

# By Laws

of the

# Bendigo Flying Club

A public company limited by guarantee

A.C.N. 006 091 443

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## 1. Introduction

- (a). This statement of By Laws has been created during the process of Constitutional Review undertaken in 2019. Statements initially included in this document were transferred from the Constitution after reclassification of the paragraphs as policy (bylaws) not objects. They provide guidance and illustrate agreements made by the Club about how the business of governance and operations will occur.
- (b). The Committee of the Club shall have power from time to time to make, alter and repeal all such by-laws as they deem necessary or expedient for the proper conduct and management of the Club, and in particular, but not exclusively, they may by such by-laws regulate :-
  - i. the terms and conditions upon which honorary guests, children of members of the Club, visitors, shall be permitted to use the premises and property of the Club;
  - ii. the times of opening and closing the club-house and premises of the Club, or any part thereof;
  - iii. the rules to be observed and prizes to be played for by members of the Club playing any games on the premises of the Club;
  - iv. the prohibition of particular games on the premises of the Club entirely or at any particular time or times;
  - v. the conduct of members of the Club in relation to one another and to the Club's Employees;
  - vi. the setting aside of the whole or any part or parts of the Clubs premises for any class or classes of members, at any particular time or times or for any particular purpose or purposes;
  - vii. the imposition of fines or other consequences for the breach of any by-laws or the Constitution of the Club;
  - viii. The procedure at Ordinary or Special General Meetings or of the Committee of the Club;
  - ix. and, generally all such matters as are commonly the subject-matter of Club rules.
- (c). Where the Constitution, by-laws or rules of the Club conflict with the laws of Australia, the laws of Australia shall take precedence.
- (d). Where the by-laws conflict with the Constitution, the Constitution will take precedence.

## 2. Bylaws

- (a) To purchase, lease, take, exchange, hire or otherwise acquire any real or personal property and other rights and privileges necessary for the purposes of the Club.
- (b) To subscribe to, become a member of and corporate with or amalgamate with any other companies, clubs or organizations whether incorporated or not whose objects are similar to the Club.
- (c) To buy, sell and deal in all kinds of apparatus and all kinds of provisions, liquids and solid, required by the members of the Club or persons frequenting the Club's premises.
- (d) To purchase, take on lease or in exchange, the hire and otherwise acquire any lands, buildings, easement or property, real or personal.
- (e) To enter into any arrangements with any Government or authority, supreme, municipal, local or otherwise that may seem conducive to the Club's objects
- (f) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Club.
- (g) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may directly or indirectly to advance the Club's interests.
- (h) To invest and deal with the money of the Club not immediately required in such a manner as may be permitted law for the investment of trust funds.
- (i) To borrow or raise or secure the payment of money in such manner as the Club may think fit and secure the same or repayment or performance of any debt liability contract guarantee or other engagement incurred or to be entered into the Club in any way and in particular by the issue of debentures perpetual or otherwise charged upon all or any of the Club's property (both present and future) and to purchase, redeem or pay off such securities.
- (j) To make, draw, accept, endorse, discount, execute and issue promissory notes, bill of exchange, bill of lading and other negotiable or transferable instruments.

- (k) To sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Club.
- (l) To take or hold mortgages, liens and charges to secure payment of the purchase price or any unpaid balance of the purchase price, of any part of the Club's property of whatsoever kind sold by the Club or any money due to the Club from purchasers and others.
- (m) To take any gift of property whether subject to any special trust or not.
- (n) To take steps by professional or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Club in the shape of donations, annual subscription or otherwise.
- (o) To print and publish (electronic or hard copies) any newspapers, periodicals, books or leaflets that the Club may think desirable for the promotion of its objects.
- (p) To purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the companies, institutions, societies or associations with which the Club is authorized to amalgamate.
- (q) To make donations for patriotic or charitable purposes examined by one or more properly qualified Auditor or Auditors who shall report to the members in accordance with the Act.
- (r) A record of membership shall be kept by the secretary of the Club. This record may be kept in hardcopy format or as an appropriately secure computer file. Upon admission to the Club the new member's name shall be entered in this record by the secretary. The membership list will include; the name and mailing address, contact telephone numbers, type of membership, email address and date of admission to the Club.

### 3. **BFC Member's Manual**

- (a) The **Code of Conduct** outlining rights and responsibilities of members describes the privileges and rules for members and is included in the **Members Manual** and is the guide used to determine grievance and disciplinary circumstances. This is provided to members on application and is modified from time to time on authorisation of the committee.

### 4. **BFC Membership categories**

(b) Categories

- Full \$140
- Youth (up to 18 yrs) \$70
- Affiliate \$40 (available to members of clubs with whom we have an MOU/letter. Currently Kyneton and Mildura)
- Life \$0

- (c) **New** members are charged for the proportion of the year remaining at the time they join.

(d) Instructor **discretion allows occasional variations**

ie in the case of a student doing a full-time course before heading overseas for longer than the remainder of the calendar year, or one off hire of our aircraft – apply \$25/month

### 5. **Rights of Guests**

- (a) No guest is to be on the premises or property on the Club except under such conditions as from time to time prescribed by the Committee.
- (b) The supply of alcohol to a guest in the Club premises shall be only on the invitation of the Club and in the company of a member.
- (c) It is hereby expressly provided that the limitations imposed by this Constitution on members shall apply to each and every guest of the Club.

## **6. Compliance with Legislation**

(d) Members are expected to comply with legislation and rules affecting the Club and its operations, whether or not specified in the Constitution or By-laws. Legislation affecting the club includes but is not limited to:

- Corporations Act (Clth 2001)
- Liquor Licensing Act
- Food Safety Laws and Regulation
- Privacy Act
- RAAus Operations Manual
- CASA Rules