



UNITED SERVICE CLUB  
QUEENSLAND  
BY-LAWS 2022

## **Preamble**

The United Service Club Queensland ("the Club") was established in 1892 for officers of the Queensland Defence Force. The founding President was Major General John Owen, Commandant of the Queensland Defence Force 1891-94. The Club catered exclusively for military officers until 1974, when eligibility for membership was broadened to include the wider professional community.

### **1. Definitions**

- 1.1 For the purposes of these By-Laws the word "Member" will, except where otherwise specified, mean any person who has been elected or admitted or nominated as the case may be, to membership in one of the categories listed in the Club Rules.
- 1.2 The words "Club premises" will mean and include all the grounds and buildings located at 183 Wickham Terrace, Spring Hill Queensland.
- 1.3 The words "the Clubhouse" will mean the buildings, including verandas and terraces connected to the buildings, located at 183 Wickham Terrace, Spring Hill Queensland.
- 1.4 The words "Notice Board" will mean that part of the Club normally used for the display of notices for the purpose of the Club.
- 1.5 Words used in these By-Laws will have the same meaning as similar words used in the Club Rules.

### **2. Club Hours**

The Club premises will be open to Members at all times, provided that the Bars will be closed at such times as prescribed by the Licensing Laws and provided that the Club premises or part thereof may be closed during certain designated holiday or other periods on the authorisation of the Committee.

### **3. Gambling**

No gambling will be allowed on the Club premises and the Committee has the right to limit stakes in games of skill.

### **4. Members' code of conduct**

- 4.1 All Members and Members' guests shall comply with the provisions of the Club's Members' code of conduct document, in force from time to time.
- 4.2 The Members' code of conduct document, in force from time to time, is taken to form part of these By-Laws.
- 4.3 Members' (and guests') non-compliance with the Members' code of conduct document, in force from time to time, amounts to non-compliance with these By-Laws.
- 4.4 Nothing in this By-Law limits the rights and discretion conferred on the Committee by Rule 14 of the Club Rules.
- 4.5 Following notification of an alleged breach of the Member's Code of Conduct, the Committee may elect to limit a member's access to club facilities and/or member services in the manner and for the period the Committee deems appropriate.

## **5. Moneys due to the Club**

- 5.1 The Committee may, if a member's account is not paid by a Member when it is due, resolve that the amount of such account will be deemed a debit, subscription or levy and the provisions of Club Rule 6.4 will apply to the Member.
- 5.2 In addition to the payment of any sum due to the Club a Member will be liable to pay (i) a monthly administrative fee of such amount as the Committee may determine from time to time, calculated from 30 days after the date on which the sum became due to the date on which it is paid; or (ii) interest on such sum at such rate as the Committee may determine from time to time, calculated from the date on which the sum became due to the date on which it was paid, whichever is, in respect of each monthly period for which the sum is outstanding, the greater.
- 5.3 Nothing in this By-law will limit the rights and discretion conferred on the Committee by Club Rule 6.4.

## **6. Titles & Postnominals**

- 6.1 Serving and former members of the Australian Defence Force, recognised foreign Defence Forces, Police and Emergency Services may choose on application to join the club to be recognised by their rank. The Management Committee shall determine the appropriateness of the title.
- 6.2 Where a member has received an honour or award entitling the member to the use of postnominals, those postnominals may at the request of the member be used in the following circumstances:
  - a. in address blocks on envelopes
  - b. in address blocks on letters
  - c. display signs such as honour boards
  - d. in directories and membership lists
  - e. Postnominals are to be used on place cards or seating plans.

## **7. Club Property**

No Member or guest of any Member of the Club will take away from the Club premises or deface any article being the property of the Club provided that a Member may borrow a book or periodical with the authorisation of the General Manager/Secretary. Any Member or guest of any Member injuring, removing or causing the loss of any article being the property of the Club, will pay for the same at a price to be fixed by the Committee.

## **8. Animals**

Animals (other than a guide dog in the company of a blind person or a hearing dog in the company of a deaf person) will not be brought onto Club premises by any person.

## **9. Complaints**

- 9.1 All complaints a Member wishes to make about the conduct of another Member, a Member's guest, or a Club staff member (other than the General Manager/Secretary) are in the first instance to be made to the General Manager/Secretary.

- 9.2 In the case of a complaint about a Member and/or a Member's guest, the complaint is to be made in writing (including by email) to the General Manager/Secretary.
- 9.3 In the case of a complaint about a Club staff member (other than the General Manager/Secretary), the complaint may be made orally or in writing (including by email) to the General Manager/Secretary.
- 9.4 In the case of a complaint about the Club General Manager/Secretary, the complaint is to be made in writing (including by email) to the President.

