

Associations Incorporation Reform Act 2012 (Victoria)

BY-LAWS OF HILL TOP GOLF AND COUNTRY CLUB INCORPORATED

By Laws Index

Membership	Pages 2 to 5
Code of Conduct	Pages 6 to 9
Golf Management	Pages 10 to 12

Version Control: 1. 1st November 2019

Revisions:

POLICIES

In addition to the By Laws which form part of the management of Hill Top, the club also has Policies such as Motorised Carts and Heat.

Members need to be aware of, and abide by Club Policies

MEMBERSHIP BY-LAWS

These membership By-Laws relate to the Rules of Association of Hill Top Golf and Country Club of which Division 1 Membership is most relevant and more specifically Rules 13 and 14 related to membership categories.

Membership of Hill Top Golf and Country Club will be open to all persons and will be non-discriminatory by nature.

A. Categories of Members

A.1 Members of Hill Top Golf and Country Club (the Association) with voting and nomination rights shall be

- (a) Honorary Life Members
- (b) Bowls Members
- (c) Golf and Bowls Members
- (d) Golf and Bowls Senior Members
- (e) Golf Members
- (f) Golf Senior Members
- (g) Golf Country Members
- (h) Golf Intermediate 1 members
- (i) Golf Intermediate 2 members
- (j) Golf Remote Members

A.2 Associate members of Hill Top Golf and Country Club (the Association) **without** voting and nomination rights shall be:

- (a) Junior
- (b) Cadet Members
- (c) Golf Summer Members
- (d) Golf Winter Members
- (e) Golf Three Day Members
- (f) Social

Members with voting and nomination rights as per A.1 above

(a) Honorary Life Members

Honorary Life membership of the Club may be conferred at any Annual General Meeting of the Club upon any person recommended by the General Committee who in the opinion of the General Committee has rendered outstanding service to the Club in recognition of such service of responsibility, subject to the following:

- (a) No more than two persons shall have this membership conferred upon them at any one meeting;
- (b) Three members of the Association/Club may no later than 31 July in any year put before the General Committee in writing the name of any person who they consider is eligible to have Life membership conferred upon him or her and when so doing shall in writing state the reasons why it is considered such person shall have Life membership conferred upon him or her. Such reasons should be compelling and stress club responsibility and the role of decision making and not just years of service. The member for whom Life membership is proposed must be judged

as having made a contribution to the betterment of Hill Top above and beyond that of the average contributing member or Committee or sub-committee member doing their duty.

(c) No person shall have Life membership conferred upon him or her except by the members at the Annual General Meeting following a recommendation from the General Committee to grant such membership, nor will a member of the General Committee be eligible to have this membership conferred upon him or her while he or she holds that position.

(d) Before making a recommendation to an Annual General Meeting that a Member should be granted Life membership, the General Committee must appoint a panel of four members with experience in the administration of the Club, at least one of whom must be a current Life Member, to report on the proposal to the General Committee.

(e) A Life Member appointed to such a panel, must chair all meetings of the panel.

(f) On having Life membership conferred upon him or her, the nominee for Life Membership shall be declared a Life Member, presented with a Life Membership Certificate and have all the privileges of membership of the Club without payment of any further subscriptions.

(g) A Life Member is bound by all the rules of the Club and is eligible to nominate for election as an Officer of the Club or to any committee thereof.

(h) The number of living Honorary Life Members shall not exceed ten.

b. Bowls Members

Any person over the age of eighteen years may be admitted as a Bowls Members in accordance with the provisions of the Rules of Association. Bowls Members shall be entitled to all the privileges of membership, except that they cannot play golf as a member but have the ability to play bowls whenever possible except when restricted by club competitions, tournaments, pennant and the like.

c. Golf and Bowls Members

Any person over the age of eighteen years may be admitted as a Golf and Bowls Members in accordance with the provisions of the Rules of Association. The Club will pay both Golf and Bowls Affiliation fees to the governing bodies for these members. These Members shall be entitled to all the privileges of membership including ability to play golf and bowls whenever possible except when restricted by club competitions, tournaments, pennant and the like.

