

# MILDURA WORKING MAN'S CLUB INC.

## Constitution

Reg. No. A00250852

(Updated November 2024)

### 1. NAME OF CLUB

The name of the Club shall be "Mildura Working Man's Club Incorporated," (the "MWMC") which is established for community, sporting and social activities.

### 2. DEFINITIONS

(a) In this Constitution and By-laws, unless the contrary appears;

- **"Act"** means the Associations Incorporation Reform Act 2012 as amended and includes any regulations made under the Act.
- **"Board of Directors"** and **"Board"** means the Committee of Management of the Club which is made up of the Executive and Ordinary Members of the Board of Directors.
- **"By-laws"** means the by-laws of the Club for the time being in force.
- **"Chief Executive Officer" ("CEO")** means the Chief Executive Officer of Mildura Working Man's Club Inc.
- **"Club"** means the Mildura Working Man's Club Inc.
- **"Constitution"** means the Constitution of the Club for the time being in force.
- **"Directors"** means the duly elected members of the Board of Directors.
- **"Directors meeting"** means a meeting of the Board of Directors.
- **"Executive"** means the President, Vice President and Finance Director.
- **"Financial year"** means the period 1 July to 30 June.
- **"General meeting"** means a general meeting of members convened in accordance with rule 12.
- **"Member"** means a member of the Club and includes a person who is an ordinary member, life member, provisional member or honorary member of the Club.
- **"Membership Identification"** means such form of identification as the Club shall from time to time issue to members of the Club.
- **"Ordinary Member of the Board of Directors"** means a member of the Board of Directors who is not a member of the Executive.
- **"Secretary"** means the Chief Executive Officer of the Club, who is an employee of the Club.

### 3. ALTERATION OF RULES

(a) These Rules and Statement of Purpose of the Club must not be altered except in accordance with the Act.

(b) In the event of legislative change to the Act, the Board will, as soon as practicable, pass by-laws to encompass any amendment, addendum or variation to comply with the Act and have listed to have such changes permanently approved at the next Special Meeting or Annual General Meeting.

(c) The Board may, from time to time, make by-laws and alter, amend, or rescind them as occasion may require, and such by-laws shall not be opposed to the Rules and Regulations of the Club. Upon adoption of any new by-laws, these shall be posted online at [www.milduraworkers.com.au](http://www.milduraworkers.com.au) for at least three months (3) to enable the members to become familiar with the same.

### 4. MEMBERS AND SUBSCRIPTION

(a) A person who applies and is approved for membership as provided in these Rules is eligible to be a member on payment of the entrance fee and the annual subscription payable under these rules.

(b) An application for membership of the Club must: –

- (i) be made in writing on the Club's prescribed application form; and

(ii) be lodged with the Secretary together with the entrance fee and the annual subscription payable under these rules.

(c) The issue of membership at the time of payment of the entrance fee and the annual subscription, as referred to in rule 4(f), will be provisional until such time as the application is approved by the Board at the next following Board meeting.

(d) The Board must determine whether to approve or reject the application. If the application for membership is declined by the Board, the Secretary must notify the applicant in writing and refund within fourteen (14) days from the date of rejection, all fees and subscriptions paid by the applicant.

(e) If the application is approved, the Secretary must, within twenty-eight (28) days from the date of approval enter the name in the Register of Members.

(f) An applicant for membership becomes a member and is entitled to exercise the rights of membership when his or her name is entered into the Register of Members.

(g) A right, privilege or obligation of a person by reason of membership of the Club: -

(i) Is not capable of being transferred to another person; and

(ii) Terminates upon cessation of membership whether by death, resignation or otherwise.

(h) The entrance fee is the relevant amount set by the Board of Directors from time to time.

(i) The annual subscription is the amount set by the Board from time to time and is due and payable on the anniversary date of the membership each year.

(j) The Board at the first Board meeting in April of each year shall review the annual subscription and member classifications to apply for the Financial year commencing 1<sup>st</sup> July following the Board meeting.

## **5. REGISTER OF MEMBERS**

(a) The Secretary must keep and maintain a Register of Members containing: -

(i) The name and address of each member; and

(ii) The date on which each member's name was entered into the register.

## **6. CEASING MEMBERSHIP**

(a) A member of the Club who has not paid the subscription fee within ninety (90) days of the due date shall be deemed to have resigned their membership of the Club.

(b) A member of the Club may resign their membership at any time by giving notice in writing to the Secretary.

## **7. DISCIPLINE, SUSPENSION, EXPULSION AND APPEAL RIGHTS OF MEMBERS**

### **(a) INTERIM SUSPENSION**

The Secretary may apply an interim suspension of any member whom, in the opinion of the Secretary, has breached the Liquor Control Reform Act 1998, has been abusive or threatening towards a member of the Club's staff, is guilty of conduct unbecoming a member or prejudicial to the interests of the Club. The Secretary must submit a report to the Board on any member suspended in accordance with Rule 7(a) within twenty-eight (28) days of the effect of such suspension. The Board shall then appoint a Disciplinary Board Panel (DBP) of Board members and set a date for a meeting at which the matter the subject of the interim suspension is to be considered by the DBP.

### **(b) GIVE MEMBER NOTICE OF MEETING**

The Secretary must give written notice to the member the subject of the interim suspension at least fourteen (14) days prior to the meeting advising the member:

- i. That the MWMC proposes to take disciplinary action against the member;
- ii. Of the grounds for taking such disciplinary action;
- iii. Of the date, time and place at which the meeting will be conducted;

- iv. Of the options available to the member pertaining to his participation in the meeting, namely:
  - a. Attending the meeting in person to address the DBP; and/or
  - b. Providing a written statement that is received by the DBP prior to the meeting; and
- v. Of the member's appeal rights.

(c) DECISION OF THE DBP AND RESULTANT OUTCOME

Following the receipt of any verbal or written submission by the member to the DBP and the DBP's consideration of all relevant evidence and submissions, the DBP shall make a decision to:

- i. Dismiss the matter and rescind the member's interim suspension;
- ii. Issue a written reprimand to the member;
- iii. Suspend the member's membership rights for a specified period of time; or
- iv. Cancel the member's membership of MWMC and expel the member from MWMC.

The decision of the DBP shall take effect immediately upon determining that decision. The decision, including the reasons relied upon in making that decision, must be conveyed in writing to the member within forty eight (48) hours following the determination.

(d) APPEAL RIGHTS

A person whose membership rights of MWMC have been suspended or cancelled (the "former member") by the DBP may give notice to appeal. The notice must be in writing and received by the Secretary no later than 48 hours after the DBP has delivered its decision to the former member. The notice must state the basis of the appeal of the DBP's decision and include the names of any person that the former member (the "Appellant") intends to provide supporting evidence at an Appeal Hearing.

