere with or prevent other members or visitors, enjoying or using any of the club facilities
4. To refrain from interfering with or obstructing employees in performing their duties.
5. To report to the club any actions of members, employees or visitors that they deem to be offensive, damaging or not in the best interest of the club.

## **BY-LAW 5     JUNIOR PERSONS**

1. Anyone under the age of 18 years wanting to become a member of the Club or use the Club's facilities must obtain written consent from a responsible parent or guardian before being allowed to use any of the Club's facilities.
2. At all times, junior persons under the age of 18 years must be in the company and under the direct supervision of an adult whilst in the Club House or on any part of the Golf Club curtilage.

## **BY-LAW 6     DRESS REGULATIONS** **MURRAY DOWNS GOLF & COUNTRY CLUB and SWAN HILL CLUB**

1. Neat Casual at all times
2. No soiled or damaged clothing
3. No swimwear or leotards
4. No bare feet or moccasins
5. No clothing with offensive wording or images

### **RECEPTION STAFF & DOORPERSON WILL:**

Interpret these rules having regard to the general criteria, and have the discretion to make the decision. Any disputes will be adjudicated by the Duty Manager.

## **BY-LAW 7 COUNTRY CLUB SPORTS MEMBERSHIP SUBCATEGORIES**

### **1. Country Club Sports Member - Golf & Bowls**

- a) Members shall be persons who have attained the age of eighteen (18) years who are interested in golf or bowls and are elected to the Country Club Sports Membership of the Club.
- b) Country Club Sports Member - Golf & Bowls shall pay such joining fee (if any) and annual subscription as the board may determine from time to time.
- c) Country Club Sports Member - Golf & Bowls are entitled to use all playing facilities at the Club with all the playing rights and social privileges and advantages of the Club.

### **2. Country Club Sports Member - Golf**

- a) Members shall be persons who have attained the age of eighteen (18) years who are interested in golf and are elected to the Country Club Sports Membership of the Club.
- b) Country Club Sports Member - Golf shall pay such joining fee (if any) and annual subscription as the board may determine from time to time.
- c) Country Club Sports Member - Golf are entitled to use all golf facilities at the Club with all the playing rights and social privileges and advantages of the Club.
- d) Country Club Sports Member - Golf may only use the Club's bowling facilities upon payment of the green fees stipulated by the Club from time to time for such persons.

### **3. Country Club Sports Member - Bowls**

- a) Members shall be persons who have attained the age of eighteen (18) years who are interested in bowls and are elected to the Country Club Sports Membership of the Club.
- b) Country Club Sports Member - Bowls shall pay such joining fee (if any) and annual subscription as the board may determine from time to time.
- c) Country Club Sports Member - Bowls are entitled to use all bowls facilities at the Club with all the playing rights and social privileges and advantages of the Club.
- d) Country Club Sports Member - Bowls may only use the Club's golfing facilities upon payment of the green fees stipulated by the Club from time to time for such persons.

## **BY-LAW 8    SPORTS MEMBERSHIP SUBCATEGORIES**

### **1. Sports Member – Country Golf**

- a) Sports Member – Country Golf shall be persons who have attained the age of eighteen (18) years who are interested in golf and are elected to the Sports Membership of the Club.
- b) Sports Member – Country Golf shall pay such joining fee (if any) and annual subscription as the board may determine from time to time.
- c) Sports Member – Country Golf are entitled to such playing rights and social privileges and advantages of the Club as the board may deem from time to time.
- d) Sports Member – Country Golf may only use the Club's bowling facilities upon payment of the green fees stipulated by the Club from time to time for such persons.
- e) Sports Member – Country Golf shall be entitled to such playing and social privileges and advantages of the Club as the board may deem from time to time and shall:
  - i. Reside outside a 10km radius from the Club;
  - ii. Be a member of another golf Club and have a golf handicap from that home Club.