d. Golf and Bowls Senior Members

This category is the same as Golf and Bowls Members (4 above) save for the criteria that to qualify for this category such persons must be at least seventy (70) years of age.

e. Golf Members

Any person over the age of eighteen years may be admitted as a Golf Member in accordance with the provisions of the Rules of Association. The Club will pay Golf Affiliation fees to the governing bodies for these members. These Members shall be entitled to all the privileges of membership including ability to play golf whenever possible except when restricted by club competitions, tournaments, pennant and the like.

f. Golf Senior Members

This category is the same as Golf Members (6 above) save for the criteria that to qualify for this category such persons must be at least seventy (70) years of age.

g. Golf Country Members

Any person over the age of eighteen years may be admitted as a Golf Country Member in accordance with the provisions of the Rules of Association. To qualify to be a Golf Country Member, the person must

- (a) reside thirty kilometres or more from the Hill Top, or
- (b) reside at least fifteen kilometres from Hill Top and be a member of another Golf Club

Such members shall be entitled to all the privileges of membership, including the ability to play golf whenever possible except when restricted by club competitions, tournaments, and the like.

h. Golf Intermediate One Members

This category of membership is restricted to persons of the age of 18 to 20 years and who may be admitted as a Golf Playing Member in accordance with the provisions of the Rules of Association. The Club will pay Golf Affiliation fees to the governing bodies for these members. These Members shall be entitled to all the privileges of membership including ability to play golf whenever possible except when restricted by club competitions, tournaments, and the like.

i. Golf Intermediate Two Members

This category of membership is restricted to persons of the age of 21 to 29 years and who may be admitted as a Golf Playing Member in accordance with the provisions of the Rules of Association. The Club will pay Golf Affiliation fees to the governing bodies for these members. These Members shall be entitled to all the privileges of membership including ability to play golf whenever possible except when restricted by club competitions, tournaments, pennant and the like

j. Golf Remote

Any person over the age of eighteen years may be admitted as a Golf Remote Member in accordance with the provisions of the Rules of Association. To qualify to be a Golf Remote Member, the person must reside seventy kilometres or more from the Club premises,

Such members shall be entitled to restricted privileges of membership, except that they cannot play bowls as a member but have the ability to play golf whenever possible except when restricted by club competitions, tournaments, pennant and the like.

Associate Members *without* voting and nomination rights as per A.2 above

a. Junior

Any person between the ages of thirteen (13) to seventeen (17) years of age may be admitted as Junior Members of the Club in accordance with the provisions of the Rules of Association. On attaining the age of eighteen years Junior Members shall be transferred either to the list of Ordinary Members or to the list of Bowling Members as is appropriate. Such members shall be entitled to restricted privileges of membership, but have the ability to play golf whenever possible except when restricted by club competitions, tournaments, pennant and the like. In addition the privileges of such members are restricted in accordance with Liquor and Gaming Control Acts and Regulations

b. ***Cadet Members***

Any person under the age of twelve (12) years of age may be admitted as a Cadet Member of the Club in accordance with the provisions of the Rules of Association. On attaining the age of thirteen (13) years Cadet Members shall be transferred to the list of Junior Members. Such members shall be entitled to restricted privileges of membership, but have the ability to play golf whenever possible except when restricted by club competitions, tournaments, pennant and the like. In addition the privileges of such members are restricted in accordance with Liquor and Gaming Control Acts and Regulations

c. ***Golf Summer Members***

Any person over the age of eighteen years may be admitted as a Golf Summer Member in accordance with the provisions of the Rules of Association. Such members shall be entitled to restricted privileges of membership, except that they cannot play bowls as a member but have the ability to play golf whenever possible, *during the summer period as determined by the Committee*, except when restricted by club competitions, tournaments, pennant and the like. Any Summer Member who wishes to obtain a Golf Australia handicap may do so by submitting three 18 holes score cards and by paying the additional governing body affiliation fees.