Upon receipt of the appeal notice the Board must convene an Appeal Hearing (a "Hearing") no later than twenty one (21) days from the date of the receipt of the notice. The Secretary must in writing advise the former member of the date, time and location of the Hearing such that the former member receives the advice no later than fourteen (14) days prior to the Hearing.

(e) CONDUCT OF APPEAL HEARING AND DECISION PROCESS

The appeal must be heard by an Appeal Panel (the "Panel") comprised of a minimum of the Board's Executive and at least fifty (50) percent of ordinary Board members.

The only matters to be addressed at the Hearing are those directly pertaining to the decision of the DBP and the appeal.

The conduct of the Hearing will be as follows:

- i. Members of the Panel are identified;
- ii. The Appellant and support persons are identified;
- iii. The DBP's decision and reasons for decision are stated;
- iv. The Appellant is given leave to verbally address the Panel, provide a written statement and/or tender further supporting evidence;
- v. Persons supporting the Appellant are given leave to address the Panel;
- vi. The Panel reserves the right to question the Appellant and/or support persons; and
- vii. The Hearing is adjourned.

Immediately upon adjournment of the Hearing the Panel must conduct a secret ballot to decide whether to uphold, amend or revoke the decision of the DBP. A decision to uphold or amend the decision of the DBP must be supported by at least seventy five (75) percent of the Panel.

The Secretary must in writing advise the Appellant of the decision of the Panel within forty eight (48) hours of the decision being made.

## **8. DISPUTES/GRIEVANCES AND MEDIATION**

### **(a) APPLICATION**

The grievance procedure set out in this Rule applies to disputes under these rules between: -

- i. A member and another member (limited to the extent to which the dispute affects the Club);
- ii. A member and the Board and/or
- iii. A member and the Club.

### **(b) NOTICE TO BE GIVEN**

Notice of the dispute must be provided in writing to the Secretary.

### **(c) ATTEMPT TO RESOLVE**

The parties to the dispute must meet and discuss the matter in dispute and, if possible, resolve the dispute within fourteen (14) days after the dispute comes to the attention of all of the parties.

### **(d) APPOINTMENT OF MEDIATOR**

In the circumstance where the parties are unable to resolve the dispute at the meeting, or if a party fails to attend the meeting, the parties must, within ten (10) days following the date of the meeting, advise in writing to the Secretary the inability to resolve the dispute. The parties must agree to the appointment of a mediator to the dispute (the "mediator") to convene a further meeting between the parties.

The mediator must be:

- i. A person chosen by agreement between the parties; or
- ii. In the absence of agreement:
  - a. If the dispute is between a member and another member, a person appointed by the Board; or
  - b. If the dispute is between a member and the Club, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

A mediator appointed by the Board may be a member or former member of the MWMC providing that the person to be appointed:

- i. Does not have a personal interest in the dispute; and/or
- ii. Is or may be biased in favour or against any party to the dispute.

### **(g) MEDIATION PROCESS**

The parties to the dispute must agree, in good faith, to attempt to settle the dispute by mediation.

The mediator, in conducting the mediation, must: -

- i. Give the parties to the mediation process every opportunity to be heard
- ii. Allow due consideration by all parties of any written statements submitted by any party; and
- iii. Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

The mediator must not determine the dispute.

### **(j) FAILURE TO RESOLVE THE DISPUTE BY MEDIATION**

In the event that the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law. Ultimately, failure to resolve the dispute will result, in a dispute between individual members of the Club, the membership of the disputing members being withdrawn by the Board.

## **9. ANNUAL GENERAL MEETINGS**

**(a) NOTICE OF ANNUAL GENERAL MEETING (AGM)**

The Board shall determine the date, time and location of the AGM of MWMC with consideration that the AGM must be conducted within five (5) months following the end of the financial year.

The Secretary must ensure that notice of the AGM is posted on the official MWMC website and advertised in Mildura print media at least fourteen (14) days prior to the conduct of the AGM. The notice shall also include information advising members that they can access the following documents via the official MWMC website:

- i. The Minutes of the Previous AGM;
- ii. The Club's Balance sheet (duly authorized by the Club's President, Secretary and auditor) for the financial year immediately preceding the AGM;
- iii. The President's Report;
- iv. The Secretary's Report;
- v. The CEO's Report (if different from the Secretary); and
- vi. Nomination form for election to the Board (if a scheduled or casual vacancy of Board Member is required to be filled at or following the AGM).

**(b) BUSINESS TO BE CONDUCTED AT THE AGM**

The ordinary business to be conducted at the AGM shall be to:

- i. Confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting;
- ii. Receive from the Board reports upon the transactions of the Club during the last preceding financial year;
- iii. Receive and consider the financial statements of the Club for the preceding financial year submitted by the Board in accordance with Part 7 of the Act
- iv. Receive and consider the statement submitted by the Club in accordance with Sections 98 (1) and (2) of the Act;
- v. Appoint auditors for the next financial year;
- vi. Receive and consider the annual reports of the Board on the activities of the Club during the preceding financial year; and
- vii. Announce the election of Directors as per Rule 24(d).

The AGM may also conduct and consider any other business (to be deemed special business) of which notice has been given in writing by a current financial member to the Secretary at least twenty one (21) days prior to the conduct of the AGM in accordance with Rule 12.

**(c) USE OF TECHNOLOGY**

A member not physically at a general meeting may be permitted to participate in the meeting by the use of technology approved by the Club and that allows that member and all other members present (either physically or by the use of technology) to clearly and simultaneously communicate with each other in real time. In the event that a vote of members during a meeting, at which members by the use of technology are in attendance ("virtual attendees"), is necessary virtual attendees are permitted to vote except where written secret ballot is the form of voting.

**10. SPECIAL GENERAL MEETINGS**

**(a) PROVISIONS**

Any and all general meetings of the Club (other than the AGM) that are permitted by the Board and conducted within twelve (12) months following the last AGM are deemed to be Special General Meetings. The Board may, whenever it thinks fit, convene a special general meeting of the Club.

No business other than that set out under Rule 12 may be conducted at a Special General Meeting. General business may be considered at a Special General Meeting providing that such has been included as an item for consideration in the notice under Rule 12 and the majority of members at the meeting agree to that consideration.

**(b) SPECIAL GENERAL MEETING HELD AT THE REQUEST OF MEMBERS**

The must, on the request in writing (in accordance with this Rule) of members representing not less than ten (10) percent of current financial members, convene a special general meeting of the Club.

