

BYLAWS OF
MACKAY & DISTRICT KART CLUB INC.

November 2023

IA05948

1. INTRODUCTORY PROVISIONS.....	4
1.1. INTERPRETATION.....	4
1.2. APPLICATION.....	4
2. HEADQUARTERS	4
2.1. HEADQUARTERS.....	4
3. LOGO	4
3.1. LOGO.....	4
4. COMMUNICATION	5
4.1. CORRESPONDENCE	5
4.2. INFORMATION TO MEMBERS.....	5
4.3. ELECTRONIC COMMUNICATION	5
5. CODES OF CONDUCT	6
5.1. CODE OF BEHAVIOUR FOR ALL MEMBERS.....	6
5.2. CODE OF BEHAVIOR FOR NON-MEMBERS	7
5.3. CODE OF BEHAVIOUR FOR COACHES (MEMBERS AND NON-MEMBERS)	7
5.4. CODE OF BEHAVIOUR FOR MANAGEMENT COMMITTEE	8
5.5. CODE OF BEHAVIOUR FOR OFFICIALS	9
5.6. CODE OF BEHAVIOUR FOR PARENTS AND GUARDIANS.....	9
5.7. CODE OF BEHAVIOUR FOR SPECTATORS.....	10
5.8. COMPLAINTS AND CONCERNS.....	10
5.9. BREACHES	10
6. GOVERNANCE.....	10
6.1. RULES OVERRIDE BYLAWS	10
6.1.1. TO THE EXTENT OF ANY INCONSISTENCY BETWEEN THE RULES AND THESE BYLAWS, THE RULES PREVAIL.	10
6.2. MANAGEMENT COMMITTEE	11
6.3. MANAGEMENT COMMITTEE DUTIES.....	11
6.4. SUBCOMMITTEES.....	13
6.5. MEETING PROCEDURES	13
7. FINANCE	16
7.1. FEES	16
7.2. REFUNDS.....	16
7.3. REIMBURSEMENTS AND OFFICIAL PAYMENTS	17
7.4. FUNDRAISING	17
7.5. SPONSORSHIP.....	17
8. RULES.....	17
8.1. DRIVING RULES	17
8.2. RACE AND CLASS RULES	18
8.3. UNOFFICIAL EVENT RULES.....	18
9. USE OF GROUNDS.....	18
9.1. TRACK RULES.....	18
9.2. CAMPING	18
9.3. SURVEILLANCE	19
9.4. STORAGE OF FUEL AND DISPOSING OF TYRES.....	19
10. POLICIES	19
10.1. ALCOHOL	19
10.2. ANTI-DISCRIMINATION AND HARASSMENT	19
10.3. CHILD PROTECTION	20

10.4.	CONFLICT OF INTEREST	20
10.5.	ANIMAL POLICY	20
10.6.	DRUGS AND MEDICATION CONTROL.....	20
10.7.	FIRE AND EMERGENCY	21
10.8.	FIRST AID	21
10.9.	GENDER EQUITY	21
10.10.	HOT WEATHER	22
10.11.	WET WEATHER	22
10.12.	INCIDENTS AND INJURIES.....	22
10.13.	INTELLECTUAL PROPERTY	22
10.14.	PHOTOGRAPHY	22
10.15.	WAIVERS	22
10.16.	WORKPLACE HEALTH AND SAFETY	23
11.	REVISIONS	23

1. Introductory provisions

1.1. Interpretation

- 1.1.1. In these bylaws:
- a. **the Act** means the *Associations Incorporation Act 1981*.
 - b. **the club/the Association** means Mackay & District Kart Club Inc.
 - c. **special resolution** means a resolution that is passed at a general meeting (including the annual general meeting) by the votes of at least 75% of the members who are present and entitled to vote.

1.2. Application

- 1.2.1. These bylaws complement and are to be read in conjunction with the rules of the club.
- 1.2.2. It is the responsibility of all management committee members to familiarise themselves with the club's rules, bylaws, policies and procedures. It is also their responsibility to educate members that they must comply with the rules, bylaws, policies and procedures of the club.

2. Headquarters

2.1. Headquarters

- 2.1.1. The clubhouse is at 21 Grants Road, Palmyra, Queensland 4740.

3. Logo

3.1. Logo

- 3.1.1. The club logo comprises a black circle including the club's name "Mackay Kart Club" with "Mackay" in black letters outlined in white and "Kartclub" in white letters outlined in green and a white stylized image of a kart across the top of the last 3 letters of the word "Mackay".



- 3.1.2. Any amendment to the club's logo requires the passing of a special resolution at a general meeting.
- 3.1.3. The management committee will decide if permission to use the logo will be granted.

- 3.1.4. Additional logos created to support the activities of the club (e.g. event or program logos) need to be created, registered and used in consultation with and with approval from the management committee.

4. Communication

4.1. Correspondence

- 4.1.1. The president or secretary must sign all official outwards correspondence, either in hard copy or electronically.
- 4.1.2. All inwards correspondence is to be addressed to the club secretary at PO Box 6870, Mackay MC, Qld 4741 or by email to secretary@mackaykartclub.com.
- 4.1.3. Any club member wanting to send correspondence on behalf of the club must do so via the club secretary.