### **2. Sports Member – Intermediate Golf**

- a) Sports Member – Intermediate Golf shall be persons who have attained the age of eighteen (18) years but have not yet attained the age of twenty five (25) years who are interested in golf and are elected to the Sports Membership of the Club.
- b) Sports Member – Intermediate Golf shall pay such joining fee (if any) and annual subscription as the board may determine from time to time.
- c) Sports Member – Intermediate Golf are entitled to such playing rights and social privileges and advantages of the Club as the board may deem from time to time.
- d) Sports Member – Intermediate Golf may only use the Club's bowling facilities upon payment of the green fees stipulated by the Club from time to time for such persons.

## **BY-LAW 9 MEN'S GOLF SUB-COMMITTEE**

1. The Board of Directors may allow Country Club Sports Members - Golf & Bowls and Country Club Sports Members - Golf Male Members to elect a Sub-Committee with a maximum of nine (9) members consisting of: Captain, Vice Captain, Handicap Manager, Secretary and not more than five (5) ordinary members.
2. The Sub-Committee may co-opt other members as it may deem necessary for the efficient operation of the Sub-Committee.
3. The Sub-Committee shall be elected annually by the Male Golf & Bowls Club Members at an Annual General Meeting of the Sub Committee to be held in October in accordance with the following:
  - 3.1. The Captain, Vice-Captain, Handicap Manager and Secretary shall serve two-year terms with the Captain and Vice Captain elected on an alternate year and the Handicap Manager and Secretary being elected on the other alternate year. (Captain and Handicap manager to be elected one year; Vice Captain and Secretary to be elected the alternate year)
  - 3.2. The 5 committee members shall serve two-year terms with 3 of the 5 committee members elected on an alternate year and the other 2 committee members being elected on the other alternate year.
4. The Annual General Meeting of the Sub-committee is to be conducted as follows:
  - 4.1. Inform Members of AGM  
The Committee will notify the members of the upcoming AGM by putting a notice up in the Club and on the Club's website at least sixty (60) days prior to the date of the meeting.
  - 4.2. Special Resolution from members for matters relating to golf  
Should a member wish to propose a special resolution for the AGM it must have a proposer, a seconder and ten (10) other signatures before it can be submitted to the committee. The proposer, seconder and ten other signatures must all be Country Club Sports – Life, Country Club Sports – Golf or Country Club Sports – Golf and Bowls members. The special resolution must be submitted to the committee at least 35 days prior to the AGM. The Committee will then include the special resolution in the notice of AGM. The special resolution will require 75% of the vote in favour and if successful the matter will be referred to the Match Committee for discussion and recommendation to the Board. If unsuccessful the matter will proceed no further.
  - 4.3. Notice of AGM  
Notice of the AGM will be posted in the Club and on the Club's website at least 21 days before the date of the AGM.
  - 4.4. Nominations for Committee  
Nominations will open 21 days before the AGM. Nominations will be submitted on the form approved by the club and must be submitted to the Committee by 5pm, 7 days before the AGM.
  - 4.5. Election of Committee
    - 4.5.1. The CEO, or his appointed delegate, shall be appointed the returning officer
    - 4.5.2. If the full number of candidates for the election is not nominated, then those nominated will be declared elected to the Committee and the casual vacancy can be filled by the Committee at a later date.
    - 4.5.3. If there be only the requisite number of candidates nominated for election, then they will be declared elected to the Committee.
    - 4.5.4. If there be more than the required number of candidates nominated, then there will be a secret ballot conducted at the AGM by the returning officer. The ballot will be conducted as set out in section 25.2 (m) – (w) of the club constitution.
  - 4.6. Quorum for AGM  
A quorum shall be ten (10) eligible golf members.
  - 4.7. Agenda for AGM
    - Declare Meeting Open (if quorum present)
    - Call for Apologies
    - Confirm the Minutes of the previous Annual General Meeting.
    - To receive the President's Report.

- To receive the Captains Report.
- Conduct Elections.
- To deal with any other business of which proper notice has been given.
- To deal with any other business that the meeting may approve, of which due notice has not been given.  
(General Business/Questions)
- Close Meeting

The Club President and Chief Executive Officer should be invited to attend the AGM.

