

# Lismore Workers Golf Club

## Code of Conduct

This Code of Conduct applies to all Members of Lismore Workers Golf Club. The Code principally relates to on-course behaviour, and extends to a Member acting as a Club Representative in any capacity at any other venue.

Matters pertaining to the operation of the licenced premises, including the conduct of Members in or around the clubhouse, will occur in accordance with the Constitution of The Lismore & District Workers Club Limited (Workers Club), as set out in the section “Disciplinary Proceedings”. If at any time there is a conflict between this Code and the Constitution of the Workers Club, or that a behavioural issue relates to both on-course and clubhouse conduct, then the Constitution will prevail.

In order to ensure proper standards of behaviour during a competition or other general play, a Member who commits an offence under this Code may face disciplinary proceedings. At all times Members are expected to adhere to commonly accepted standards of golfing etiquette and sportsmanship.

### **1. DEFINITIONS**

In this Code, unless the context otherwise requires:

<b>Term</b>	<b>Definition</b>
Appeal Tribunal	Means the tribunal referred to in Appendix A of this document.
Caddie	Means the definition as per the Rules of Golf.
Club	Means Lismore Workers Golf Club.
Club Representative	Means Teams or Players selected by the Club to represent the Club at selected events, and extends to Players participating in other teams as a representative of the Club (e.g. district, state and national teams).
Code	Means this Code of Conduct.
Committee	Means each committee forming the Club, either jointly as the Combined Committee or severally as the respective committee running Club competitions (that is the respective competitions for Men, Women and Veteran players, and the competitions of the social golf clubs operating under the banner of the Workers Club).
Competition	Means any championship event, competition, pennant match, practice session or other major competition or activity, conducted or sanctioned by the Club or by Golf NSW or affiliates of Golf NSW. This definition may extend to a Member participating in other general play, including social play.
Conduct Officers	Means the Manager of the Club, and President and Captain of each respective Committee.
Facility	Means the whole of the golf course, club house, car parking area(s) and any practice area(s).
Golf NSW	Means Golf NSW Limited (ACN 001 642 628) the governing body of golf in New South Wales.

Investigative Officer	Means the Manager of the Club or if the Manager is unavailable another person appointed by the management or Board of the Workers Club, or the by the Committee.
Manager	Means the Premise Manager employed by the Workers Club to facilitate the business operations of the Club.
Member	Means a financial member of the Club.
Notice	Means notice in writing by letter, email, facsimile, other written means of communication.
Player	Means a player or participant in a competition, and may extend to a Member participating in other general play or social play. Player also includes a caddie and/or parent/guardian.
Report	Means any oral or written statement by any person of an alleged offence by a player under this Code.
Workers Club	Means The Lismore and District Workers Club Limited (ACN 72 000 919 406) being the licensee of the Club.

An act is deemed to occur during a Competition if it occurs:

- a) At any time of day or night while on Club premises;
- b) Whilst representing the Club:
  - i. Whilst at the host golf club;
  - ii. Traveling to and from the host golf club.

## **2. OFFENCES**

2.1 A Member is guilty of a Category A offence under this Code if the Member:

- a) Physically or verbally attacks or abuses another Member, staff member, guest or visitor. This extends to an act occurring via social media;
- b) Racially vilifies a player, another Member, staff member, guest or visitor whilst within the Facility or representing the Club. This extends to an act occurring via social media;
- c) Wrongfully damages any part of the Facility, including the course, signs, markers and the clubhouse or its furniture and furnishings;
- d) Wrongfully removes or damages property belonging to another Member, guest or visitor;
- e) Deliberately breaks a Rule (as defined in the Rules of Golf);
- f) Deliberately returns a false score card;
- g) Fails or refuses to cooperate with, or obstructs, any investigation by the Investigative Officer;
- h) Fails or refuses to cooperate with, or obstructs, a hearing by the Conduct Officers or the Appeal Tribunal;
- i) Behaves in a manner detrimental to the good name and reputation of the Club.