4.2. Information to members

- 4.2.1. The club will make the following information available to all members:
 - a. club contact details;
 - b. rules and bylaws;
 - c. policies and procedures;
 - d. codes of conduct;
 - e. calendar of club events and important dates;
 - f. class and racing rules;
 - g. competition results;
 - h. details of courses, seminars and other opportunities to be held at club premises.

4.3. Electronic communication

- 4.3.1. The club recognises that electronic communication is essential for sharing club-related
- 4.3.2. news and information with members. The club uses a range of electronic tools to communicate with members in a timely and appropriate manner.
- 4.3.3. All club communication protects members' privacy, maintains clear boundaries and ensures that bullying and harassment do not occur.
- 4.3.4. The management committee provides accountability and control over material published on the club's website and any related discussion groups or social media platforms including but not limited to Facebook.
- 4.3.5. No offensive content or photos may be published through any form of electronic communication in connection with the club.
- 4.3.6. Only those management committee members, volunteers and officials appointed by the management committee may use the club's website, email and/or Facebook and/or messenger to provide information about competitions, events and other club business or to otherwise hold account access or other information enabling the Association to have full control over the relevant website, social medial or other account made by or on behalf of the Association or which the Association otherwise owns.

- 4.3.7. In accordance with rule 3.9 of the Mackay & District Kart Club Inc. rules regarding the prohibition on use of information on the register of members, and applicable to all electronic communication, a member of the association must not:
- a. use information obtained from the register of members of the association to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - b. disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes.
- 4.3.8. Communication involving children is to be directed through their parents or guardians.
- 4.3.9. The club treats all social media postings, blogs and status updates as public comment. Postings (written, photos or videos) on any club social media forum must be family-friendly and feature positive club-related news and events. Generally, members must not take or post photos of minors (other than their own children) without the consent of the child's parent or guardian. The club may take and use for promotional and other legitimate club purposes, photos of minors where the minor's parent or guardian has consented to that happening. This consent is generally given at the time of becoming a member of the Association.
- 4.3.10. The club expects members to conduct themselves appropriately when using all forms of electronic communication related to the club. Expectations include:
- a. no person may make statements that are misleading, false or likely to injure a person's reputation;
 - b. no person may make statements that might bring the club into disrepute;
 - c. abusive, discriminatory, intimidating, bullying or offensive statements will not be tolerated;
 - d. all members must respect and maintain the privacy of other members.
- 4.3.11. Members may face disciplinary action for sending inappropriate electronic communication or posting online content or comments that harass, offend, intimidate or humiliate another member.

5. Codes of conduct

5.1. Code of behaviour for all members

- a. all club members have a right to expect good manners and courtesy from each other, and a responsibility to give it in return. Bullying and harassment of any kind will not be tolerated;
- b. members should refrain from using bad language while on club premises or while representing the club at outside events;
- c. members must not permit non-members to drive on the club's track unless the express written consent of the management committee has been sought and obtained in accordance with the requirements of these by-laws;

- d. ensure the safe use of the club's facilities by the member and any persons attending the club's facilities with the member including by, but not limited to:
 - i. animals are not permitted to be brought onto club grounds at any time;
 - ii. not driving vehicles at excessive speeds on club grounds;
 - iii. not entering (including walking) the track while karts are in operation; and
 - iv. ensuring that the member's use of the facilities and their conduct are otherwise consistent with these bylaws, race rules, track signage and the welcome pack provided to members at all times;
- e. ensuring that members' children are supervised at all times and comply with these by-laws;
- f. driving of vehicles by unlicensed drivers is strictly forbidden on club tracks or grounds;
- g. smoking, or the use of alcohol by junior members (under 18), is not permitted at any time on club premises or at outside events when representing the club;
- h. smoking or vaping, is not permitted on any part of the club's premises at any time or any other areas as dictated by government legislation;
- i. while using club facilities, members must accept and follow reasonable and lawful directions from the management committee, club officials and race officials;
- j. all members should recognise their mutual responsibility for all club members' karts and must not tamper with or use karts not belonging to them without express permission of the owner;
- k. at all times on club facilities, or at outside functions and competitions, all members should remember their responsibility to uphold the good name of the club, and to refrain from behaviour that might in any way reflect badly upon it;
- l. property, whether that belonging to the club or to individual members, will be treated with care and respect.

5.2. Code of behavior for non-members

- a. Non-members must not drive on the club's tracks without seeking and obtaining the prior written consent of the club's Management Committee. Any consent:
 - i. is at the sole discretion of the Management Committee; and
 - ii. shall include (without limitation) as a condition of such consent being given, the requirements that:
 - A. the non-member provides evidence of their current licence (KA, AASA, AKRA, CAMS, RKC, MKC Club Issued); and
 - B. the non-member pays the relevant fee.
- b. At all times while on club grounds and/or using club facilities, non-members must accept and follow reasonable and lawful directions from the management committee, club officials and race officials;

- c. Non-members must ensure the safe use of the club's facilities by the non-member and any persons attending the grounds with the non-member including by, but not limited to:
 - i. ensuring that their use of the facilities and their conduct are otherwise consistent with these bylaws, track signage and race rules at all times; and
 - ii. animals are not permitted to be brought onto club grounds at any time.