A request for a special general meeting must be provided to the Secretary and must:

- i. Be in writing;
- ii. State the business to be considered at the meeting;
- iii. Any resolutions to be proposed (if proposed prior to the meeting); and
- iv. Include the names and signatures of the members requesting the meeting.

In the event that the Board does not convene a Special General Meeting within one month following the receipt of the request by the Secretary, any member being a party to the request may convene the Special General Meeting. A Special General Meeting convened by members under this Rule:

- i. Must be held within three (3) months of receipt of the request by the Secretary; and
- ii. May consider solely the business stated in the request.

The MWMC must reimburse all reasonable expenses incurred by the members convening a Special General Meeting under this Rule.

All business that is conducted at a Special General Meeting is deemed to be special business.

### **11. SPECIAL BUSINESS**

All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting (except for business that is conducted under the rules as ordinary business of the annual general meeting) is deemed to be special business.

### **12. NOTICE OF GENERAL MEETINGS**

(a) The Secretary of the Club must, at least fourteen (14) days or, if a special resolution has been proposed, at least twenty-one (21) days before the date fixed for holding a general meeting of the Club post on the MWMC official website a notice for the information of each member stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.

(b) Notice may be sent: -

- (i) By electronic transmission to member e-mail addresses or posting on the Club's website; or
- (ii) by the placement of an advertisement in the local newspaper.

(c) A member intending to bring any special business before the AGM must notify the Secretary in writing at least seven (7) days prior to the Secretary giving notice of the meeting in accordance with sub-rule (a). Subject to the member complying with this sub-rule, the Secretary shall then include that business in the notice calling the next general meeting.

### **13. QUORUM AT GENERAL MEETINGS**

(a) No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.

(b) Twenty-five (25) members personally present either physically or via live video link (being members entitled under these Rules to vote at a general meeting) constitutes a quorum for the conduct of the business of a general meeting.

(c) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present;

- (i) In the case of a meeting convened upon the request of members, the meeting must be dissolved; and
- (ii) In any other case, the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson to which the meeting is adjourned) at the same place.

(d) If at the adjourned meeting the quorum is not present either physically or via live video link within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than fifteen) shall be a quorum.

### **14. PRESIDING AT GENERAL MEETINGS**

(a) The President, or in the President's absence, the Vice President shall preside as Chairperson at each general meeting of the Club.

(b) If the President and the Vice President are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.

#### **15. ADJOURNMENT OF MEETINGS**

(a) The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting to a different time and/or place.

(b) A meeting may be adjourned due to insufficient time to complete the business of the meeting or a request during the meeting for additional information about financial matters that is not available whilst the meeting is in progress.

(b) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.

(c) If a meeting is adjourned for fourteen (14) days or more, notice of the adjourned meeting must be given in accordance with Rule 11 except that it is not necessary to give notice of the business to be conducted at an adjourned meeting.

#### **16. VOTING AT GENERAL MEETINGS**

(a) Upon a matter that requires a vote arising at a general meeting of the Club, each member has one vote only.

(b) All votes must be given personally or by proxy.

(c) Any matter to be put to a vote at a general meeting must be proposed by a member and seconded by a member present at the meeting or the members' proxies.

(d) Any matter intended to be put to a vote at a general meeting that is not formally proposed or seconded by a member will immediately lapse and no vote on the matter shall be conducted.

(e) In the case of an equality of voting on a matter, the Chairperson of the meeting is entitled to exercise a second or casting vote.

(f) A member is not entitled to vote at a general meeting unless all monies due and payable by the member to the Club have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

(g) A special resolution is required to amend the Clubs' constitution. A special resolution is passed if not less than seventy five (75) percent of the members voting at a general meeting (whether in person or by proxy) vote in favour of the resolution.

#### **17. POLL AT GENERAL MEETINGS**

(a) If at a meeting a poll on any question or matter is demanded by not less than three quarters of the members present, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.

(b) A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

#### **18. MANNER FOR DETERMINING WHETHER A RESOLUTION IS CARRIED**

(1) Subject to subsection (2), the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been—

- (a) carried; or
- (b) carried unanimously; or
- (c) carried by a particular majority; or
- (d) lost—

and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.

(2) If a poll (where votes are cast in writing) is demanded by three or more members on any question—

- (a) the poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and
- (b) the Chairperson must declare the result of the resolution on the basis of the poll.

(3) A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.

- (4) A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

## **19. PROXIES**

- (1) A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting other than at a disciplinary appeal meeting.
- (2) The appointment of a proxy must be in writing and signed by the member making the appointment.
- (3) The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.
- (4) If the Board has approved a form for the appointment of a proxy, the member may use any other form that clearly identifies the person appointed as the member's proxy and that has been signed by the member.
- (5) Notice of a general meeting given to a member under rule 33 must—
- (a) state that the member may appoint another member as a proxy for the meeting; and
  - (b) include a copy of any form that the Board has approved for the appointment of a proxy.
- (6) A form appointing a proxy must be given to the Chairperson of the meeting before or at the commencement of the meeting.
- (7) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association no later than 24 hours before the commencement of the meeting.

## **20. BOARD OF DIRECTORS**

- (a) The affairs of the Club shall be managed by the Board. The Board consists of nine elected Directors, made up of the Executive and six Ordinary Members.
- (b) All Directors have three (3) year tenures which expire in groups of three (3) each year.
- (c) The Board: -
- (i) Shall control the business, policies and affairs of the Club; and
  - (ii) may, subject to these Rules and the Act, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Club; and
  - (iii) Subject to these Rules and the Act, has power to perform all such acts and things as appear to the Board to be essential for the proper management of the business and affairs of the Club.
- (d) In the event of a casual vacancy occurring in the office of any Director, the Board may, by passing a resolution at a Board meeting, elect a member of the Club to fill the vacancy and the member elected shall hold office, subject to these Rules, until the conclusion of tenure of the Director replaced. The retiring member shall be ineligible for appointment to any vacancy on the Board until the next annual general meeting following his or her retirement.
- (e) Absences in excess of three (3) months must be approved by the Board.

## **21. BOARD DIRECTOR POSITIONS**

- (a) Three Directors of the Club shall be elected as members of the Executive by the Board at the first Board meeting in September following the annual general meeting.
- (b) The Executive shall consist of: -
- (i) A President;
  - (ii) A Vice President; and
  - (iii) A Director of Finance.
- (b) Each Executive of the Club shall hold office until the first Board meeting following the annual general meeting and is eligible for re-election by the Board as per sub-rule (a).
- (c) In the event of a casual vacancy in any office of the Executive, the Board may appoint one Director to the vacant office and the Director appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of appointment.