#### ***Complaints about Members and/or Members' guests***

- 9.5 At the election of the Member complaining, the resolution of a complaint about the conduct of another Member and/or a Member's guest may take place either informally or formally. If the Member elects for informal resolution of the complaint and the matter is unable to be resolved informally, then formal resolution will apply.
- 9.6 On receipt of a complaint under By-Law 9.2, the General Manager/Secretary will as soon as practicable ask the Member complaining to advise whether they wish to attempt to resolve the complaint informally in the first instance, or proceed directly to a formal resolution process.

#### ***Informal resolution of complaints about Members and/or Members' Guests***

- 9.7 The General Manager/Secretary will facilitate such face to face meetings (or other interaction as may be appropriate) between the Member complaining and the Member against whom, or whose guest, the complaint is made as are necessary for the resolution of the complaint.
- 9.8 Such meeting(s) may involve the intercession of another Member (who has had no involvement in any of the events alleged to have occurred giving rise to the complaint) to assist the parties resolve the complaint. Such resolution may be achieved verbally or in writing.
- 9.9 If the parties resolve the complaint, no further action is required of any party, including the Club, however if the parties do not resolve the complaint, the consequences set out in By-Law 9.10 apply.

#### ***Formal resolution of complaints about Members and/or Members' Guests***

- 9.10 On receipt of a complaint under By-Law 9.2 which the Member complaining requests be resolved formally, or if a complaint is unable to be resolved informally in the first instance, the General Manager/Secretary will as soon as practicable inform the President and provide a copy of the complaint to the President.
- 9.11 Having been informed of the complaint in accordance with By-Law 9.10, the President will as soon as practicable appoint an Investigation sub-committee to investigate the complaint. The Investigation sub-committee will comprise a minimum of 3 Members none of whom has had any involvement in any of the events alleged to have occurred giving rise to the complaint. The Member against whom (or against whose guest) the complaint is made shall be entitled to nominate one member of the Investigation sub-committee. Although members of the Investigation sub-committee ought ordinarily be members of the Management Committee, membership of the Management Committee is not a pre-requisite for membership of the Investigation sub-committee. The Chair of the Investigation

sub-committee is to be a current or former Australian lawyer (within the meaning of that term in the *Legal Profession Act 2007* (Qld)), and also includes a person who currently holds, or has held, judicial office.

- 9.12 In the investigation of the complaint, the Investigation sub-committee is entitled to inform itself in such manner as it considers reasonable of the matters necessary for it fully to investigate the complaint. Such investigations include taking evidence, either orally or in writing, from the Member the subject of the complaint (or whose guest is the subject of the complaint), the complainant and such Members or other person(s) who have personal knowledge of the alleged circumstances giving rise to the complaint. Any Member with personal knowledge of the alleged circumstances giving rise to the complaint is expected to co-operate with the Investigation sub-committee and provide evidence (either orally or in writing) to the Investigation sub-committee but is under no compulsion to do so.
- 9.13 In taking evidence, the laws of evidence do not apply, but at all stages the Investigation sub-committee is to observe the principles of procedural fairness in dealing with the Member against whom (or against whose guest) the complaint has been made, the complainant and any witnesses who give evidence
- 9.14 No Member or other person(s) giving evidence will be entitled to be represented by counsel, solicitor, agent or advocate in giving such evidence.
- 9.15 Having investigated the complaint, the Investigation sub-committee will present its report to the President and Management Committee in the form of a draft written Statement of Decision and Reasons. No particular form is required for such Report, but it should include an analysis of the evidence and demonstrate the reasons why the decision arrived at has been reached.
- 9.16 The Management Committee will consider the complaint and the draft Statement of Decision and Reasons and will make its decision on whether or not the complaint is to be upheld, and if it is upheld, what action (if any) should be taken against the Member against who (or against whose guest) the complaint has been made. Such decision by the Management Committee will be recorded in a Statement of Decision and Reasons.
- 9.17 The Member against who (or against whose guest) the complaint is made will be given a copy of the Statement of Decision and Reasons together with a notification of any action to be taken against the Member. The operation of Club Rule 14 may be invoked at this stage. Whether that occurs depends on the circumstances of the particular matter, and the action (if any) to be taken against the Member.
- 9.18 All deliberations of the Investigation sub-committee and the Management Committee in considering the report of the Investigation sub-committee are subject to a duty of confidence and all persons involved in such deliberations, including the Member against whom (or against whose guest) the complaint is made, the complainant and witnesses are, and remain under, such duty of confidence.
- 9.19 Having regard to By-Law 9.17, the complainant and witnesses referred to therein, shall not, in the first instance, be entitled to be given a copy of the Statement of Decision and Reasons referred to in By-Law 9.17. Their entitlement extends only to being informed that the Management Committee has caused the matter to have been fully investigated, and that a decision has been made and communicated to the Member the subject of the complaint.