5.3. Code of behaviour for coaches (members and non-members)

- a. it is club policy that all coaches responsible for coaching of minors must hold appropriate insurances, accreditation plus a current Blue Card;
- b. The management committee are to be advised of lesson times and participants on a weekly basis. For any non-members, coaches must ensure that non-members of the club may only drive on the track grounds if they pay the relevant fee and obtain prior permission from the management committee;
- c. permission must be sought in writing to the management committee at least a fortnight in advance to host any sort of program, including clinics or group lessons. Permission must be obtained from the management committee for non-members to participate in these programs;
- d. permission must be sought in writing for club equipment to be used for the above purposes;
- e. the management committee must be given the names of all participants prior to the programs;
- f. non-members who utilise the club's premises for coaching purposes do so at the sole discretion of the management committee and all instructions from the management committee must be adhered to.

5.4. Code of behaviour for management committee

- 5.4.1. The club's management committee must meet the following requirements regarding their conduct and behavior:
 - a. seek to resolve conflicts fairly and promptly through established procedures;
 - b. act impartially;
 - c. be aware of and comply with the club's standards, rules, regulations, bylaws and policies;
 - d. be professional in all actions. Language, presentation, manner and punctuality should reflect high standards;
 - e. do not accept or participate in any form of bribery or corruption;
 - f. accept responsibility for all actions taken;
 - g. be aware of their legal responsibilities;
 - h. be aware of the legal rights of others;
 - i. if unsure of the applicable rules or procedures that should be followed, seek further advice prior to proceeding;

- j. document all relevant complaints and the manner in which they were handled;
- k. never use their position or role to avoid responsibility or to unjustly prevent an individual from exercising their rights;
- l. seek to preserve and protect the standing and reputation of the club and its affiliates.

5.5. Code of behaviour for officials

5.5.1. The club's race officials must meet the following requirements regarding their conduct and behavior:

- a. act impartially and in accordance with race rules;
- b. place the safety and welfare of the participants above all else;
- c. be fair, equitable, considerate and honest in all dealings;
- d. accept responsibility for all actions taken;
- e. be professional in all actions;
- f. language, presentation, manner and punctuality should reflect high standards;
- g. do not accept or participate in any form of bribery or corruption;
- h. avoid any situation which may lead to a conflict of interest;
- i. be courteous, respectful and open to discussion and interaction;
- j. maintain or improve their current performance level and seek continual improvement;
- k. seek to preserve and protect the standing and reputation of the club and its affiliates.

5.6. Code of behaviour for parents and guardians

5.6.1. The club requires that parents/guardians of junior participants must meet the following requirements regarding their conduct and behavior:

- a. remember that your child participates in sport for their own enjoyment and development, not yours;
- b. focus on your child's efforts and performance rather than winning or losing;
- c. never ridicule or abuse your child or other participants;
- d. show appreciation and respect for the performance and skillful performance by all participants;
- e. demonstrate a high degree of individual responsibility, especially when dealing with or in the vicinity of persons under the age of 18 years, as your words and actions are an example;
- f. encourage your child to participate always according to the rules;
- g. ensure appropriate levels of parent / guardian supervision of your child while they are participating in any activity held or sanctioned by the club or one of its affiliates;
- h. respect officials' decisions and teach children to do likewise;

- i. do not physically or verbally abuse or harass anyone associated with the sport (including any participant, umpire, officials and administrators);
- j. respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion;
- k. be courteous in communications with administrators, officials, and participants, and teach your child to do the same.

5.7. Code of behaviour for spectators

- 5.7.1. The club requires all spectators at any activity held or sanctioned on the club facilities must meet the following requirements:
 - a. respect the decisions and directions of officials (including if asked to leave the pit area) and encourage others to do the same;
 - b. never ridicule or abuse a participant;
 - c. show appreciation and respect for the performance and skills of all participants;
 - d. do not use violence, harassment or abuse in any form (including without limitation, do not use foul language, sledge or harass participants, officials or other spectators);
 - e. respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

5.8. Complaints and concerns

- 5.8.1. Any complaints or concerns about issues of immediate concern in relation to breaches of the club's code of behaviour or health and safety at an event should be directed to a race official or a committee member present.
- 5.8.2. All other complaints should be addressed in accordance with the grievance procedure set out in the club's Constitution.
- 5.8.3. The club aims to resolve issues with the minimum of fuss wherever possible. In many cases, problems should be resolved by agreement between the people involved with no need for disciplinary action.

