



PINJARRA HARNESS
RACING CLUB

Pinjarra Harness Racing Club Inc
BY-LAWS
Updated November 2018

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PART 1 - PRELIMINARY

1.1 Title

These By-laws may be referred to as the Pinjarra Harness Racing Club Inc By-laws 2018.

1.2 Definitions

In these By-laws, unless the contrary context or such otherwise indicates or requires:

“Annual Meeting” means an Annual General Meeting.

“Books of the Association” means: the Members Register; the Record of Office Holders; and the Club Constitution.

“By-laws” means the codes of rules made and adopted by The Club in accordance with Section 2(b)(xx).

“Commissioner” means: the person for the time being designated as the Commissioner under section 153 of the Associations Incorporation Act.

“Committee” means the Management Committee for The Club, duly elected for the time being in accordance with these Rules.

“Financial records” Includes: invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; documents of prime entry; and other documents needed to explain the methods by which financial statements are prepared; and adjustments to be made in preparing financial statements;

“Financial report” has the meaning given in Part 5 of The Act;

“Financial statements” means the financial statements in relation to The Club required under Part 5 of The Act;

“Financial year” means from the first of August each year, until the following 31st of July.

“General Meeting” means a General meeting of The Club whether Annual or Special.

“Liquor Act” means the Liquor Control Act 1988, its amendments and any other legislation that may come into force to replace or supplement this Act, and shall form part of these Rules.

“Month” means a calendar month.

“Special General Meeting” means a General Meeting as defined below, called in accordance with Section 5.3 hereunder, at which only business that has been described in the notice may be transacted.

“Special Resolution” means a resolution passed by the members at a general meeting in accordance with Section 51 of The Act.

“The Act” means the Associations Incorporation Act 2015, its amendments and any other legislation that may come into force to replace or supplement this Act, and shall form part of these Rules.

“The Club” means Pinjarra Harness Racing Club Inc.

“The Club Premises” means all land, building and structures thereon of which The Club is the bona fide occupier.

“Voting rights” means the ability for a financial member to propose or second an application for membership; move or second a motion or special motion; speak at all general meetings; nominate for a position on the Management Committee; vote at all general meetings; and petition for a special general meeting.

“Immediate family” means a person’s partner/spouse, mother/father, brother/sister, daughter/son.

“Auditor” means the auditor appointed by the members pursuant to these By-laws;

“Harness Racing Manager” means the person appointed by the Committee as the Harness Racing Manager of the Club.

“Harness racing” means pacing and trotting;

“Member” means a member of the Club;

“Rules of racing” means the rules of harness racing made under the Racing and Wagering Western Australia Act 2003;

“RWWA” means the body corporate called Racing and Wagering Western Australia that is established under section 4 of the Racing and Wagering Western Australia Act 2003.

1.3 Interpretation

For the purpose of interpretation of these By-laws and the Rules, the Interpretation Act 1984 shall be taken to apply to these By-laws and to the Rules as if they were a written law.

PART 2 - OBJECTS

2.1 Objects

The Main objects of the Club are;

- (a) To foster and extend the sport of Harness Racing throughout Western Australia, and to keep the sport of Harness Racing clean and free from abuse.
- (b) Conduct, hold and promote races for Harness Racing with or without stakes.
- (c) Lay out and prepare, maintain and keep tracks and courses for Harness Racing and training, and also to pay out, prepare, maintain and keep any such grounds for the purpose of any kind of sport amusement, recreation or entertainment, so that the same may be profitably turned to account when not actually being used for Harness Racing.
- (d) Erect grand or other stands, totalisators, horse-stabling, boxes, stalls, refreshment rooms, bars, booths and other erections, buildings, adjuncts, and conveniences (whether of temporary or permanent nature) or whatsoever kind of nature which in the opinion of the Club may add to the convenience of persons attending any race meeting or any sport amusement, recreation, or entertainment and whether such persons are members of the Club, competitors or assistants, or members of the public.
- (e) Erect, conduct and maintain totalisators, erect and maintain offices and accommodation for the Committee, Officials, and/or members of the Club.
- (f) Cater for and provide refreshments, matter and things which are usually provided and available on racecourses for comfort or convenience of members, competitors or assistants, or members of the public and for such purpose to carry on the business of caterers, refreshment purveyors and licensed victuallers, and to obtain and hold all licences necessary for all or any such purpose, under the current Liquor Act and its amendments.