9.20 By-Law 9.19 is subject to any order to the contrary made by the Supreme Court of Queensland on application made to it by an eligible applicant under s 72 of the *Associations Incorporation Act 1981* (Qld) but noting the powers of the Supreme Court of Queensland under s 73 of that Act.

***Complaints about staff members (other than the General Manager/Secretary)***

9.21 On receipt of a complaint against a Club staff member under By-Laws 9.1 and 9.3, the General Manager/Secretary will investigate such complaint, and take such action in response to such complaint, in such manner as the General Manager/Secretary considers appropriate, but at all times is to ensure the principles of procedural fairness are applied to such investigation and action taken.

9.22 The conduct of a Club staff member should in no instance be made a matter of personal reprimand by any Member or a Member's guest, but all complaints concerning Club staff will be made as provided by By-Laws 9.1 and 9.3.

***Complaints about General Manager/Secretary***

9.23 On receipt of a complaint against the Club General Manager/Secretary under By-Law 9.4, the President will as soon as practicable inform the Management Committee and provide a copy of the complaint to the Management Committee.

9.24 Having been informed of the complaint in accordance with By-Law 9.23, the Management Committee will investigate such complaint, and take such action in response to such complaint, in such manner as the Management Committee considers appropriate, but at all times is to ensure the principles of procedural fairness are applied to such investigation and action taken.

**10. No Staff Member to be Sent Out of the Club**

No staff member of the Club will be sent out of the Club upon an errand or for any other purpose under any pretext, except with the consent of the General Manager/Secretary.

**11. Lending or Borrowing**

No Member will lend money to, or borrow from, a Club staff member.

**12. Inducement to Staff**

No Member will endeavour to induce any Club staff member to leave the service of the Club.

**13. Conducting Interviews**

No Member will make use of the common areas of the Club for the purpose of interviewing any person responding to an advertisement and no Member will allow the address of the Club to appear in any advertisement or on any circular, letter, or in any prospectus or other similar document issued in connection with any company, proposed company or business undertaking.

- 14. Advertisements, Etc. Not Permitted**

No pamphlet, advertisement, or notice of any kind is to be displayed on the Notice Board or laid on any table or exhibited in any part of the Club without the permission of the General Manager/Secretary.
- 13. Tickets, Subscription List, Raffles**

No ticket for a concert or other entertainment will be sold, no article will be exposed for sale, and no subscription list or raffle will be canvassed or permitted in the Club without the approval of the Committee.
- 14. Club not Responsible for Theft or Damage**

The Club will not be responsible for the loss or theft of, or damage to, any article left on the Club premises by a Member or a Member's guest.
- 15. Parking**

Vehicles (and any other items therein) parked on any part of the Club premises are left at the owner's responsibility.
- 16. Members not to Enter Certain Places**

Members may not enter the kitchen, reception nor go behind the bar counters without the approval of the General Manager/Secretary.
- 17. Case of Illness**

The bedrooms of the Club are not intended for Members who are ill, and the General Manager/Secretary may seek the advice of a medical practitioner in deciding whether a Member or guest will remain on the Club premises.
- 18. Cheques**

Club reception staff are authorised to cash Members' cheques providing the Member produces his/her Membership Card, and provided that sufficient cash is available from the moneys kept in the Club for this purpose.
- 19. Electronic Communication Devices**

The use of communication devices including mobile telephones is prohibited in the Clubhouse except in the public telephone cubicle, the Billiard Room, on the veranda and terrace and in such other areas of the Clubhouse as the Committee and General Manager/Secretary may approve, and so long as the operation of such devices is not audible. The use of all other features of these devices is restricted to use in accommodation rooms and in private function rooms at the discretion of the Member hosting the function. In any event, if these devices are not switched off when in the Clubhouse, the device should be turned to "silent" mode.
- 20. Right to Refuse Service of Alcohol**

The Club reserves the right, under Responsible Service of Alcohol licensing regulations, to refuse service of alcohol to any Member or guest who is visibly intoxicated or who, on request, cannot provide identification verifying that the Member or guest is 18 years of age or older.

**21. Corkage**

21.1 Except as provided in this By-Law, a Member or guest will not bring liquor to the Club premises for consumption.

21.2 However in special circumstances a Member may bring liquor to the Club premises for consumption with the approval of the General Manager/Secretary.

21.3 In respect of any liquor brought to the Club premises for consumption, the Member bringing such liquor may be charged a fee set by the General Manager/Secretary.

**22. Smoking**

Members and guests are not permitted to smoke anywhere in the Clubhouse. Members and guests are not permitted to be provided with food or beverage service while smoking.