5.9. Breaches

- 5.9.1. Breaches of the club's rules and bylaws may result in, at the management committee's discretion, a member being:
 - a. issued with a warning that further such conduct may result in further disciplinary action;
 - b. placed on probation (for up to 6 months); or
 - c. suspension or termination of the member's membership.
- 5.9.2. Members on probation are not entitled to, or to expect, the three-warning system being implemented. The Management Committee may, in its absolute discretion, elect to immediately terminate membership of a probationary member if the breach is sufficiently serious (in the view of the management committee, acting reasonably) so as to warrant immediate termination of membership.

6. Governance

6.1. Rules override bylaws

6.1.1. To the extent of any inconsistency between the rules and these bylaws, the rules prevail.

6.2. Management committee

6.2.1. In accordance with rule 5.1 of the rules, the composition of the management committee consists of a president, treasurer, and any other management committee members elected at a general meeting.

6.2.2. The club's management committee currently comprises the following elected or appointed positions:

- | | |
|---------------------------|------------------------------|
| a. President; | d. Secretary; |
| b. Senior Vice-President; | e. Treasurer |
| c. Junior Vice-President | f. 4 other committee members |

6.2.3. The management committee meets at least once every month and at any other time as required to make any and all necessary decisions for the club.

6.3. Management committee duties

6.3.1. President:

- a. attend management committee meetings and general meetings of the club;
- b. preside as chairperson at management committee meetings and general meetings and in doing so ensure that all business is conducted in a proper manner in accordance with the club's rules, bylaws, policies and procedures;
- c. help the management committee prioritise its goals and work with the committee within those goals;
- d. endeavour at all times to ensure the general wellbeing of the club and act as spokesperson for the club;
- e. have a good working knowledge of the club's constitution, rules, policies and procedures and the duties of all office holders;
- f. liaise as necessary with government departments, Councils, partners, sponsors and governing bodies where club representation is required;
- g. be aware of all current and future club activities and act as spokesperson on and at these activities;
- h. report to the management committee and members of the club as appropriate;
- i. support all club personnel, including committee members, coaches, officials and drivers;
- j. delegate tasks to suitable personnel as necessary;
- k. prepare a report to be given to the secretary prior to, and to be presented at, the annual general meeting;
- l. perform such other duties as the management committee may direct.

6.3.2. Vice president (Senior and Junior):

- a. attend management committee meetings of the club;

- b. provide assistance to the president as necessary;
- c. assume the duties of the president in his/her absence (Senior Vice-President);
- d. spend some time with each committee member to maintain a sound understanding of the running of the club and assist other committee members with their duties as required;
- e. have a good working knowledge of the club's constitution, rules, policies and procedures and the duties of all office holders;
- f. be aware of the future direction and plans of the club and act as a planning coordinator.

6.3.3. Secretary:

- a. attend management committee meetings and general meetings of the club;
- b. issue notices of meetings in accordance with the club's rules, together with an agenda;
- c. keep books containing copies of all the minutes and records of proceedings of all management committee meetings and general meetings of the club;
- d. conduct all correspondence of the club as instructed by the management committee and keep files of such correspondence, records and reports of subcommittees, officers, delegates and officials;
- e. receive and place before the management committee all applications for membership;
- f. keep a record of names and contact details of all members of the club;
- g. ensure that a current copy of the club's rules is available to each new member;
- h. keep updated copies of the club's rules for advice of all members;
- i. arrange for the carrying out of clerical work associated with the club's affairs;
- j. prepare the annual report for presentation at the annual general meeting;
- k. call for nominations for club positions prior to the annual general meeting;
- l. have a good working knowledge of the club's constitution, rules, policies and procedures and the duties of all office holders;
- m. perform such other duties as the management committee may direct.

6.3.4. Treasurer:

- a. attend management committee meetings and general meetings of the club;
- b. keep all books and accounts of the club and prepare a statement of receipts and expenditure, profit and loss report and balance sheet for presentation to each management committee meeting and each general meeting;
- c. coordinate the receipt of monies and issuing of receipts for payments, and ensure payment of such money into the bank;
- d. produce bank statements at each management committee meeting and each general meeting;

- e. prepare an annual budget in consultation with the management committee and subcommittees;
- f. present accounts paid for ratification and accounts requiring payment for approval;
- g. following the end date of the club's financial year, close the club's books and prepare a set of financial statements as required by the auditor and/or the Act;
- h. submit the club's financial statements and other relevant records to the auditor;
- i. present audited financial statements to the annual general meeting, in accordance with the club's rules and the Act;
- j. have a good working knowledge of the club's constitution, rules, policies and procedures and the duties of all office holders;
- k. perform such other duties as the management committee may direct.

6.3.5. Other committee members:

- a. attend management committee meetings and general meetings of the club;
- b. work closely with other management committee members to achieve the objects of the club and to ensure its general wellbeing;
- c. be aware of all current and planned club activities;
- d. report to the management committee and general members of the club as appropriate;
- e. have a good working knowledge of the club's constitution, rules, policies and procedures and the duties of all office holders;
- f. perform such other duties as the management committee may direct.