(d) In addition to the three Directors serving as Executives under Rule 21 (a), six Ordinary Members of the Board shall reside on the Board and shall hold office for three (3) years until the annual general meeting at the end of the third year and eligible for re-election as per sub-rule 23 (b).

## **22. ORDINARY MEMBERS OF THE BOARD OF DIRECTORS**

(a) In addition to the three Directors serving as Executives under Rule 21 (a), six Ordinary Members of the Board of Directors shall reside on the Board of Directors and shall hold office for three (3) years until the annual general meeting at the end of the third year and eligible for re-election as per sub-rule 23 (b).

## **23. ELECTION OF MEMBERS OF THE BOARD OF DIRECTORS**

(a) A person is eligible to be elected or appointed as a Director of the Club if that person:-

(i) is a member of the Club and has remained a member of the Club for no less than twelve (12) months; and

(ii) is 18 years or over; and

(iii) is entitled to vote at a general meeting and

(iv) is either: -

(a.) a current serving Director nominating for re-election; or

(b.) has attended a Pre-Nomination Session convened and, in a format, and at a time prescribed by Mildura Working Man's Club to outline the role and responsibilities of a director, governance, licensing and related compliance issues.

(b) Nominations of candidates for election to the Board must be: -

(i) Made in writing, signed by two members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and

(ii) Delivered to the Secretary of the Club not less than seven (7) days before the date fixed for the holding of the annual general meeting.

(c) If an insufficient number of candidates are nominated for election to the Board to fill all vacancies on the Board, the candidates nominated shall be deemed to be elected.

(d) If the number of candidates nominated for election to the Board is equal to the number of vacancies to be filled, the candidates nominated shall be deemed to be elected.

(e) If the number of candidates nominated for election to the Board exceeds the number of vacancies to be filled, a ballot must be held in accordance with Rule

## **24. BALLOT FOR THE ELECTION OF DIRECTORS**

(a) The ballot for the election of Directors initiated in Rule 23 (e) shall be by ballot by the general body of ordinary members of the Club not under disqualification. The ballot shall commence at 10.30am on the Thursday prior to the Annual General Meeting, between the hours of 10.30am and 6.30pm and also on the Friday and Saturday immediately preceding the Annual General Meeting.

(b) Each ordinary member of the Club may vote for a maximum number of candidates equal to the number of vacancies to be filled. The method of voting shall be by placing a tick in the box next to the name(s) of the candidate(s) which that member wishes to vote for.

(c) There shall be appointed by the Board, no later than fourteen (14) days before the Annual General Meeting, a Returning Officer to conduct the ballot. At the completion of the voting period the Returning Officer shall count the votes.

(d) The candidates that received the most votes shall be deemed to be elected. The candidates elected shall be announced by the Returning Officer as a matter of ordinary business at the completion of the AGM.

(e) If the result of the ballot is unable to be declared because two (2) or more candidates received the same number of votes, the Returning Officer must—

(i) decide by lot with the first name drawn out, to be declared elected.

(f) A ballot paper shall not be counted if marked other than in accordance with this Rule 24.

(g) The ballot shall be conducted in accordance with the Election Rules Handbook as adopted by the Board.

## **25. VACANCIES**

The office of a Director of the Club becomes vacant if that Director: -

i. Ceases to be a member of the Club;

ii. Becomes insolvent under administration within the meaning of the Corporations Law; and/or

- iii. Resigns from office by notice in writing given to the Secretary.

## **26. OBLIGATIONS OF DIRECTORS**

All Directors must:

- i. Obtain a Victorian-approved Responsible Service of Alcohol Certificate within three (3) months after the date of being elected or re-elected;
- ii. Obtain a Victorian-approved Responsible Service of Gambling Certificate within six (6) months after the date of being elected or re-elected;
- iii. Attend mandatory Director training on an annual basis; and
- iv. Conduct themselves in accordance with the MWMC Director's Guidelines.

The Club will be responsible for covering the reasonable costs associated with obtaining the qualifications abovementioned.

## **27. DIRECTOR'S HONORARIUM**

All Directors will be paid an honorarium whilst in office.

The level of Honorarium payments must be set by members at a General Meeting to be held at least annually.

## **28. DIRECTORS MEETINGS**

(a) The Board must meet at least twelve (12) times in each year at the frequency of one (1) meeting per month at such place and such times as the Board may determine.

(b) Special meetings of the Board may be convened by the President or by any five (5) members of the Board.

## **29. NOTICE OF DIRECTORS' MEETINGS**

(a) An electronic calendar shall be prepared and circulated to all Directors to provide advance notice of scheduled Board meetings.

(b) Any change to the date, time and place of a scheduled Board meeting must be communicated to all Board members at least two (2) business days before the date of the meeting.

(c) In the event that an otherwise unscheduled meeting of Directors (a Special Meeting of the Board) is required to be held, all Directors will be notified at least two (2) business days prior to the conduct of the meeting and be accompanied by an Agenda of all matters to be considered at the meeting.

## **30. QUORUM FOR DIRECTORS MEETINGS**

(a) Any five (5) members of the Board constitutes a quorum for the conduct of the business of a meeting of the Board.

(b) No business may be conducted unless a quorum is present.

(c) If within half an hour of the time appointed for the meeting the quorum is not present: -

(i) In the case of a special meeting, the meeting lapses;

(ii) In any other case, the meeting shall stand adjourned to the same place and the same time and day of the next scheduled Directors meeting.

(d) The Board may act notwithstanding any vacancy on the Board.

## **31. PRESIDING AT DIRECTORS MEETINGS**

At the meeting of the Board: -

(a) The President, or in the President's absence, the Vice President presides; or

(b) If the President and Vice President are absent, or are unable to preside, the Directors present must choose one of their numbers to preside.

## **32. VOTING AT DIRECTORS MEETINGS**

(a) Questions arising at a Directors meeting, or at a meeting of any sub-committee appointed by the Board, shall be determined on a show of hands, or if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.

(b) Each member present at a meeting of the Board, or at a meeting of any sub- appointed committee by the Board (including the person presiding at the meeting) is entitled to one (1) vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote. All Directors present must indicate a vote on any matter under consideration when requested by the Chairperson.

### **33. REMOVAL OF DIRECTOR**

(a) In accordance with Section 78 of The Act, the Board may, by special resolution at a Special Board meeting to be held *in camera*, remove any Director before the expiration of that Director's term of office for conduct deemed by the Board to be:

1. Unable to fulfil the duties of a Director of the Club;
2. Unbecoming of a Director of the Club;
3. Prejudicial to the interests of the Club; or
4. Any other matter considered substantial by the Board.

(b) A member who is the subject of a proposed special resolution referred to in sub-rule (a) may make written submissions in defence to the Secretary or President of the Club (not exceeding a reasonable length).

