

**GENERAL CLUB BY-LAWS
HARMONIE GERMAN CLUB CANBERRA INC.**

1. CLUB SERVICES AND FUNCTION AREAS

1. Club Services:
 - (a) Hours of occupancy, drink and food services, shows and events will be in accordance with details notified by management.
2. Private Functions:
 - (a) Function and entertainment areas may be made available for private functions when not otherwise required for Club purposes. Hours of occupancy, drink and food services will be by negotiation. Extensions beyond normal trading hours or use on Sunday and public holidays may involve additional charges.
 - (b) The restaurants and/or restaurant bars may also be made available for similar purposes when not otherwise required for Club purposes.
 - (c) Members and guests attending private functions must comply with the Club By-Laws.

2. PUBLIC HOLIDAYS

Trading and opening hours on public holidays will be advised to members prior to the day.

3. RESTRICTED AREAS

1. On the authority of the Chief Executive Officer certain areas of the Club may be restricted for use by certain members and their guests during specific periods. A notice defining the restricted area and the time of restricted entry shall be prominently displayed during those times.

4. GUESTS

1. Guests may be admitted to the Club on the invitation of and in the company of a member and must provide valid ID, preferably a driver's license, which will be witnessed and recorded on a sign in registry.
2. A member is directly responsible for the actions and behaviour of any guest whom he/she signed into the Club on a particular day and must account to the CEO (pursuant to HGC Constitution cl.13.6) for any contravention of the Club's rules including General and Gaming Machine By-Laws by his/her guest.

5. TEMPORARY MEMBERS

1. The Chief Executive Officer or their representative (under delegated powers pursuant to HGC Constitution cl.36.1.4 & cl.38.1.3) may grant **temporary membership** (pursuant to HGC Constitution cl.3.2.4) to a visitor for a period of up to 30 days
2. A suitable card/notice indicating the period of membership will be issued for identifiable purposes.

6. RECIPROCAL MEMBERS

1. Members of clubs which have been afforded reciprocal rights may be permitted the use of all Club facilities, provided:
 - (a) they comply with the Club's By-Laws (pursuant to HGC Constitution cl.3.1.23 & 3.3.3.2)
 - (b) they produce evidence of current membership of a reciprocal Club
 - (c) provide a valid ID, and confirm their address, and sign in
2. Reciprocal members may be granted temporary membership on request.

7. MEMBERS' BEHAVIOUR

1. Members are required to behave in a respectable manner and conduct themselves in a manner pursuant to generally accepted standards of public behaviour, decency, decorum and honesty.
2. Any Member or guest who through words, deeds, behaviour, or any action whatsoever, offends, disturbs or hinders another person's enjoyment of the Club facilities, or lowers the standard of a given occasion, or is in any way instrumental in creating a disturbance, or disobeys a reasonable request or order of the Chief Executive Officer, the Venue Manager or their representatives, commits an offence against this by-law.
3. Members and guests are expected to comply with all reasonable requests or orders made to them by the Chief Executive Officer, the Venue Managers, or their representatives.
4. If the Chief Executive Officer, the Venue Manager or their representatives form the opinion that the alleged conduct of any Member is or is likely to:
 - (a) be injurious to themselves, members or guests, or
 - (b) be undesirable, or

- (c) not be in the best interests or welfare of the Club, or
- (d) be in breach of these By Laws,

the Member will be ordered to leave the Club premises and will be given notice in writing of the matter alleged against him/her with a suspension of their membership (pursuant to HGC Constitution cl.13.6) until afforded an opportunity of being heard by Directors in his/her own defence (pursuant to HGC Constitution cl.12.2).

8. RESPONSIBLE SERVICE OF ALCOHOL

1. Under the Liquor Act 2010, it is an offence for:
 - (a) a liquor licensee or liquor permit-holder or for one of their employees to supply liquor to ***an intoxicated person****,
 - (b) another person, such as a member or guest, to supply liquor to an intoxicated person at licensed premises,
 - (c) an intoxicated person to abuse, threaten, or intimidate staff in the Club if they have been refused service due to intoxication.
2. The Club's representatives can, in the case of an intoxicated person, enact *By Law 7. Member's Behaviour cl.4* (above) and/or request police assistance.
3. On-the-spot fines may apply.

* Section 104 of the Act deems that ***a person is intoxicated if:***

- (a) the person's speech, balance, coordination, or behaviour is noticeably affected; and
- (b) it is reasonable in the circumstances to believe that the affected speech, balance, coordination, or behaviour is the result of the consumption of liquor.

9. SMOKING

1. All areas within the Club (other than DOSA's) are designated non-smoking and all members and guests are required to comply with this statutory regulation in the interest of all patrons and the workplace health and safety of staff.
2. The Club has Designated Outdoor Smoking Areas (DOSAs) attached to their premises for the benefit of patrons wishing to smoke and vape.