2.2 A Member is guilty of a Category B offence under this Code if the Member:

- a) In relation to a Competition, publicly criticises:
  - i. The Competition golf course;
  - ii. The Competition itself;

- iii. The organisers of the Competition;
  - iv. The sponsors of the Competition; or
  - v. Any official organising, conducting or supervising the Competition;
- b) Throws or deliberately breaks golf equipment during a Competition, including throwing golf balls either recklessly or in anger;
  - c) Uses abusive or profane language towards another Player, an official or other person during a Competition;
  - d) Behaves in a manner that may be detrimental to the performance of other Players;
  - e) Brings the game of golf into disrepute.
- 2.3 A Member is guilty of a Category C offence if the Member:
- a) Fails to comply with the Rules of Golf with respect to etiquette (N.B. etiquette includes the continual failure to fill divots or repair pitch marks);
  - b) Continually fails to play without undue delay;
  - c) Uses profane language;
  - d) Wilfully fails to follow the directions of the Committee in relation to the use of motorised golf carts.
- 2.4 If a Member commits two or more Category C offences in a period of 6 months, the Member is deemed to have committed a Category B offence and is subject to the penalties prescribed for a Category B offence. If a Member commits two or more Category B offences in a period of 6 months, the Member is deemed to have committed a Category A offence and is subject to the penalties prescribed for a Category A offence.
- 2.5 Subsequent breaches of the Code within a 12 month period will result in a penalty prescribed for the category that is one level above the highest category of the previous breach. For the sake of clarity, should a Member commit a Category B offence, and then commit a Category B offence 6 months later, the Member is deemed to have committed a Category A offence and is subject to the penalties prescribed for a Category A offence. Should the original breach be a Category A offence, the penalty imposed will be as the Conduct Officers see fit.

### **3. DISCIPLINARY PROCEDURE**

- 3.1 Any report made to the Committee or any Club staff during a Competition or after the conclusion of the Competition must be referred to an Investigative Officer and the Conduct Officers.
- 3.2 Upon receiving a report under clause 3.1, the Conduct Officers must determine whether:
- a) No further action should be taken; or
  - b) No formal disciplinary action should be taken, but that the matter should be discussed with the Member and a verbal warning issued; or
  - c) A breach has occurred and that an appropriate penalty should be imposed.
- 3.3 Any instance of report outlined in Section 3.2 shall be recorded into an issues register, to log the matter and formally track repeat occurrences and therein assist to determine whether disciplinary action should occur or be escalated.
- 3.4 Should the offence be considered to have an appropriate penalty as per Clause 3.2 c) then the Member is to be afforded due process and:
- a) Presented with the details of the offence; and

- b) Permitted to present his/her explanation; and
- c) The Conduct Officers will take into account all the facts when issuing the appropriate penalty; and
- d) The penalty will be communicated to the Member by notice in writing by the Committee.

#### **4. PENALTIES**

- 4.1 If a Member is found guilty of a Category A offence, any of the following penalties, having a minimum duration of 3 months and normally not exceeding 2 years, may be imposed:
- a) Disqualify the Member from the Competition;
  - b) A recommendation to the Manager that membership is suspended for a period of time;
  - c) The Club may notify Golf NSW or other organisations affiliated with Golf NSW of the offences;
  - d) Recommendation to Golf Australia for suspension of Australian golf handicap;
  - e) Suspension from any representative team or squad;
  - f) Such other penalty as determined from time to time.
- 4.2 If a Member is found guilty of a Category B offence, any of the following penalties, minimum duration 1 month but not more than 3 months for any one offence, may be imposed:
- a) Disqualify the Member from the Competition;
  - b) A recommendation to the Manager that membership is suspended for a period of time;
  - c) The Club may notify Golf NSW or other organisations affiliated with Golf NSW of the offences;
  - d) Recommendation to Golf Australia for suspension of the Member's Australian golf handicap;
  - e) Suspension from any club representative team or squad;
  - f) Such other penalty as determined from time to time.
- 4.3 If a Member is found guilty of a Category C offence, any of the following penalties may be imposed:
- a) A severe reprimand;
  - b) Such other penalty as determined from time to time.

#### **5. APPEAL PROCEDURE**

The appeal procedure is outlined in Appendix A of this document.