(c) A position on the Board left vacant by the removal of a Director may be filled by the Board electing a replacement member or allowing the position to remain vacant until the AGM immediately following the Director's removal.

### **34. SECRETARY**

(a) Additional to the Board is the Secretary who is an employee and not a Director of the Club.

(b) The Secretary is the contracted and salaried Chief Executive Officer of the Club which shall be appointed by the Board.

(c) The Secretary shall be responsible for managerial, secretarial, financial, Public Officer duties and other duties determined by the Board.

### **35. MINUTES OF MEETINGS**

The Secretary of the Club must keep minutes of the proceedings and resolutions of each general meeting, and each Board meeting, together with a record of the names of persons present at all general and Board meetings.

### **36. FUNDS**

The Secretary of the Club must: -

- (i) Collect and receive all moneys due to the Club and make all payments authorised by the Club; and
- (ii) Keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.

### **37. SEAL**

(a) The Common Seal of the Club must be kept in the custody of the Secretary.

(b) The Common Seal must not be affixed to any instrument except by the authority of the Board of Directors and the affixing of the Common Seal must be attested by the signatures either of two (2) members of the Board of Directors or, of one (1) member of the Board of Directors and of the Public Officer of the Club.

### **38. NOTICE TO MEMBERS**

Except for the requirement in Rule 12, any notice that is required to be given to a member on behalf of the Club, under these rules may be given by: -

- (a) Delivering the notice to the member personally; or
- (b) Sending by prepaid post addressed to the member at that member's address shown in the Register of Members; or
- (c) Facsimile transmission, if the member has requested that the notice be given to him or her in this manner; or

(d) Electronic transmission, if the member has requested that the notice be given to him or her in this manner.

### **39. WINDING UP**

In the event of the winding up or the cancellation of the Incorporation of the Club, the assets of the Club must be disposed of in accordance with the provisions of the Act.

### **40. ACQUIESCENCE**

The payment of subscriptions implies and shall be deemed to prove a member's acquiescence of these rules.

### **41. CUSTODY AND INSPECTION OF BOOKS AND RECORDS**

(a) Except as otherwise provided in these rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Club.

(b) If requested to do so by one of its members, the Club must permit the member at a reasonable time to inspect:

1. The rules of the Club;
2. The Minutes of general meetings of the Club; and/or
3. The register of members. The Secretary may refuse to permit a member to inspect the records of the MWMC that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the MWMC.

### **42. LIQUOR REQUIREMENTS**

(a) All visitors, members and guests must comply with current liquor and gaming licensing laws.

(b) No amount shall be paid to an officer or servant of the Club by way of commission or allowance from receipts of the Club for the sale and disposal of liquor.

(c) A person shall not: -

- (i) Be admitted as a Temporary Member or Honorary Member; or
- (ii) Be exempted from the obligation to pay the subscription, unless the person is of a class specified in this Constitution or By-Laws and the admission or exemption is in accordance with this Constitution or By-Laws.

# **THE MILDURA WORKING MAN'S CLUB INC.**

## **BY-LAWS**

(Updated November 2025)

### **1. INTRODUCTION**

- (a) These By-Laws are in compliance with the following: -
  - (i) The Constitution of the Club; and
  - (ii) The Associations Incorporation Reform Act 2012.
- (b) These By-Laws supersede all previous By-Laws of the Club.
- (c) All members are required to become conversant with these By-Laws and to comply with them so as to ensure the efficient conduct of the Club.

### **2. NOMINATION OF CANDIDATES FOR ORDINARY MEMBERSHIP**

- (a) The application for membership shall be made in writing and signed by the candidate.
- (b) The application for membership shall be in or to the effect of such form, and shall set out such particulars, as the Board of Directors from time to time prescribes.
- (c) Every candidate shall with his application for membership tender the entrance fee (if any) and the annual subscription payable in respect of his application for the year.
- (d) If the application for membership contains false and/or misleading information, the candidate renders himself liable to: -
  - (i) disciplinary action;
  - (ii) the application for membership to be denied and;
  - (iii) Any future applications for membership scrutinized by the Board of Directors.
- (e) On the resignation, death or otherwise of any member who has paid his membership fee the amount equivalent to the membership fee for the remaining year is forfeited and the membership is terminated.
- (f) Unless otherwise determined by the Board of Directors, a candidate who has applied for membership and has paid the annual subscription for the year may be made a Provisional Member of the Club.
- (g) If such application for membership is not successful, all monies tendered by way of entrance fee and annual subscription shall be refunded in full.

### **3. RIGHTS OF MEMBERS**

- (a) The rights of members to use the facilities and amenities of the Club are as the Board of Directors may determine from time to time by By-Law or otherwise.
- (b) Without detracting from the general powers of the Board of Directors conferred in the Constitution, all members hereby acknowledge and accept that the Board of Directors has the power from time to time to organise and enforce the exclusion from the Club's premises of any member or other person, either with or without that member's or persons' agreement, in accordance with: -
  - (i) The Club's responsible service of alcohol policy as adopted and amended by the Board of Directors from time to time; or
  - (ii) The Club's responsible service of gaming policy as adopted and amended by the Board of Directors from time to time; or
  - (iii) Non-adherence to Rule 7 of the Constitution.

### **4. MEMBERSHIP IDENTIFICATION**

- (a) Members must produce current Club membership identification: -
  - (i) To reception staff on each entry to Club premises; and
  - (ii) On demand when so requested by any staff member, Manager or Duty Manager.
- (b) Safe custody of individual membership identification is the member's responsibility. Illegal use renders the member liable to suspension or revocation of membership.
- (c) No member shall lend or otherwise part with possession of his membership identification.
- (d) The Secretary or person duly appointed by the Board of Directors may: -
  - (i) Confiscate any member's membership identification found in possession of any other

person; and

(ii) Ask the person found to have such identification in his possession to leave the Club's premises forthwith.

(e) Any member whose membership identification has been confiscated in accordance with the provisions hereof may apply to the Board of Directors within thirty (30) days of such confiscation for the return of the said membership identification.

(f) Such application shall be in writing and shall be supported by a duly sworn Statutory Declaration setting out the circumstances in which the member parted with possession of the said Membership identification.

(g) Until the Board of Directors shall have resolved that the said member's identification should be Returned to that member, the member shall not be entitled to enter the Club's premises or to exercise any of the privileges of membership of the Club.

(h) Any member who has lost their membership identification may apply to the Club for the issue of such further form of membership identification as the Board of Directors may from time to time resolve to issue and on payment of the appropriate fee.

(i) Any such membership identification issued shall be and shall remain the property of the Club.