6.4. Subcommittees

- 6.4.1. The management committee may create and dissolve subcommittees considered appropriate to help with the club's operations.
- 6.4.2. Members are appointed to each subcommittee by the management committee.
- 6.4.3. A subcommittee has no decision-making power. The chairperson representing each subcommittee is to provide the minutes and recommendations from any subcommittee meeting to the management committee within seven days of the meeting being held. Subcommittee recommendations must be ratified by resolution by the management committee.
- 6.4.4. Subcommittees may be requested by the management committee to provide an annual report.

6.5. Meeting procedures

- 6.5.1. Standing orders:
 - a. these standing orders shall be applicable to all general meetings and management committee meetings and, as far as appropriate, to meetings of subcommittees, and shall be construed subject to the rules of the club;

- b. meetings shall, subject to the presence of a quorum, start at the time set out on the notice, and shall, subject to the discretion of the meeting, continue until all business on the agenda is disposed of;
- c. in the event that a meeting lapses, all business on the agenda of the lapsed meeting shall be included on the agenda of the next meeting and shall take precedence over new business;
- d. any member desiring to speak at member general meetings or in the meetings of sub-committee of the whole shall raise his or her hand and when called upon by the chair shall address the chair. If two or more members raise their hands simultaneously, the chair shall call upon the member who first caught the eye of the chair;
- e. except in committee, no member other than the proposer of a motion or an amendment shall speak to it until it has been seconded. A motion or amendment lapsing for want of a seconder shall not be recorded in the minutes;
- f. a motion or amendment before the chair shall not be withdrawn except by its mover and by leave of the meeting. No motion shall be withdrawn while any amendment is under discussion or after any amendment has been adopted;
- g. if required to do so by the chair, the proposer of any motion or amendment shall submit it in writing;
- h. subject to leave of the meeting, the mover may reword a motion or amendment before the chair;
- i. except in committee, no member shall speak more than once to any question, except that the mover of a motion (but not of an amendment) shall have a right of reply, which reply shall close the debate. An amendment shall constitute a separate question from the original motion and from any other amendment;
- j. a member moving a motion or amendment shall be deemed to have spoken to it. A member seconding a motion or amendment without speaking to it may reserve the right to speak to it subsequently;
- k. when an amendment is before the chair, discussion shall be confined to that amendment. No further amendment shall be proposed until the amendment before the chair has been disposed of;
- l. the chair shall, as far as practical, call on speakers for and against a motion or amendment alternatively, subject to the right of the seconder to speak immediately after the mover. If two consecutive speakers have both argued for or against a motion or an amendment, and there is no member wishing to argue the opposite view, or, in the case of a motion, to move an amendment, the motion or the amendment shall, subject, in the case of a motion, to the mover's right of reply, be put without further debate;
- m. any member may raise a point of order, which shall take precedence over all other business, and which shall be open to discussion. The point must be raised at the time the alleged irregularity occurred. An explanation or contradiction shall not constitute a point of order;

- n. any member disagreeing with the chair's ruling on a point of order may move dissent. The chair shall then vacate the chair and such motion shall be put forthwith without debate;
- o. subject to the provisions of the rules and bylaws of the club, on an equality of voting, the chair shall declare the question resolved so as to maintain the status quo;
- p. a member who has not already participated in the debate may at any time, whether another speaker has the floor or not, move, "That the question be now put", which motion, if accepted by the chair, shall be put without amendment or debate. The chair shall have absolute discretion to accept or refuse the motion. The chair may also without returning a motion put the question if the chair feels that adequate discussion has taken place. In either case the mover of a motion shall retain the right of reply. If an amendment is before the chair, the closure motion shall be deemed to close the debate on the amendment only;
- q. a member may at any time move, "That the speaker be no longer heard" or, "That the speaker be heard for a further limited period only". Such motions shall be put without amendment or debate. No other motion, except the closure motion or a motion dealing with the speaker's time, shall be moved while a speaker has the floor;
- r. during the discussion of a motion (but not of an amendment), a member who has not already participated in the debate on the motion may move: "That the question be not now put." This motion shall be open to debate, and shall be debated together with the original motion. If carried, the original motion shall not be dealt with further. If lost, the original motion shall be put forthwith, subject to the mover's right of reply. The motion may be foreshadowed while an amendment is before the chair, but in no case shall it be put until all amendments have been disposed of;
- s. a member may move: "That the debate [or meeting] be now adjourned." Discussion shall be in order, but only amendments as to time and/or place shall be permitted. The motion shall take precedence over other business before the chair except points of order and personal explanations;
- t. a general meeting may at any time during the discussion of a motion or an amendment resolve itself into a committee of the whole;
- u. standing orders (a)-(u), or any of them, may be suspended by a majority of those present. A motion to this effect shall be open to debate;
- v. no member shall reflect on the vote of a meeting, except on a motion for the rescission of any resolution previously adopted. No member shall reflect on a clause in the club's rules or a standing order, except on a motion (of which due notice was given) to amend or repeal such rule or order;
- w. notwithstanding anything hereinbefore contained, any decision made by a validly constituted meeting shall not be void by reason only of a departure from these standing orders which was not detected until after the decision had been made;
- x. any matters not dealt with in the above standing orders shall be governed by the customary procedure at meetings.