5. The Captain of the Men's Golf Sub-Committee shall be the Chairperson and call such meetings of the Sub-Committee as is considered desirable.
6. The Men's Golf Sub-Committee shall have the power at any time, and from time to time, to appoint a Male Country Club Sports Members - Golf & Bowls or Country Club Sports Members - Golf member to the Sub-Committee to fill a casual vacancy.
7. The Captain of the Men's Golf Sub-Committee shall cause a report of its activities to be prepared and that report shall be submitted:
  - 7.1. To the Board of the Club; and
  - 7.2. To the annual general meeting of the Sub-Committee.
8. The Men's Golf Sub-Committee shall be responsible for the organisation of men's golf.
9. The Men's Golf Sub-Committee shall be responsible to the Board through the Captain.
10. The Men's Captain and Vice-Captain shall be members of the Golf Match Committee which will oversee all matters relating to golf at the Club.
11. The attention of the Sub-Committee is drawn to the requirements of the Constitution particularly sections 26.4 to 26.13 inclusive.
12. The President and Chief Executive Officer shall be ex-officio members of the committee. The President may assign a Board member the role of attending ex-officio on the President's behalf.

## **BY LAW 10 WOMEN'S GOLF SUB-COMMITTEE**

1. The Board of Directors may allow Country Club Sports Members - Golf & Bowls and Country Club Sports Members - Golf Female Members to elect a Sub-Committee with a maximum of nine (9) members consisting of: Captain, Vice-Captain, Handicap Manager, Secretary and not more than five (5) ordinary members.
2. The Sub-Committee may co-opt other members as it may deem necessary for the efficient operation of the Sub-Committee.
3. The Sub-Committee shall be elected annually by the Female Golf & Bowls Club Members at an Annual General Meeting of the Sub Committee to be held in October in accordance with the following:
  - 3.1. The Captain, Vice-Captain, Handicap Manager and Secretary shall serve two-year terms with the Captain and Vice-Captain elected on an alternate year and the Handicap Manager and Secretary being elected on the other alternate year. (Captain and Handicap manager to be elected one year; Vice-Captain and Secretary to be elected the alternate year)
  - 3.2. The 5 committee members shall serve two-year terms with 3 of the 5 committee members elected on an alternate year and the other 2 committee members being elected on the other alternate year.
4. The Annual General Meeting of the Sub-committee is to be conducted as follows:
  - 4.1. Inform Members of AGM  
The Committee will notify the members of the upcoming AGM by putting a notice up in the Club and on the Club's website at least sixty (60) days prior to the date of the meeting.
  - 4.2. Special Resolution from members for matters relating to golf  
Should a member wish to propose a special resolution for the AGM it must have a proposer, a seconder and ten (10) other signatures before it can be submitted to the committee. The proposer, seconder and ten other signatures must all be Country Club Sports – Life, Country Club Sports – Golf or Country Club Sports – Golf and Bowls members. The special resolution must be submitted to the committee at least 35 days prior to the AGM. The Committee will then include the special resolution in the notice of AGM. The special resolution will require 75% of the vote in favour and if successful the matter will be referred to the Match Committee for discussion and recommendation to the Board. If unsuccessful the matter will proceed no further.
  - 4.3. Notice of AGM  
Notice of the AGM will be posted in the Club and on the Club's website at least 21 days before the date of the AGM.
  - 4.4. Nominations for Committee  
Nominations will open 21 days before the AGM. Nominations will be submitted on the form approved by the club and must be submitted to the Committee by 5pm, 7 days before the AGM.
  - 4.5. Election of Committee
    - 4.5.1. The CEO, or his appointed delegate, shall be appointed the returning officer
    - 4.5.2. If the full number of candidates for the election is not nominated, then those nominated will be declared elected to the Committee and the casual vacancy can be filled by the Committee at a later date.
    - 4.5.3. If there be only the requisite number of candidates nominated for election, then they will be declared elected to the Committee.
    - 4.5.4. If there be more than the required number of candidates nominated, then there will be a secret ballot conducted at the AGM by the returning officer. The ballot will be conducted as set out in section 25.2 (m) – (w) of the club constitution.
  - 4.6. Quorum for AGM  
A quorum shall be ten (10) eligible golf members.
  - 4.7. Agenda for AGM
    - Declare Meeting Open (if quorum present)
    - Call for Apologies
    - Confirm the Minutes of the previous Annual General Meeting.