## **5. GUESTS**

(a) Ordinary, Life, Provisional, and Honorary Members of the Club shall have the privilege of introducing guests in accordance with the Constitution and this By-Law but no person who has been suspended or expelled from the Club shall be so introduced during the period of such suspension or expulsion.

(b) The Club reserves the right to refuse entry to any guest, without assigning any reason.

(c) Unless the guest is a minor that member shall, upon that guest entering the premises, enter that guest's name and address and sign his own name and enter his membership identification card number in the Register kept for that purpose at each foyer.

(d) A member signing in guests shall be responsible for the conduct of any guest introduced to the Club and in particular for the compliance by all such guests with the Constitution and these By-Laws including age regulations and dress regulations.

(e) Each guest signed in by a member must, at all times while on the Club premises, remain in the reasonable company of that member and when that member leaves, each guest introduced to the Club must also leave, unless duly signed in by another member who is remaining on Club premises.

(f) The Club may refuse entry to any guest who resides within a ten (10) kilometre radius of the Club and has been admitted to the Club premises as a guest on more than three (3) occasions, until such a time as that person applies for membership of the Club.

## **6. REFUSAL OF ADMISSION TO AND REMOVAL OF PERSONS FROM THE CLUB**

(a) The Secretary or the Duty Manager of the Club may at any time without assigning any reason determine that any person is not to be admitted into the Club premises.

(b) The Secretary or the Duty Manager may turn out any person: -

(i) Who is violent, quarrelsome or disorderly; or

(ii) Who uses or engages any part of the Club's premise for the purpose of prostitution; or

(iii) Who hawks, peddles or sells goods on the Club's premises without prior written approval of the Board of Directors; or

(iiii) Who uses or has in his possession, while on Club premises, any substance which the Secretary or Duty Manager suspects of being a prohibited plant; or prohibited drug within the meaning of the Drugs, Poisons and Controlled Substances Act 1981; or

(iv) Whose presence on Club premises renders the Club or the Secretary liable to a penalty under any Act of Federal or State Parliament; or

(v) Who engages in conduct which is unbecoming of a member or prejudicial to the interests of the Club.

(c) The Secretary or an employee of the Club may also, at any subsequent time or from time to time, refuse to admit a person into the Club's premises who has previously been refused entry to or been turned out of the Club and may turn that person out, or cause that person to be turned out of the Club.

(d) The Secretary or an employee may use a reasonable and proportionate degree of force as may be

necessary to turn such a person out of the Club and may request a Police Officer to turn out or assist in turning out such a person from the Club.

#### **7. UNWELCOME LIST**

(a) The Secretary shall maintain a list of names of persons to whom the Board of Directors has resolved to deny entry to the Club premise and who until the Board of Directors resolves otherwise shall not be entitled to enter the Club.

(b) The Secretary shall retain a list of names of persons whom are banned from licensed premises in accordance with the Sunraysia Liquor Accord.

#### **8. UNDERAGE PERSONS ON CLUB PREMISES**

(a) A person under eighteen (18) years of age ( a “minor”) is permitted to be on Club premises providing they are:

1. Under the direct supervision of a responsible adult as defined by *the Liquor Control Reform Act 1998* (not being a staff member of the Club);
2. Not present in any area of the venue from which persons under eighteen (18) years of age are prohibited, and

(b) Persons under eighteen (18) years of age: -

- (i) Shall not be served liquor in any area of the Club;
- (ii) Shall not consume liquor in any area of the Club;
- (iii) Shall not use or operate gaming machines or take part in any other form of gambling, including but not limited to TAB betting, raffles, bingo and other games of chance in the Club; and
- (iv) Shall not enter or be in a TAB, bar or bingo area of the Club other than for as long as is reasonably necessary to pass through the area, in the company and immediate presence of a responsible adult member, in order to gain access to another area of the Club that the Minor is permitted to enter.

#### **9. LIQUOR HOUSE POLICY – RESPONSIBLE SERVICE OF ALCOHOL**

(a) By law it is an offence to sell or supply any liquor to any person who is at the time in a state of intoxication. The state of intoxication can be described as a state in which through intoxicating liquor a person has lost the normal control of his bodily and mental faculties.

(b) The Secretary and employees: -

- (i) Have a statutory responsibility to ensure that patrons do not become intoxicated on the Club’s premises and to prevent such patrons from entering or remaining on the Club’s premises,
- (ii) Have the right to ask an intoxicated person to leave the Club’s premises and to contact a Police Officer for assistance in removing that person from the Club’s premises if necessary;
- (iii) Have the right to refuse to serve alcohol to any person suspected of being intoxicated or becoming intoxicated; and
- (iv) Have the right to deny entry into the Club’s premises, to a person who is intoxicated.

(c) The Club promotes the framework for Responsible Service of Alcohol. It is vital for legal, health and community reasons. This policy is adopted by all management and staff in the best interests of members, guests and the community.

(d) This policy includes among other things: -

- (i) House Policy – This provides the framework for Responsible Service of Alcohol; see notices at each bar.
- (ii) Training of Staff – So that staff can implement and promote house policy.
- (iii) Education of Patrons – So that patrons understand the implications and abide by ‘House Policy’ of Responsible Service of Alcohol.
- (iv) Prevention of underage drinking – Require Passport, Drivers License or Proof of Age Card or Learner’s Permit to be supplied on request.
- (v) Promoting Safe Transportation – Use of direct phone lines taxi service.

#### **10. DRESS REGULATIONS**

(a) Members and their guests must be properly attired and be of neat and tidy appearance at all times and in particular shall comply with the Dress Code in the Schedule to these By-Laws, which are at the main entrance of the Club's premises.

(b) If any dispute arises in relation to dress, the Chief Executive Officer or the Duty Manager's decision shall be final.

#### **11. BEHAVIOUR AND LANGUAGE**

(a) Objectionable and obscene behaviour or language will not be tolerated at any time in the Club premises or the Club's car park.

(b) No person shall, while in the Club's premises, behave in a manner dangerous or offensive to other members or guests of the Club.

#### **12. CLUB PROPERTY**

(a) Every member shall exercise due care for Club property at all times.

(b) No person shall remove property from the Club premises without written authority from the Secretary.

#### **13. CHEQUES**

(a) The Club will only accept cheques for the payment of yearly subsidised fees or for authorised accounts.

(b) The cheque must be drawn on the Member's bank account, made payable to the Club and have the member's name, address and driver's licence number or Passport number on the reverse of the cheque.

(c) The Club reserves the right to refuse to cash any cheque without assigning any reason.

#### **14. DEPARTURE FROM THE CLUB**

Members and their guests shall vacate the Club premises and the car park and adjacent streets with the absolute minimum of noise and inconvenience to the neighbours on adjoining properties.