7. Finance

7.1. Fees

- 7.1.1. As per rule 3.3(a). in the club's rules, the management committee shall set fees annually.
- 7.1.2. Club fees shall be calculated to cover costs including, but not limited to:
 - a. facility management and maintenance;
 - b. venue hire;
 - c. equipment;
 - d. officials' costs;
 - e. trophies and awards;
 - f. administration costs;
 - g. photos;
 - h. insurance.
- 7.1.3. Fees must be paid at the time determined by the management committee.
- 7.1.4. Any member who has membership fees in arrears for at least two months may have their membership terminated in accordance with rule 3.5.3 (c) in the club's rules.

7.2. Refunds

- 7.2.1. Membership fees will not be refunded to members under any circumstances.
- 7.2.2. For competition entry fees:
 - a. scratchings before close of entry date (as set by the management committee):
 - i. will receive full refund of all fees;
 - ii. if an administration fee was charged this will not be refunded in any circumstance.
 - b. scratchings made after close of entry date (as set by the management committee):
 - i. will only be refunded on provision of either a doctor's certificate within 14 days of the event;
 - ii. 70% of the competition entry fee will be refunded if approved;
 - iii. if an administration fee was charged this will not be refunded in any circumstance.
 - c. cancellation of competitions or events due to weather conditions:
 - i. if a competition or an event is cancelled by the club due to weather conditions before heat 1 of the competition or event is completed in its entirety, entry fees for that competition or event will be refunded in full;
 - ii. if a competition or event is cancelled by the club due to weather conditions after heat 1 of the competition or event is completed in its entirety, no entry fees will be refunded;

- iii. if an event is cancelled before the date of the event due to weather conditions, entry fees will be funded in full;
 - iv. any administration fee charged by the club will not be refunded.
- 7.2.3. Other event fees - e.g. social activities;
- a. no refunds will be given unless the position can be filled by another person.

7.3. Reimbursements and official payments

- 7.3.1. Management committee members or other members shall be entitled to claim reimbursement for out-of-pocket expenses which have been pre-approved in writing by the management committee incurred whilst acting in an official capacity on behalf of the club and/or whilst incurring expenses properly incurred on behalf of the club. Receipts must be supplied within one month of incurring expenses.
- 7.3.2. Reimbursement for travel or fuel costs for official duties may be determined by the management committee on a case-by-case basis.
- 7.3.3. Paid officials may be paid a set fee per day or hour of competition, as determined by the management committee.

7.4. Fundraising

- 7.4.1. The management committee shall determine club fundraising activities from time to time.
- 7.4.2. Subcommittees and teams must seek approval from the management committee for any specific fundraising activities. Information as to how the activity will be organised, including risk management and safety measures must be provided to the management committee before approval can be given.

7.5. Sponsorship

- 7.5.1. Periodically, the club may enter into sponsorship arrangements with various third party organisations for the benefit and promotion of the club.
- 7.5.2. It is the management committee's prerogative to arrange sponsorship through whichever organisation it sees fit for this purpose.
- 7.5.3. No individual member, group of individuals, or subcommittee shall be entitled to approach or engage any organisation for any form of sponsorship whatsoever, without first obtaining the management committee's express permission.

8. Rules

8.1. Driving rules

- 8.1.1. All driving members of the club (and non-members using the club's facilities with consent of the Management Committee in accordance with these rules) must be licensed.
- 8.1.2. Drivers under the age of 18 must be under the supervision of an adult whenever in control of a kart.
- 8.1.3. Only club members are permitted to use club facilities and equipment (unless Management Committee consent is first obtained in accordance with these rules), notwithstanding scheduled events such as race days and 'come and try' days.

- 8.1.4. Members who wish to utilise the grounds for kart sale purposes must receive permission from the management committee prior to doing so.

8.2. Race and Class Rules

- 8.2.1. All members and non-members competing in club events must comply with the relevant race and class rules at all times. These rules may be found on the club's website www.mackaykartclub.com and the [Mackay & District Kart Club Facebook page](#).
- 8.2.2. The management committee may change the race rules at any time.

8.3. Unofficial event rules

- 8.3.1. For unofficial events where special rules are required, these will be specified in the supplementary regulations. Where the club rules aren't specified the club's race rules take precedence.

9. Use of grounds

9.1. Track rules

- 9.1.1. no member or non-member may operate a kart whilst under the influence of alcohol or drugs;
- 9.1.2. smoking and vaping are not permitted on the track or in the pit area;
- 9.1.3. drivers must comply with race rules at all times;
- 9.1.4. members must comply with track signage, the welcome pack, these bylaws and the directions of race officials at all times.