d. ***Golf Winter Members***

Any person over the age of eighteen years may be admitted as a Golf Winter Member in accordance with the provisions of the Rules of Association. Such members shall be entitled to restricted privileges of membership, except that they cannot play bowls as a member but have the ability to play golf whenever possible, *during the winter period as determined by the Committee*, except when restricted by club competitions, tournaments, pennant and the like. Any Winter Member who wishes to obtain a Golf Australia handicap may do so by submitting three 18 holes score cards and by paying the additional governing body affiliation fees.

e. ***Golf Three (3) day Members***

Any person over the age of eighteen years may be admitted as a Golf Three Day Member in accordance with the provisions of the Rules of Association. Such members shall be entitled to restricted privileges of membership to which the playing of golf shall be restricted to Sundays Mondays and Tuesdays and may be further restricted by club competitions, tournaments, pennant and the like being played on those three days.

f. ***Social***

Any person over the age of eighteen years may be admitted as a Social Member in accordance with the provisions of the Rules of Association. Such members shall be entitled to Clubhouse privileges only and cannot play bowls or golf as a member.

CODE OF CONDUCT BY-LAWS

Code of Conduct

(Anti-discrimination, Harassment & Bullying Policy)

1. Policy Statement

Hill Top Golf and Country Club (Hill Top - Tatura) is committed to provide an environment that is free from harassment and abuse for members, staff and guests and which promotes respectful behaviour and values at Hill Top and at other venues. This policy provides a Code of Conduct forming the basis of appropriate and ethical conduct with which all members must abide.

By effectively implementing the Policy we will attract and keep members to participate in golf and bowls and in other aspects of the club whatever the member's status, ability, social and personal circumstances in an environment that respects the worth, dignity and equality of opportunity of all people. Hill Top will be a place in which members, staff, guests and visitors enjoy participating in club activities and can feel relaxed and at ease to make use of the Club's facilities. .

Discrimination, Harassment and Bullying is not only **unacceptable** it is **unlawful** pursuant to state legislation (Equal Opportunity Act 1995, Racial and Religious Tolerance Act 2001) and federal legislation (Sex Discrimination Act, 1984; Racial Discrimination Act 1975; Disability Discrimination Act 1992; Human Rights and Equal Opportunity Commission Act 1986) and various Occupational Health & Safety Acts.

In addition, the Club's General Committee of Management and their management delegates and Club office bearers will ensure all complaints are treated confidentially, seriously and sympathetically. To this end, we have developed an internal complaint resolution process to assist our staff and members when raising issues of concern. Relevant disciplinary action will be taken against anyone found to have breached this policy. No member will be penalized or disadvantaged as a result of raising concerns or complaints relating to discrimination, harassment or bullying.

2. Behaviour

Considerate behaviour of members toward one another, staff and guests, and while participating at other Clubs, is required; and applies equally in the playing of our sports and in the clubhouse. Members do not like to play sport or socialize with another member who breaks rules, cheats, abuses others or displays any other form of behaviour which is embarrassing or upsetting to others.

Members and staff need to understand that their behaviour, language and comments reflects not only on themselves but also on their team or partners and on our Club. Members and staff need to ensure that they abide by the following guiding principles in relation to their behaviour in playing bowls or golf, in the clubhouse, or other parts of the club and at other clubs:

- Play your sport according to the rules and club by-laws and observe correct etiquette,
- Do not damage or break club property
- Respect and comply with the decisions of Sub-committees which are established to organize and conduct our bowls, golf events and social events,
- Respect and comply with decisions of the Committee for the overall management of the club,
- Not throwing or deliberately breaking or abusing playing equipment such as clubs, bowls and bags,
- Do not use profane or abusive language, or make derogative comments, toward or about another player, club official, staff member, guest or visitor on the course, or within the Clubhouse, at Hill Top or when participating at other clubs,

- Do not verbally or physically threaten or racially vilify another player, official, staff member, guest or visitor at any venue.
- Refrain from making comments or “behind the back” remarks about another member, staff member or club official that if repeated can be construed as harassment.
- Do not discriminate against any member or group of members with language, innuendo or their rights as a member of Hill Top or of another club.

3. *What is Discrimination?*

Unlawful discrimination occurs when a person considers that they have been treated less favourably owing to an attribute when compared with a person not having that attribute.