#### **15. SPORTS**

Any member wishing to join any sporting/social sub-club shall be bound by the rules of the said sub-club in conjunction with the Constitution and By-Laws of the Mildura Working Man's Club Inc.

#### **16. CLUB RECORDS**

(a) It is each member's responsibility to advise the Membership office of any change of information tendered on that member's application for membership form, including change of name, address, phone number, and any other relevant information.

(b) Each member's immediate attention to this requirement will ensure the continuation of supply of Club notices as required from time to time.

#### **17. PLAYING OF GAMING MACHINES**

(a) All persons who play gaming machines in the Club do so subject to The Gambling Regulations Act 2003 and the following rules which shall be the terms and conditions of play and the decision of the Club, as expressed by the Secretary or Duty Manager as to the interpretation of these rules shall be final and binding.

(b) The gaming machines in the Club may only be played by, and any jackpot or prize won will only be paid, to members and their guests who have complied with all legal requirements to be admitted into the Club.

(c) The Club reserves the right to refuse any person, including members and guests, the right to play gaming machines in the Club.

(d) Only notes and coins of Australian legal tender currently in circulation are to be used to play the Club's gaming machines and in any case only as indicated on the machine to be played.

(e) A machine may only be reserved for a maximum of ten (10) minutes, using only 'Reserved' notices supplied for that purpose.

(f) No jackpot, prize or winning combination will be paid: -

(i) Which is won before the opening time of the Club or after closing time has been announced; and

- (ii) Unless the winning combination is authorized by the Club's gaming staff and verified to be paid pursuant to the Club's procedures for paying jackpots.
- (g) Any request by a person for a pay-out of accumulated credits from a gaming machine will be made by the Club in accordance with the Gambling Regulations Act 2003.
- (h) The Club may refuse payment if in the opinion of an authorised employee, Duty Manager or Secretary the machine has malfunctioned or if a winning combination showing has not registered as a win on the machine.
- (i) Each player of the Club's gaming machines acknowledges by choosing to play the Club's gaming machines, that the Club's decision as to whether a gaming machine has malfunctioned or not, or if a winning combination showing has not registered on the machine, is final.
- (j) Tilting, rocking or in any way moving or damaging a gaming machine in the Club is strictly Prohibited and renders the person liable to suspension or revocation of membership.
- (k) The Club will at all times comply with the regulations set out in the Gambling Regulations Act 2003
- (l) All persons who play gaming machines in the Club must carry identification at all times and provide evidence of their residential address upon request.
- (m) Staff at this venue are not permitted to play a gaming machine on a rostered day of work at this venue.

#### **18. CLUB STAFF**

- (a) All Club staff are the direct responsibility of the Secretary.
- (b) All complaints in respect to staff shall be submitted in writing to the Secretary.
- (c) No member will directly reprimand any Club staff member.

#### **19. GENERAL OFFICE**

- (a) The General Office is under the direct control of the Secretary.
- (b) The General Office is out of bounds to all members.

#### **20. OFFENCES**

- (a) If any member should fail to comply with the Constitution or these By-Laws or should cause offence to any member or members of the Club or behave in a manner prejudicial to the good order of the Club or the comfort and welfare of any member or members, he or she may be requested in writing to appear before a discipline meeting of the Board of Directors.

#### **21. BY-LAWS – NOTICE TO MEMBERS**

- (a) The Board shall adopt as it deems sufficient to bring to the notice of members of the Club all By-Laws and any alterations, amendments or rescissions which the Board of Directors may make to them.
- (b) Unless otherwise determined by the Board of Directors, no such By-Law, alteration, amendment or rescission shall take effect until notice thereof shall have been posted on the Club website at [www.milduraworkers.com.au](http://www.milduraworkers.com.au) for a period of not less than seven (7) days.
- (c) All such By-Laws so long as they shall be in force shall be binding upon all members of the Club.

#### **22. BY-LAWS – BOARD MEETING ATTENDANCE – November 2024**

- (a) Attendance at Board meetings must be in person.
- (b) Pursuant to By-Law 22 (a) in the event of a prolonged club closure, the President at his or her discretion may permit Board members to attend Board Meetings electronically.

#### **23. BY-LAWS – ALLOCATION OF SPONSORSHIP FUNDS-June 2025**

- (a) The club's allocation of capital for donations and sponsorship will be a maximum of 10% of the previous financial year's trading profit.

(b) No one organisation is to receive more than 10% of the allocated sponsorship or donation funds in any one year.

(c) The club does not provide support for individuals under any circumstances. If a request is received from an individual, the club will provide a default offer of 1 x \$100 club voucher

(d) Applications for support must be submitted using a template provided by the club

#### **24. BY-LAWS – USE OF CLUB CAR PARK-July 2025**

(a) The use of the club's car park is strictly for the use of patrons of the Mildura Workers

(b) Patrons using the carpark may only do so whilst using the club's facilities

(c) Those using the club's carpark for any other business other than to visit the club; risk penalties including but not limited to being banned from using the club's facilities.

#### **25. USE OF VEHICLES WITHIN THE CLUB – November 2025**

(a) Bicycles, e-scooters, and other wheeled recreational vehicles are not permitted to be brought into or used within Club premises. Users are solely responsible for the safe and secure placement of these vehicles outside the Club.

(b) Club Patrons may use disability aids, including mobility scooters and electric wheelchairs, to alleviate the effect of a disability and allow access to the Club.

(c) Management reserves the right to determine if a device is being used for disability reasons and its suitability for use inside the premises.

(d) Disability aids used inside the Club must be operated no faster than walking pace, in a safe manner and in accordance with staff directions. Where these devices are not being used in a safe and considerate manner, management may ask the user to leave the premises.

(e) Patrons using these aids do so at their own risk, and the Club accepts no liability for any injury or damage caused.

(f) Any breach of this by-law may result in disciplinary action against the member or patron responsible, in accordance with the Club's constitution.

## **SCHEDULES**

(Updated April 2025)

### **DRESS CODE**

- Neat casual dress must be worn in all areas of the Club premises
- Clothing with offensive emblems, words, or statements not permitted at any time
- Footwear must be appropriate and worn at all times.
- Headwear, including hats, caps, and beanies, are not permitted in the VIP lounge. Members and guests must ensure their face remain visible to staff in all areas of the club.
- All clothing must be clean.
- Dress singlets are permitted. Low-arm gym singlets are not permitted.
- Clothing must be of a nature that is not offensive to others.

Management reserves the right to determine the acceptability of clothing and the option to refuse entry to any member or visitor if it is deemed that the clothing worn is unacceptable for entry into the Club's premises.