9.2. Camping

- 9.2.1. Competitors and their immediate families are permitted to camp on club premises on designated race weekends.
- 9.2.2. Camping is only permitted in designated camping areas.
- 9.2.3. Campers must use the grounds in a manner which does not cause any nuisance to any other person.
- 9.2.4. Whilst camping, campers must not enter the track or pit area for any reason (other than during race events).
- 9.2.5. Campers must use rubbish bins provided and/or take their rubbish home with them.
- 9.2.6. No fee is payable for the use of camping facilities but the management committee reserves the right to charge for camping in the future.
- 9.2.7. Campers are permitted to use the club's shower and toilet facilities but must ensure that toilet seat lids are closed (to avoid frog infestations) and that lights in these areas are turned off when not in use.
- 9.2.8. Campers must not urinate or defecate in the club's grounds and must use existing toilet facilities or their own camping toilets.
- 9.2.9. No campfires or fireworks are permitted under any circumstances. The use of gas or other covered charcoal barbeques for cooking purposes is permitted.
- 9.2.10. Camping sites are not powered.

- 9.2.11. Noise is to be kept to a minimum between 10pm and 6am. Generators may be used.
- 9.2.12. The management committee reserves the right to direct any camper to leave the club grounds at any time if they are in breach of these bylaws.

9.3. Surveillance

- 9.3.1. The club's premises are protected by video surveillance from time to time which may include both video and audio recording.
- 9.3.2. By entering the club's premises, members and non-members (including officials or any member of the public) consent to such surveillance in their own right and/or in their capacity as parent or guardian where an individual is a minor.

9.4. Storage of fuel and disposing of tyres

- 9.4.1. Fuel for karts must not be stored on club premises and may only be brought onto club grounds for the purposes of racing or events.
- 9.4.2. Any fuel brought onto club premises for racing or race events must be transported in appropriate and safe jerry cans and any remaining fuel taken away at the end of the event.
- 9.4.3. Under no circumstances may fuel or tyres be dumped on club grounds. Members should dispose of tyres at an appropriate and lawful dump site.

10. Policies

10.1. Alcohol

- 10.1.1. The club complies with Responsible Service of Alcohol requirements and is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. The club's policy is that:
 - a. safe transport options will be promoted as part of any event held or endorsed where alcohol is served;
 - b. food and low alcohol and non-alcoholic drinks will be available at events held or endorsed where alcohol is served.
- 10.1.2. The club's code of behaviour for all members also states that the use of alcohol by junior members (under 18), is not permitted at any time on club premises or at outside events when representing the club.

10.2. Anti-discrimination and harassment

- 10.2.1. The club aims to provide a sport environment where all those involved in its activities are treated with dignity and respect, and without harassment or discrimination.
- 10.2.2. The club recognises that all those involved in its activities cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against, harassed or bullied because of their age, disability, family responsibilities, gender identity, homosexuality or sexual orientation, irrelevant medical or criminal record, marital status, political belief, pregnancy or breastfeeding, race, religion, sex, social origin and/or trade union membership/activity.

- 10.2.3. The club prohibits all forms of harassment, bullying and discrimination based on personal characteristics whether this is face-to-face, indirectly or via communication technologies such as mobile phones and computers. Discrimination, harassment and bullying are extremely distressing, offensive, humiliating and/or threatening and create an uncomfortable and unpleasant environment. In most circumstances discrimination and harassment or bullying are against the law.
- 10.2.4. Section 5.9 of these bylaws details the disciplinary measures which may be applied to incidences of discrimination and harassment.

10.3. Child protection

- 10.3.1. The club is committed to providing a safe and enjoyable environment for all children who participate in the club's activities.
- 10.3.2. The club is guided by the following:
 - a. the club's Constitution
 - b. Anti-Discrimination Act 1991
 - c. Child Protection Act 1999
 - d. Commission for Children and Young People and Child Guardian Act 2000
 - e. Privacy Act.

10.4. Conflict of interest

- 10.4.1. A conflict of interest is a conflict between public duty and private interests, which could influence the performance of official duties and responsibilities. A reasonable perception of a conflict of interest is where a fair-minded person, properly informed as to the nature of the interests of the decision maker, might reasonably perceive that the decision maker might be influenced in the performance of his or her official duties and responsibilities.
- 10.4.2. Members of the management committee or subcommittees must not place themselves in a position where there is a real, potential or perceived possibility of a conflict of interest.
- 10.4.3. Members have a duty to disclose conflict of interest to the relevant persons. If a member's interests appear to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter, the member must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at the next meeting of the management committee or subcommittee, and at the beginning of each meeting.

10.5. Animal policy

- 10.5.1. No animals are permitted on club premises (other than service animals in the performance of their duties).

10.6. Drugs and medication control

- 10.6.1. The club is opposed to the use of any illicit drugs. The use of illicit drugs is prohibited within the club's boundaries and during any club-related events or travel.
- 10.6.2. Drivers may be subject to random in-competition testing.