Protected attributes in Victoria include:

Age, disability/impairment, industrial activity/inactivity, lawful sexual activity, gender identity, marital status, (including defacto), physical features, political belief or activity, pregnancy/breastfeeding, race, sex, religious belief or activity, status as a parent or carer, personal association with someone of the above attributes, irrelevant criminal conviction.

4. *What is Harassment?*

Harassment is an unwanted behaviour and can take many forms. It may involve inappropriate actions, behaviour, comments or physical contact that is objectionable or causes offence. Unlawful harassment may relate to any of the attributes protected in various equal opportunity legislation mentioned above.

It is important to note that it is not relevant at law as to whether or not the inappropriate behaviour was intended. It is also important to understand that it is the person being subjected to the behaviour who determines whether the behaviour is welcome or unwelcome. In Victoria, co-members can be named sole respondents in cases of alleged sexual harassment.

Harassment may be seen to have occurred if that behaviour makes the victim feel:

- offended and humiliated;
- intimidated or frightened; and/or
- uncomfortable at Hill Top or any other club at which Hill Top members are participating or visiting

Hill Top recognizes that comments and behaviour which do not offend one person can offend another. The management Committee accepts that individuals may react differently and expects that members behave in a manner that will not offend or make others feel uncomfortable.

5. *What is Bullying?*

Bullying in a sporting club (Hill Top - Tatura) is repeated, unreasonable behaviour directed toward another member or group of members, office bearer or employee that creates a risk to the health and/or safety of those persons. It can include, but is not limited to, behaviours such as:

- acting in a manner to victimize a member, office bearer or employee;
- verbal abuse;

- exclusion practices;
- ridiculing a person or person's opinion

Bullying is not an acceptable part of our Club culture because if it occurs it can cause harm to a person's health and well-being, both physical and psychological.

6. What is Victimization?

Victimization is seen to occur when a member or group of members maintain a constant form of behaviour, comments or exclusion toward another member, visitor or guest at Hill Top or while at another club, to the extent that the "victim" suffers a negative consequence as a result of those actions.

7. What can you do if you are subjected to discrimination, bullying or harassment?

If you consider you have suffered as a result of any of the above, raise your concerns with our manager, Committee members or office bearers. These people should be in a position to give you the rationale behind any decision which may have caused you to feel disadvantaged or they can take your concern further.

Bullying and harassment is to be dealt with and should not be ignored (as ignoring the behaviour could be taken as tacit consent). Anybody who experiences or witnesses harassment or bullying is encouraged to either:

- Inform the offender that the behaviour is offensive and unacceptable and against Hill Top policy; or
- Seek assistance in having the behaviour stopped. This may include making a report or a complaint

8. What will happen if you make a Complaint or Report?

Any complaint or reports of discrimination, harassment or bullying will be treated as quickly as practical, seriously and sympathetically. They will be investigated thoroughly, impartially and confidentially. The General Committee will implement Divisions Two and Three of the Rules of Association and deal with all complaints, whether written or verbal, which are received by the Manager or President or other Committee person within 21 days of an alleged offence. The Committee will take steps to deal with the complaint within one month of the complaint being received. No member will be disadvantaged in anyway as a result of lodging a complaint.

9. What will happen to the person against whom you have made a Complaint?

Where complaints are substantiated, appropriate disciplinary action will apply. Serious breaches of the policy may lead to termination of membership of Hill Top.

10. Complaint Procedure

Once a complaint is received the procedures as outlined in Divisions Two and Three of the Rules of Association of Hill Top Golf and Country Club will be used to resolve the matter.

11. Our Commitment

We place great emphasis on attracting and rewarding the best people. We are committed to providing an environment which is safe and free of discrimination, harassment and bullying for all our members, staff, visitors and guests so that Hill Top - Tatura is a place where all can feel welcome and relaxed.

The policy has the full support and commitment of the General Committee of the Club as Hill Top's elected body charged with the management and control of the Club.

Please help us to help you by giving your support in abiding by our code of behaviour and by avoiding practices, attitudes and comments which are not acceptable.

GOLF MANAGEMENT BY-LAWS

It is the duty of members to study and observe the Rules and Etiquette of Golf and the Club's By-Laws.