### **PRIVACY POLICY**

Mildura Working Man's Club recognises that your privacy is important and that receiving your personal information involves trust. Mildura Working Man's Club takes the issue of privacy very seriously.

Set out below is the Mildura Working Man's Club Inc. Privacy Policy. It explains what information we collect, the handling, use and disclosure of your personal information, your rights and how we protect those rights.

Mildura Working Man's Club is subject to the provisions of the Privacy Act 1988, which contains the National Privacy Principles that set standards for the handling of personal information. Mildura Working Man's Club complies with the National Privacy Principles in collecting information from you and in storing and maintaining that information.

#### **1. Collection of Personal Information**

The type of personal information that we collect from you will depend upon what dealings you have with us. Mildura Working Man's Club will not collect personal information unless the information is necessary for the Club's functions or purposes. Mildura Working Man's Club will only collect personal information by lawful and fair means. The Club is required to collect personal information under law; for example: laws relating to the regulation of gambling, financial transactions, taxation and occupational health & safety.

Any personal information provided by you to the Mildura Working Man's Club will be protected by the Club, using all reasonable means necessary to protect such information from misuse or loss. This includes information collected by:

- Completion of a Club membership Application form, or
- A Membership Card being placed in a Club gaming machine or a machine linked to a member loyalty system, or
- Security surveillance cameras placed in the Club; or
- Any other method which the Club may, from time to time, adopt.

#### **2. Use and Disclosure of Personal Information**

Mildura Working Man's Club may use your personal information for its own purposes, including ensuring the safety of members & guests, to protect the property of the Club, to improve the Club's services, to provide members & guests with the latest information about those services and for marketing purposes.

We do not disclose your personal information to other organisations or persons unless we are required by law to do so. The Club may disclose personal information to the relevant authorities if it reasonably believes that:

- There is a threat to an individual's life, health or safety; or

- An unlawful activity has been, is being or may be engaged in

The Club may then disclose personal information to the relevant authorities as a necessary part of any investigation or report.

### 3. Sharing Information with other Organisations

The Mildura Working Man's Club may, in some circumstances, disclose your personal information to third parties that provide services to the Club. This information may be provided only to the extent necessary to operate our business or provide you with products and/or services you have requested. We require these organisations to agree to our Privacy Policy, to strict conditions governing how your personal information may be used and to keep any personal information provided secure and confidential.

Your information may be disclosed to other members of Clubs Vic, The Victorian Commission for Gambling and Liquor Regulation and credit reference agencies for the purposes of carrying out credit checks. We will only disclose information to organisations who comply with the National Privacy Principles contained in the Privacy Act 1988.

### 4. Security of Personal Information

Mildura Working Man's Club will make all reasonable endeavours to securely protect your personal information against unauthorised use, access, modification and disclosure and to keep this information accurate, complete and up to date. Our employees are required to respect the confidentiality of any personal information held by the Club. Mildura Working Man's Club will only store your personal information for as long as necessary for any purpose for which the information may be used or disclosed under the National Privacy Principles or as required by law.

### 5. Access to and Correction of Personal Information

You are welcome to request details of the personal information we hold about you. If you wish to make a request to review your personal information, please attend the Mildura Working Man's Club in person as your Driver's Licence or similar photo identification is required in order to verify your identity. The information will then be made available to you within thirty (30) days. If you find that the personal information we hold about you is inaccurate, incomplete or out-of-date please contact Club Reception. We may require up to thirty (30) days to update our records.

### 6. Video Surveillance

We are committed to providing a secure environment for all members and visitors to our Club. The Mildura Working Man's Club premises and their surroundings are under constant video surveillance, enabling the Club to provide services to members, to protect Club property and ensure the safety and wellbeing of our members and guests. Unless permitted by the Privacy Act 1988 or otherwise required by law, the Club will not, without prior written consent of any person concerned, use the information recorded by those cameras for any other purpose. Details of suspected illegal and undesirable activities are shared with other members of industry Clubs, law enforcement bodies and regulatory bodies such as the Victorian Commission for Gambling and Liquor Regulation.

### 7. Recruitment

The personal information provided by persons seeking opportunities of employment at the Mildura Working Man's Club is used for the purpose of assessing the employment application/interview and will not be used or disclosed for any other purpose.

Any contractors and service providers we use to help us in our recruitment may access information provided by the applicant. The Mildura Working Man's Club does not retain or archive any detailed information about opinions of referees.

If the applicant is unsuccessful in gaining employment with the Mildura Working Man's Club, the Club will, upon the applicant's request, either:

- Archive the information provided to us in the course of assessing the application, for three (3) months before it is confidentially disposed of; or
- Confidentially dispose all information provided to us in the course of assessing the application.

## 8. Cookies

When you visit our website, we may use an Internet browser feature called a 'cookie'. A cookie is a small data file that may be placed on the computer of a web user the first time a computer visits a website which operates cookies. Cookies by themselves cannot be used to identify you personally. They only identify your computer when you visit our site. The information that we gain by using cookies, provides us with statistics which can be used to analyse and improve our website, products and services. If you do not wish to receive cookies you can set your browser to refuse them. However, this may mean you are not able to take full advantage of our services.

## 9. Links

Mildura Working Man's Club provides links to other websites outside of our network. These links are not under the control of the Mildura Working Man's Club and as such, we are not responsible for the conduct of companies linked to our website. Before disclosing your personal information on any other website, we advise you to consider the organisations that have requested your information and to examine their compliance with the National Privacy Principles, as well as their terms & conditions of use.

## 10. Spam

Mildura Working Man's Club will not send you 'spam' (unsolicited advertising information) without your consent. If you are receiving promotional information about the Mildura Working Man's Club and do not wish to receive this information any longer, you may remove your name from our mailing list by requesting this action via written letter to PO Box 5030 MILDURA VIC 3502, via Fax on (03) 5021 1586 or by email to: [info@milduraworkers.com.au](mailto:info@milduraworkers.com.au)

## 11. Database Information

Mildura Working Man's Club will not sell your information from its databases to other companies, organisations or individuals.

## 12. Marketing

Mildura Working Man's Club will not send marketing material to you if you have specifically requested not to receive it.

## 13. Changes in the Future

Our Privacy Policy is available to view on our website. We reserve the right to change our Privacy Policy at any time and any changes are deemed to have taken place on the date the amended Privacy Policy is made available on our website.

## 14. Additional Information on Privacy

If you require any further information and/or have any questions regarding this Privacy Policy, you may contact: Chief Executive Officer, PO Box 5030 MILDURA VIC 3502, Phone: (03) 50230531, Fax: (03) 5021 1586, Email: [info@milduraworkers.com.au](mailto:info@milduraworkers.com.au)