#### **6. CODE OF CONDUCT IMPLEMENTATION**

- 6.1 The Code will come into effect on the 21st November 2018.
- 6.2 The Club will publish the Code on the Workers Club's website, on notice boards around the Club and will periodically make accessible via a link in email correspondence to Members.
- 6.3 The payment of Member subscriptions for each season will act as the Member's acceptance of this Code.
- 6.4 The Code will be reviewed each 2 years.

## Appendix A – Appeal Procedure

**N.B. An initial determination applies until an appeal is heard and continues to apply if the Appeal Tribunal affirms the determination.**

1. The respondent must give written notice of his or her appeal to the Club by 5.00pm on the third business day after the respondent has been informed of the determination under clause 3. Disciplinary Procedure.
2. An appeal must be lodged with the Committee in writing. If the appeal is not received by the Manager or Committee of the Club within the relevant time period the right of appeal will lapse.
3. The sole grounds of appeal to the Appeal Tribunal are that the:
  - 3.1 Code was not properly followed or implemented; or
  - 3.2 Disciplinary measure(s) imposed is/are unjust and/or unreasonable; or
  - 3.3 Determination was affected by bias.
4. On receipt of an appeal by a respondent the Club must adopt the following process:
  - 4.1 Consultation and mediation – the appellant and the President of the respective Committee pertaining to the appellant must meet to discuss the determination (e.g. the President of the Men’s Committee for a dispute and appeal involving a Member pertaining to a Competition of the Men’s Committee). The meeting may include a mediator if necessary. The Captain of the respective Committee will act as the President’s substitute if necessary;
  - 4.2 If the parties do not reach agreement by consultation and/or mediation within 7 working days, either party may request in writing that the matter be heard by the Appeal Tribunal.
5. The Appeal Tribunal will consist of the following persons appointed by the Committee:
  - 5.1 The Chair, who will be the President of a Committee not pertaining to the appellant. For the sake of clarity:
    - i. For Men’s disputes – the Chair will be the President of the Women’s or Veteran’s Committees;
    - ii. For Women’s disputes – the Chair will be the President of the Men’s or Veteran’s Committees;
    - iii. For Veteran’s disputes – the Chair will be the President of the Men’s or Women’s Committees;
    - iv. For Social Club disputes – the Chair will be the President of the Men’s, or Women’s, or Veteran’s Committees; and
  - 5.2 A person with thorough knowledge of the matter; and
  - 5.3 If necessary, another independent expert with knowledge specifically related to the matter.
6. A person who is by reason of his or her relationship with:
  - i. the appellant; or
  - ii. any person whose interest may be affected by the outcome of the appeal;is not eligible to be appointed to the Appeal Tribunal.
7. The Appeal Tribunal will convene a hearing as soon as practicable, but not more than 7 days after the request in writing.

8. If the appellant challenges the impartiality of any member of the Appeal Tribunal, the challenge will be determined by the members of the Appeal Tribunal other than the member challenged.
9. The hearing may occur in such a manner as the Chair decides, including by telephone or videoconference.
10. In any hearing before the Appeal Tribunal:
  - 10.1 The Appeal Tribunal must observe the rules of natural justice and procedural fairness;
  - 10.2 The Appeal Tribunal is not bound by the rules of evidence and may inform itself as to any matter in such manner as it thinks fit;
  - 10.3 The appellant must establish one or more grounds of appeal to the satisfaction of the Appeal Tribunal noting:
    - i. Neither the appellant or the Committee is entitled to legal representation, except with the leave of the Appeal Tribunal, in which case leave will be granted in exceptional circumstances only; and
    - ii. If a question of law arises during the course of the hearing, the appellant or the Committee may seek an adjournment in order to obtain legal advice.
11. The Appeal Tribunal will give its decision as soon as practicable to the appellant and the Manager. This must occur within 7 days of the appeal being heard.
12. There is only one right of appeal following the determination. The decision of the Appeal Tribunal is final and binding.
13. An appellant may withdraw his or her appeal by written notice to the Committee at any time before the appeal has been decided.