1. The Golf Captain and the Vice-Captain shall be nominated at the same time as other Office Bearers and if required an election process will be administered by the General Committee
2. The Captain will form a **Match Committee** the function of which will be to determine and control the conditions relating to the **playing** of golf for all golf events and competitions, either directly or as delegated to other sub committees, such as the Women's Golf Committee.
3. It is the Captain's responsibility to present all trophies at all times but he/she may depute this duty to whom he/she may think fit.
4. The conditions of the course and playing conditions generally shall be determined and controlled by the Greens Committee and its decision shall be final.
5. Entrants in competitions must register their entry and lodge entrance money before commencing play and lodge completed cards immediately after completion of round.
6. The minimum numbers for a club competition are 6 for men and 3 for women.
7. Members playing in Club competitions have preference over other players subject to any official ruling of the Match Committee.
8. All golfers must play the course in sequence (rule of golf) starting from the hole as directed by the designated Duty Person (starter).
9. In all Club competitions any protest must be communicated verbally immediately it is considered and if not resolved lodged in writing with a member of the Match Committee within 30 minutes of the completion of the round and must specify the grounds for such protest.
10. The Match Committee may declare any player who has not played several individual competition rounds of golf to be ineligible to compete in any golf competition.
11. Any member whose subscriptions are in arrears on the 1st day of August in any year shall be ineligible to compete in any Club event until his subscription is paid and up to date.
- 12. Members are expected to observe the Rules and Etiquette of Golf at all times with special reference to lost balls and slow play. (Attention is drawn to Rule 1 of the Rules of Golf 2019 and penalties may be applied for slow play). It is the responsibility of all groups to keep up with the players in front.**
13. The player with the lowest handicap in each playing group is deemed to be the captain of the group and as such is responsible for the observance of all rules and etiquette.

14. To protect Club property from damage, special care of trees and ornamental shrubs should be taken, **divots filled with sand on fairways and tees. Footmarks and other marks in bunkers should be raked out and care taken not to walk up the face of bunkers.** Sprinklers and hoses must be left as found except for movement to play a stroke as per the rule regarding movable obstructions.
15. Motorised buggies must not encroach within 10 metres from any part of the greens or bunkers.
16. Push buggies should **not** be wheeled across greens.
17. Subject to the Rules of Golf ball marks on greens should be smoothed out and flagsticks replaced correctly in the cup before leaving to play the next hole.
18. All directions to the Course Superintendent and ground staff shall be given only by the Chairman of the Greens Committee or the Captains (or deputy) in regard to play on the course
19. Members are expected to be correctly and neatly dressed in the Clubhouse. The interpretation and enforcement of this By-Law is vested in the General Committee, Manager and club employees.
20. Instructions to any employee in the clubhouse must only be given by the Club President or Secretary/Manager or Treasurer.
21. Complaints regarding services and conduct of employees in the Clubhouse shall be submitted to the Club President or Secretary/Manager
22. All members of the Club shall be subject to the provisions of the By-Law formally known as the Hill Top Golf and Country Club Code of Conduct copies of which are in the Clubhouse and available to all members.
23. SUB-COMMITTEES
 - (a) GREENS
All matters pertaining to the golf course and associated items such as gardens, watering, trees, hazards and grass are managed by a Greens Committee. The Greens Committee, to which the Course Superintendent will be a member, will be chaired by an Official appointed by the General Committee. *The Club Captain is responsible for the operation of the Match Committee as set out in By Law 2 and not for management of the Greens Committee*, although the Captain is a member of the Greens Committee.
 - (b) BOWLS
The arrangement and conduct of bowls shall be managed by a Bowls Committee. The Bowls Committee will be chaired by the Bowls President as elected at the annual meeting of Bowls Members and shall report to the General Committee. The Bowls Committee may make such internal arrangements as it deems necessary for the management of bowls, including the appointment or election of separate committees for the conduct of ladies' and men's bowls and selection of teams.

24. The General Committee reserves the right to alter any of the above By-laws without notice. However, By-laws cannot be used to change any common law (Gaming, Licensing) or the Clubs Rules of Association or the Rules of Golf.