10. GRIEVANCES OR COMPLAINTS

1. Should a member have any complaint or ***grievance regarding, or dispute*** relating to, their fair participation in or utilisation of the physical, cultural, recreational and social facilities of the Club, it should be drawn to the attention of the Chief Executive

Officer, Club Secretary or Venue Manager as appropriate or otherwise be submitted in writing to the Club Secretary.

2. The complaint or grievance (pursuant to HGC Constitution cl.12.2) shall be noted by the Chief Executive Officer and responded to as the CEO believes is appropriate, proportional, and timely and the CEO shall be required to inform the Board of the complaint or grievance and their response in CEO's report to the next Board meeting.

11. ILLEGAL DRUGS

1. Possession or use of illegal drugs or drug paraphernalia is strictly prohibited on the premises.
2. Members and guests
 - (a) found **in possession of illegal drugs** will be immediately ordered to leave the Club premises and will face immediate suspension (pursuant to HGC Constitution cl.13.6).
 - (b) suspected of being **under the influence of illegal drugs** will be dealt with in a similar manner as under *By Law 7. Member's Behaviour cl.4* (above) and/or the Club may request police assistance.

12. CREDIT FACILITIES

1. Members may make purchases using Mastercard or Visa.
2. Other than by Mastercard or Visa, purchases by credit arrangements may be made with prior application to the Chief Executive Officer or Administration Managers. In all such cases credit accounts must be settled before or on the day depending on the activity. Membership privileges may be suspended (pursuant to HGC Constitution cl.13.6) if repayment is not received as requested.
3. Under no circumstances will credit be extended for the playing of gaming machines or the payment of alcoholic beverages or tobacco products.

13. CHILDREN

1. Children under 18 years of age when accompanied and controlled by a **responsible adult*** are permitted in the following areas and must remain therein:
 - (a) Restaurants up until its closing time.
 - (b) Main club lounge area only until 9.30pm.

- (c) Function Room to view shows that are “age” appropriate until the show is completed or at which their presence is permitted for the duration of the function.
 - (d) As signage indicates.
2. Unattended children under 18 years of age may also attend Club functions and activities especially organised for them under the terms and conditions laid down for such functions and activities (including Cue sport events).
 3. Persons under 18 years of age may not purchase or partake of alcoholic beverage under any circumstances whilst on the Club premises.

* **Responsible adult** for another person means an adult who is a parent, step- parent, guardian, person acting in place of parent, carer, or domestic partner of the person.

14. POOL and CUE SPORTS

1. Subject to *By Law 13 CHILDREN cl.2* (above), the **use of the pool tables** is restricted to persons 18 years of age and over, unless special permission is granted, or they are part of a sanctioned competition.
2. A member may bring a **private cue** onto the Club premises and remove same as they leave the Club, no responsibility will be taken by the Club for cue sport equipment left on the premises

15. MEMBER IDENTIFICATION

1. Members
 - (a) should **carry their membership card** at all times when on the Club premises,
 - (b) must **produce their membership card** on each occasion of entering the Club and on request by the Chief Executive Officer or their representative who may also request photographic identification to be shown
 - (c) pursuant to *HGC Constitution 6.1.1*, **MUST NOT lend, loan or otherwise give their membership card** to ANY other person.

16. PARKING AREAS

1. For the safety and benefit of patrons, the following should be noted:
 - (a) Patrons are required to comply with all traffic and directional signs in the carpark. The maximum speed within the car park as well as on entry and exit is 10kph

- (b) Disabled parking is available. Members must display an authorised Disabled Carpark Sticker at all times when occupying the space.
- (c) Members usage of carpark will be monitored to ensure adherence to the carpark rules. Members abusing the carpark rules may have their membership suspended (pursuant to HGC Constitution cl.13.6).
- (d) Parking in the Club carpark will be at the risk of the vehicle owner. The Association will not be liable for damage to any vehicle parking or parked in the carpark.

17. DRESS STANDARDS

1. Members and guests are expected to be well presented, clean, neat and tidy at all times.
2. Not acceptable anytime:
 - (a) Bare feet,
 - (b) Torn or dirty clothing,
 - (c) Provocative clothing or proactive slogans on clothing.
3. Any headwear or other clothing item deemed to be offensive or inappropriate must be removed immediately if requested by the Chief Executive Officer or their representative or supervisor on duty.

18. INTERPRETATION & IMPLEMENTATION OF BY-LAWS

1. The Chief Executive Officer, Venue Manager, or their representatives are responsible for the day-to-day interpretation and implementation of these By-Laws. A member must accept their decisions on the interpretation of these By-Laws and must comply with any direction given, subject to *By Law 10 GRIEVANCES AND COMPLAINTS* (above)

19. GENERAL

1. Members and guests will be granted 30 minutes grace to vacate any area of the Club after scheduled or announced closing time for that area.
2. **A member representing the Club** at a function or meeting outside the Club shall be subject to *HGC Constitution cl.27.2* regarding any **public statements** made on behalf of the Association and these By-Laws where applicable.
3. A member or guest taking part in a Club trip or tour is subject to these By-Laws.

