



**BLACKWOOD
COMMUNITY RECREATION
ASSOCIATION
INCORPORATED**

BY-LAWS

UPDATED 2023

Blackwood Community Recreation Association Incorporated

By-laws

1. INTERPRETATIONS

“Association” means Blackwood Community Recreation Association Incorporated.

“Board” means the Board of Management of the Blackwood Community Recreation Association Incorporated.

“Centre” means Blackwood Community Recreation Centre.

“Manager” means the Centre Manager of the Blackwood Community Recreation Centre.

“Club” means those clubs forming part of the corporate structure of the Association, as more fully defined in sub-clauses 3.2 and 5.1 of the Constitution.

“Group” means an autonomous group using the facilities of the Centre, as more fully defined in sub-clause 5.2 of the Constitution.

“Sub-Committee” means any sub-committee appointed by the Board of Management in accordance with the Rules.

“Rules” means the Rules of the association from time to time.

“Joint Use Agreement” means the documentation setting out the terms and conditions under which the Blackwood High School uses the Centre’s facilities.

2. COMMITTEES

2.1 At its first meeting after the Annual General Meeting each year, or at some other appropriate time, the Board of Management shall appoint any sub-Committees, as it deems necessary.

2.2 All sub-committee members shall retire each year but shall be eligible for re-election.

2.3 The terms of reference and operating procedures of the Finance sub-committee shall be as follows:

2.3.1. The sub-committee shall consist of at least four (4), members and be entitled to co-opt such other persons as it sees fit.

2.3.2 The Association Chairperson and the Manager shall both be ex-officio members of the sub-committee, of which the Treasurer shall be chairperson.

2.3.3. The sub-committee shall submit reports to the Management Committee on the

following:

- 2.3.3.1 The Association's financial affairs generally
- 2.3.3.2 Budgets for the various departments of the Association
- 2.3.3.3 Monthly and comparative income and expenditure statements
- 2.3.3.4 Capital Expenditure proposals and cash forecasts
- 2.3.3.5 Investigation of special financial matters as requested from time to time by the Management Committee.
- 2.3.3.6 Subject to the foregoing the Finance sub-committee may determine its own operating procedure.

3. STAFF

- 3.1 The Manager shall be appointed by the Management Committee and shall hold office during the pleasure of the Management Committee in accordance with terms and conditions determined by the Management Committee.
- 3.2 The Manager shall have the overall responsibility for the executive operation of the Association in accordance with the policies determined by the Management Committee.
- 3.3 Staff is employed under conditions laid out in the BCRC Enterprise Agreement, in conjunction with the Health, Recreation and Fitness Award, and to the extent where inconsistency occurs between the Award and the Agreement, the conditions of the Agreement will prevail. The Agreement is renewed biennially and salaries are reviewed annually. The Management Committee will oversee this process and review it as and when necessary.
- 3.4 The employees shall be under the control of the Manager.
- 3.5 Superannuation shall be affected in accordance with relevant laws and statutes.
- 3.6 No person other than the Association Chairperson or the Manager is authorized to make statements to the media concerning the affairs of the Association.

4 CLUBS

4.1 Formation

Any person or persons wishing to establish a Club under the auspices of the Association shall apply in the first instance to the Management Committee supplying details of the activity, an approximate number of participants and its requirements for usage and equipment.

4.2 Management

4.2.1 Clubs shall form a committee as soon as possible after acceptance. This committee shall be subject to annual review, and any alteration to the list of office bearers shall be advised to the Manager in the first instance.

4.2.2 The officers of a Club shall be chairperson, secretary and treasurer. Their names, together with other committee members' names shall be forwarded to the Manager after their election.

4.2.3 The committee of a club is considered to be a sub-committee of the Management Committee and as such its decisions are subject to the approval of the Management Committee.

4.3 Responsibilities of committees

4.3.1 Minutes of Club committee meetings must be kept and shall be produced for perusal by the Management Committee as and when requested.

4.3.2 Any matters arising within a Club which could have some bearing on the Association must be notified to the Manager forthwith in writing.

4.3.3 Clubs must abide by the Constitution and By-laws of the Association.

4.4 Club Rules

Clubs may make their own by-laws for the regulation of their Club and these must be forwarded to the Manager for approval.

4.5 Fees and Subscriptions

The Management Committee shall decide the fees and subscriptions to be paid by the Clubs in conjunction with the Club committees. Such fees and subscriptions shall be collected by the Club and paid to the Association Treasurer, or may be collected by the Manager or his or her representative.

4.6 Registration of Players or Participants

Clubs will maintain an active register of their players or participants, a current list of whom shall be forwarded to the Manager.