- To receive the President's Report.
- To receive the Captains Report.
- Conduct Elections.
- To deal with any other business of which proper notice has been given.
- To deal with any other business that the meeting may approve, of which due notice has not been given.  
(General Business/Questions)
- Close Meeting

The Club President and Chief Executive Officer should be invited to attend the AGM.

5. The Captain of the Women's Golf Sub-Committee shall be the Chairperson and call such meetings of the Sub-Committee as is considered desirable.
6. The Women's Golf Sub-Committee shall have the power at any time, and from time to time, to appoint a Country Club Sports Members - Golf & Bowls or Country Club Sports Members - Golf Female Club Member to the Sub-Committee to fill a casual vacancy.
7. The Captain of the Women's Golf Sub-Committee shall cause a report of its activities to be prepared and that report shall be submitted:
  - a. To the Board of the Club; and
  - b. To the annual general meeting of the Sub-Committee.
8. The Women's Golf Sub-Committee shall be responsible for the organisation of women's golf.
9. The Women's Golf Sub-Committee shall be responsible to the Board through the Captain.
10. The Women's Captain and Vice-Captain shall be members of the Golf Match Committee which will oversee all matters relating to golf at the Club.
11. The attention of the Sub-Committee is drawn to the requirements of the Constitution particularly sections 26.4 to 26.13 inclusive.
12. The President and Chief Executive Officer shall be ex-officio members of the committee. The President may assign a Board member the role of attending ex-officio on the President's behalf.



## **BY-LAW 11 GREEN COMMITTEE**

1. The Green Committee shall consist of:
  - a) a Chairperson (who will be a member of the Board),
  - b) a Deputy Chairperson (who will be a member of the Board),
  - c) a member of the Men's Golf Sub Committee,
  - d) a member of the Ladies Golf Sub Committee,
  - e) a member of the Bowls Sub Committee,
  - f) the Course Superintendent,
  - g) the Club Professional.
2. All the above members of the committee will have voting rights.
3. The Chairperson has the right to co-opt other members for specific tasks as required. Once the tasks are completed the member will no longer attend the meetings.
4. The Green Committee shall meet at least once per month or as required by the Chairperson.
5. The Chairperson of the Green Committee shall cause a report of its activities to be prepared and that report shall be submitted to:
  - a) the Board of the club
  - b) the bowls sub committee;
  - c) the men's golf sub committee; and
  - d) the ladies golf sub committee.
6. The President and Chief Executive Officer shall be ex-officio members of the committee.

## **BY-LAW 12 MOTORISED GOLF BUGGIES**

1. Motorised Golf Carts, owned by Club Members, are not to be hired to other people.
2. Application for their use must be sought in writing and authorised by the Committee subject to the following:
  - (a) The minimum tyre width for these vehicles must be 80mm
  - (b) Vehicles must be silenced to the Committee's satisfaction
  - (c) Vehicles must be kept at least ten (10) meters clear of greens, bunkers and tees where possible and must follow allocated paths or signed direction
3. Dangerous and/or reckless behaviour or abuse of any conditions imposed on the use of these vehicles may result in permission for use being withdrawn.