20. PRIVACY

1. The Harmonie German Club Canberra Inc (ABN 84 868 259 772) collects your personal information when you visit and communicate with us, including when you book in the restaurant, purchase our products or services, enter competitions and promotions or request to be self-excluded from gaming. We usually collect this personal information direct from our member or guest, but also sometimes from third parties such as parents and carers.
2. Without this information, the Club cannot offer products, services and other benefits to members and guests. We may also need this information to comply with our legal obligations, including under the Gaming Machine Act 2004 (ACT); Gaming Machine Regulation 2004 (ACT); Gambling and Racing Control (Code of Practice) Regulation 2002 and Liquor Act 2010 (ACT).
3. We may use or disclose your personal information to carry out the Club's functions and activities, provide and offer products and services, administer your membership, keep you informed of Club news, events and promotions, manage our corporate activities where required or permitted by law. We may disclose your personal information to our advisers and other people and organisations who help us provide or manage our activities and functions. We don't disclose personal information outside Australia, unless required or permitted by law.

Contact Details:

The Club Secretary
Harmonie German Club Canberra Incorporated
49 Jerrabomberra Avenue Narrabundah ACT 2604

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<p style="text-align: center;">Harmonie German Club Canberra Inc Constitutional Articles Applicable to these By Laws</p>
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52.1 Definitions

“By-Laws of the Club” means any directive policies, procedures, protocols or processes so determined by the CEO from time to time (and subsequently Board-approved) prescribing matters required necessary or convenient to be prescribed that are deemed necessary to competently regulate the proper and appropriate actions, behaviours and conduct of members and guests of the Club in relation to the effective and prudent utilisation of the physical, cultural and social recreational facilities, services and property accessed by the members and patrons from time to time.

3.1.2.3 A person is qualified to be a **member** of the ...by deed of membership, they **agree to ...all By-Laws** of the Club;

3.3.3.2 **Full membership acceptance** may only be rejected if it is deemed after due process that the applicant has refused to **accept to be bound by any provisions of ...the ...By-Laws** of the Club or has acted in any way or manner that is liable to bring or has brought the Association into disrepute or acted in any way or manner that would appear to be prejudicial or detrimental to the interests or pursuit of the objects of the Association.

3.2 **The Association shall have the following membership categories:**

3.2.4 Any **other category the Board may:**

3.2.4.1 **establish from time to time** as considered desirable or necessary to be included in the membership mix of the Association;

3.2.4.2 establish and/or amend the eligibility criteria and the rights, privileges and obligations for newly established category of membership in accordance with this Constitution

3.2.4.3 at its discretion, dissolve any such category so established at any time.

6.1 **A right, privilege or obligation** which a person has by reason **of being a member** of the Association -

6.1.1 **is not capable of being transferred or transmitted to another person** unless otherwise permitted under this Constitution;

6.1.2 shall remain with that person; and

6.1.3 expires upon cessation of the membership.

12.2 If any **member has a grievance regarding, or dispute** relating to, their fair participation in or utilisation of the physical, cultural, recreational and social facilities of the Club, they shall have that grievance or dispute **dealt with by the process outlined in the By-Laws** of the Club.

13.6 **The CEO** (or their authorised delegate) in his/her absolute discretion **may determine to discipline a Member** of the Association or their guest(s) either by reprimand or temporary suspension of their access to and use of the Club’s facilities, **if a Member**

of the Association or their guest(s) wilfully refuses or neglects to adhere to any provisions of the law pertaining to the Club's licences or **the By-Laws** of the Club.

27.2 Except in the case of a specific delegation of authority pursuant to rule 36 or as permitted pursuant to rule 48, **the Board (or their nominated delegate) shall approve any and all public statements made on behalf of the Association by any duly authorised member**, director, office bearer, officer, employee, delegated person, or committee and/or agent of the Association prior to that person making such statement.

52.1 Definitions

"Public Statement" and **"Statement"** means statements, whether verbal, written, in electronic form or any other form whatsoever that could or would be seen, heard or by any other means communicated to a person not a member of the Association.

36.1 **The Board may**, by instrument in writing, **delegate the exercise of the functions of the Board or any of its powers** for any period and on any terms (including the power to further delegate), as the Board resolves, **to:**

36.1.4 an employee of the Association

38.1.2 **The Board may**, subject to this Constitution, **determine**, or vary any determination of, **the functions, responsibilities, powers, authorities of** (and any constraints, related processes and protocols and relevant accountability obligations applying to) **the CEO who may perform any such function or exercise any other power specified or delegated by the Board.**

38.1.3 **The CEO may** (subject to any other direction of the Board) **delegate** to an employee of the Association **a function or power delegated to the CEO** under rule 38.1, but that power or function may not be further delegated.