10.7. Fire and emergency

- 10.7.1. The club has guidelines for all members and non-members in the case of a fire emergency.
- 10.7.2. The club requires the following action in the event of a fire:
 - a. remain calm and avoid shouting "Fire!";
 - b. if possible and safe, attempt to extinguish the fire, call 000 from the nearest safe phone and give the operator the location of the fire;
 - c. do not prop any doors open;
 - d. evacuate, using appropriate exits and fire escape routes.
- 10.7.3. The club requires the following steps to be followed in the event that the fire alarm sounds:
 - a. stop what you are doing immediately;
 - b. remain calm and follow instructions;
 - c. do not look for other people or attempt to take along belongings;
 - d. do not prop any doors open;
 - e. using the nearest appropriate exit or fire escape route, leave the building quickly and calmly;
 - f. proceed to safe ground away from the building;
 - g. do not obstruct fire hydrants or any fire/rescue workers;
 - h. do not re-enter the building until fire officials or your fire warden informs you that you may.
- 10.7.4. No fires (including camp fires) are to be lit by members or non-members on club premises.

10.8. First aid

- 10.8.1. A trained first aid officer is required to be present for the duration of club competitions.
- 10.8.2. If the officer has not arrived or has to leave the area, it is recommended that the event cannot commence/continue until the officer is present or another first aid officer is appointed and present. It is recommended that the officer is a professional first aid officer due to insurance and liability issues.
- 10.8.3. Under no circumstances should persons not medically accredited be permitted to handle any part of the accident situation.
- 10.8.4. All accidents, irrespective of severity, should be reported and a record should be kept in secure files by the club.

10.9. Gender equity

- 10.9.1. The club is committed to providing an inclusive sporting environment where transgender or transsexual people involved in its activities are able to contribute and participate. The club expects everyone who is bound by this policy to treat people who identify as transgender or transsexual fairly and with dignity and respect.

10.10. Hot weather

10.10.1. The club's management committee may stop, cancel or postpone events or activities if it is deemed by the management committee that the temperature is too high for participation in events.

10.10.2. It is recommended that all participants drink sufficient amounts of water to remain hydrated in hot weather.

10.11. Wet weather

10.11.1. The club's management committee may stop, cancel or postpone competition if it is deemed by the management committee that the facilities are unsafe due to wet weather.

10.12. Incidents and injuries

10.12.1. All incidents, injuries and near misses occurring within the club's boundaries, or during events which the club organises, must be reported to the management committee or a member of the management committee.

10.13. Intellectual property

10.13.1. The club recognises that its logos and colours hold commercial value and are essential components of branding and merchandising programs.

10.13.2. The club owns all rights to its name and logo and has exclusive rights to its use.

10.13.3. Additional logos created to support the activities of the club (e.g. event or program logos) need to be created, registered and used in consultation with and with approval from the management committee.

10.13.4. The club also owns various other intellectual property including, without limitation, the club's Facebook page, social media accounts, email accounts, websites and all associated access and control information, however stored. No person is permitted to use the club's intellectual property for any purpose without the prior written consent of the management committee and provided always that it is used for the proper purposes of the club.

10.14. Photography

10.14.1. Images of children cannot be used inappropriately or illegally. By becoming a member of the club, members consent to the club taking and using photos and videos of members (including children) for promotional purposes. The club will otherwise, where possible, obtain permission from a child's parent/guardian before taking an image of a child and ensure that the parent/guardian knows the way the image will be used.

10.14.2. Members must take photos or videos of any child that is not their own without the express consent of the parent/guardian.

10.14.3. The club respects the privacy of others and disallows the use of camera phones, videos and cameras on the inside of changing areas, showers and toilets.

10.14.4. The club will only use appropriate images of a child, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport.

10.14.5. The club will monitor the use of cameras during club events and activities and will address any suspicious behaviour in relation to the taking of photographs or video footage.

10.15. Waivers

- 10.15.1. The club requires all members participating in events to sign a release and waiver of liability assumption of risk and indemnity agreement.
- 10.15.2. A waiver is a legal document that seeks to limit the liability of an organisation in the event that a participant suffers a loss or injury.
- 10.15.3. In signing the waiver provided by the club, participants acknowledge that karting activities are dangerous and that accidents causing death, bodily injury, disability and property damage can and do happen.
- 10.15.4. Participants also agree that neither the club, coaches, participants, officials, volunteers, medical personnel, any persons, promoters, sponsors, advertisers, owners and lessees of premises used to conduct the event/s be under any liability whatsoever for the death or any bodily injury, loss or damage which may be suffered or incurred by them in or being present at any activity conducted by, or on behalf of the club except for any rights they may have arising under the *Competition and Consumer Act 2010* (Cth) (or similar legislation).

10.16. Workplace health and safety

- 10.16.1. The club complies with all laws relevant to health and safety.
- 10.16.2. The club checks that the facility and equipment used is appropriate and safe for the relevant activity.
- 10.16.3. All electrical leads and appliances used carry a tag indicating test time within the last twelve months.
- 10.16.4. All children attending events and activities are supervised by an adult at all times.
- 10.16.5. Members and non-members must ensure that they comply with all health and safety directions given to them by the club, management committee or race officials.
- 10.16.6. Members and non-members must ensure that their activities in connection with the club do not place the health and safety of any person at risk.

11. Revisions

Revision No.	Section	Revision Issued On (Date)	Revision Inserted On (Date)	Revision Inserted By (Name)	Comment