## **BY-LAW 13                    MURRAY DOWNS BOWLS COMMITTEE**

1. The Board of Directors may allow Country Club Sports Member - Bowls Members to elect a Bowls Sub-Committee (herein referred to as MDB Committee) with a maximum of eight (8) members consisting of four (4) Male Bowls Members and four (4) Female Bowls Members. The committee positions will be as follows: Chairperson, Deputy Chairperson, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer and not more than two (2) ordinary members.
2. The MDB-Committee may co-opt other members or set up other Sub-committees responsible to the Bowls Sub-committee as it may deem necessary for the efficient operation of Bowls.
3. The MDB-Committee shall be elected annually by the Bowls Members at an Annual General Meeting of the MDB-Committee to be held in May. All other sub-committees of the MDB-Committee are to be elected at the Annual General Meeting of the MDB-Committee to be held in May.
4. The Annual General Meeting of the MDB-Committee is to be conducted as per section 33 of the Constitution save for those matters which do not apply to the MDB-Committee.
5. Elections of the MDB-Committee are to be conducted as per section 25 of the Constitution save and except for section 25.1. The members of the MDB-Committee and the members of any other sub-committee of the MDB-Committee will be elected for a one (1) year term.
6. The Chairperson of the MDB-Committee shall call such meetings of the MDB-Committee as is considered desirable.
7. The MDB-Committee shall have the power at any time, and from time to time, to appoint a Bowling Member to the MDB-Committee to fill a casual vacancy.
8. The Chairperson of the MDB-Committee shall cause a report of its activities to be prepared and that report shall be submitted:
  - a) To the Board of the Club; and
  - b) To the annual general meeting of the MDB-Committee.
9. The MDB-Committee shall be responsible for the organisation of Bowls at Murray Downs.
10. The MDB-Committee shall be responsible to the Board through the Chairperson.
11. The MDB-Committee shall affiliate and otherwise liaise with Bowls Victoria (including, but not limited to, its Regions and Divisions), Bowls Australia and/or World Bowls and adopt their rule and policy frameworks to further these purposes.
12. The MDB-Committee shall abide by, promulgate, enforce and secure uniformity in the application of the rules of Bowls as may be determined from time to time by Bowls Victoria, Bowls Australia and/or World Bowls and as may be necessary for the management and control of Bowls and related activities in Victoria.
13. The MDB-Committee shall acknowledge and accept that there shall be two Bowls sections, known as the "Men's" and "Women's" sections.
  - a) Members may participate and associate with either, or both, sections.
  - b) The sections shall each be responsible to the MDB-Committee for the management and conduct of all section Bowls activities including pennant and social bowls, respective Club championships, Club events and any other special events approved by the MDB-Committee. The sections shall be jointly responsible to the MDB-Committee for the conduct of such mixed events as are approved by the MDB-Committee.
14. The attention of the MDB-Committee is drawn to the requirements of the Constitution particularly sections 26.4 to 26.13 inclusive.
15. The President and Chief Executive Officer shall be ex-officio members of the MDB-Committee. The President may assign a Board member the role of attending ex-officio on the President's behalf.

**BY-LAW 14                      JUNIOR GOLF COMMITTEE**

1. The Junior Golf Committee shall consist of:
  - a) a Chairperson (who will be a member of the Board),
  - b) a Deputy Chairperson (who will be a member of the Board)
  - c) a member of the Men's Golf membership,
  - d) a member of the Ladies Golf membership,
  - e) the Club Professional.
2. All the above members of the committee will have voting rights.
3. The Chairperson has the right to co-opt other members for specific tasks as required. Once the tasks are completed the member will no longer attend the meetings.
4. The Junior Golf Committee shall meet as required by the Chairperson.
5. The Chairperson of the Junior Golf Committee shall cause a report of its activities to be prepared and that report shall be submitted to:
  - a) the Board of the club
  - b) the men's golf sub committee; and
  - c) the ladies golf sub committee.
6. The President and Chief Executive Officer shall be ex-officio members of the committee.

**BY-LAW 15                      GOLF MATCH COMMITTEE**

1. The Golf Match Committee shall consist of:
  - a) a Chairperson (who will be a member of the Board),
  - b) the Men's Golf Captain
  - c) the Men's Golf Vice Captain,
  - d) the Lady's Golf Captain
  - e) the Lady's Golf Vice Captain,
  - f) the Club Professional.
2. All the above members of the committee will have voting rights.
3. The Chairperson has the right to co-opt other members for specific tasks as required. Once the tasks are completed the member will no longer attend the meetings.
4. The Golf Match Committee shall meet at least three times per year or as required by the Chairperson.
5. The Chairperson of the Golf Match Committee shall cause a report of its activities to be prepared and that report shall be submitted to:
  - a) the Board of the club
  - b) the men's golf subcommittee; and
  - c) the ladies golf subcommittee.
6. The President and Chief Executive Officer shall be ex-officio members of the committee.