4.7 Finance

4.7.1 Clubs may collect monies over and above the amounts necessary for fees and subscriptions required by the Association, such monies being for the purpose of team projects, affiliations, trophies and equipment relative to the sport or activity.

4.7.2 Collection and distribution of these monies must be recorded. The monies collected must be banked, and the name of the account, and where banked must be advised to the Manager. If the money is not lodged with the Association's bank, the Manager will, upon request, forward a copy of the Association's Constitution to the relevant bank.

4.7.3 Statements of income and expenditure supported by bank statements shall be produced annually or whenever reasonably requested by the Management Committee. Clubs cannot retain large surpluses of funds without Management Committee approval.

4.7.4 Signatories for cheques drawn on the above-mentioned accounts will be any Two (2) of the Club's chairperson, secretary, or treasurer, unless otherwise approved by the Management Committee. The authorising signatory controlling these accounts shall be the Manager.

4.7.5 Any orders placed, or contracts entered into for the supply of goods or services to any Club must be authorised by the Manager.

4.7.6 In the event of dissolution of any Club, any physical assets or any monies remaining in that Club's bank account will revert to the Association.

4.8 Representation

One (1) Association Member shall be selected from the Clubs to represent them on the Management Committee.

5 GROUPS

5.1 Fees and Charges

5.1.1 Groups using the Association's facilities shall pay such fees and charges as are determined from time to time by the Management Committee. Payment shall be made against invoices rendered by the Association.

5.1.2 Failure by a Group to meet its financial obligations shall be reported by the Manager to

the Management Committee, which shall take whatever action it considers necessary to remedy the situation.

5.2 Insurance

All groups using the Association's facilities shall hold Public Liability Insurance to a value of ten million dollars (\$10,000,000) unless otherwise agreed by the Management Committee.

5.2.1 Copies of relevant current insurance documentation must be lodged with the Manager before using any of the Association's facilities.

5.3 Registration of Players or Participants

Groups will maintain an effective register of their players or participants, a current list of whom shall be forwarded to the Manager upon request.

5.4 Interface with Blackwood High School

Usage of the Centre by staff and students of the Blackwood High School shall be strictly in accordance with the Joint Use Agreement.

6 GENERAL

6.1 Disputes within Clubs and Groups

Internal disputes within Clubs or Groups should in the first instance be settled by the Club or Group concerned. However, the Manager is prepared to arrange adjudication if the matter cannot be satisfactorily resolved.

6.2 Right of Entry

6.2.1 The Management Committee reserves the right of entry to the Centre and the right to expel any persons from the Centre whose presence is considered undesirable.

6.2.2 The Management Committee reserves the right to control ingress to any section or sections of the Centre.

6.3 Abuse of Furniture, Fixtures or Equipment

Any person or persons identified as causing willful damage to furniture, fixtures or equipment within the Centre shall be charged with the cost of the repair or replacement of the relevant article. If, however the perpetrator (s) cannot be identified other than as a member of a particular Club or Group, that Club or Group will be charged with the cost of repair or

replacement.

6.4 Prohibitions

6.4.1 Smoking is banned in the Centre and environs.

6.4.2 Consumption of alcohol is banned in the Centre, with the exception of authorised and licensed functions.

6.5 Admission Charges

The Management Committee reserves the right to charge an entry fee for spectators at the Centre.

6.6 Anti-Social Behavior

Anti-social behavior by patrons of the Centre in the car parks and surrounding areas can result in adverse reaction to the Association. As a deterrent to this behavior, any patrons guilty of such offenses shall be banned from the Centre.

6.7 Incident and Accident Reporting

6.7.1 Incident Reporting

Any incident occurring within the operation of a Club or Group, which requires the attention of the Manager, must be reported on an incident report form. These forms are available from the Manager, and should be completed as soon as possible after the incident.

6.7.2 Accident Reporting

Any injury requiring first aid treatment must be reported and recorded in the First Aid Record folder held in the Administration area. In the case of team sports a notation should also be made on the score sheet. For the class groups, notation is also required in the class roll book. Should Clubs or Groups have extended insurance cover for circumstances occurring outside the confines of the Centre, full details of any accident or injury must be notified to the Manager in writing.

6.8 Hiring of Facilities

Clubs may hire the facilities of the Centre or Groups for approved functions by arrangement with the Manager.

6.8.1 Hirers of the centre for approved functions must sign hire agreement documentation and

must abide by the terms and conditions of hire. The rate of hire will be as agreed with the Manager.

6.9 Amendment of by-laws

The By-laws may be amended or extended by a two-thirds majority at any Management Committee meeting.

6.10 Interpretation

The decision of the Management Committee on the Constitution or interpretation of any By-law shall be final and conclusive