Secondary objects of the Club are;

- (g) To promote and support the ongoing development of the Pinjarra and broader community through sport, recreation and leisure.
- (h) To provide a hub for community well-being, interaction and engagement.
- (i) Do all other such things as are incidental or conducive to the attainment of its objects.

PART 3 - THE COMMITTEE

Division 1 - Membership and election of the Committee

3.1 Composition of Committee

(1) The Committee shall consist of no less than 7, but no more than 9 members comprising:

- (a) The President of the Club;
- (b) 2 Vice Presidents of the Club;

- (c) 6 other members of the Committee.

The Board may exercise the right to seek nominations based on required skill sets. The skill sets predetermining Committee positions may include the likes of;

- Understanding of the harness racing industry & stakeholders
- Relevant business qualifications
- Financial & accounting qualifications
- Previous experience on similar Committees/Boards
- Team player

3.2 Election by annual postal ballot

An election for members of the Committee shall be conducted:

- (a) annually by postal ballot; and
- (b) in accordance with Schedule 1.

3.3 Election procedures

Schedule 1 (which deals with procedures for elections) has effect.

3.4 Committee members to be elected annually

At each annual election, as near as practicable to one half in numbers of the Committee shall retire from office and an election to replace those shall be conducted in accordance with these By-laws.

3.5 Committee Transition to new Constitution and Committee numbers

Following adoption of the new Constitution (2018), in the first year as near as practicable to one half in numbers of the Committee shall retire from office (as per section 3.9) and an election to fill the new number of vacant seats shall be conducted in accordance with these By-laws.

- (a) The Committee will consist of a minimum of seven (7) and maximum of nine (9) persons, who are to hold office for a two-year period.
- (b) In the first year commencing the start of the new rules: The retiring five (5) Committee for that year will retire from the Committee and be eligible for re-election for four (4) Committee positions.
- (c) In the second year commencing the start of the new rules: The retiring six (6) Committee for that year will retire and be eligible for re-election for five (5) Committee positions.
- (d) In the second year, the candidate who is elected, but polls the lowest number of votes, is elected for a one (1) year term.

2. Thereafter, as close as practicable to half of the Committee will retire from each year and will be eligible for re-election.

Division 2 - Functions and powers of the Committee

3.5 Functions of Committee

The business of The Club shall be managed by the Committee who may exercise all powers of The Club, except those required to be exercised by The Club at a General Meeting.

3.6 Powers of Committee

- (a) The business of The Club shall be managed by the Committee who may exercise all powers of The Club, except those required to be exercised by The Club at a General Meeting.
- (b) Without prejudice to the powers conferred by the last preceding rule, the Committee shall, subject to the by-laws, have power to do the following things:
 - (i) Purchase, take or lease, or in exchange hire or otherwise acquire any real or personal property, and any rights or privileges which the Club may think necessary or convenient for any of the purposes aforesaid.
 - (ii) Improve, manage, develop, exchange lease, mortgage, dispose of, turn to account, or otherwise deal with all or any part of the real and personal property of the Club, and, in particular, to pay out any land and/or buildings of which the Club is owner or over which it has any control, so that the same may be used for all or any of the purposes aforesaid.
 - (iii) Borrow or raise or secure the payment of the money in such manner as the Club thinks fit, and in particular by the issue of debentures or debenture stock, charged upon all or any of the Club's property both present and future, and to purchase, redeem, or pay off any such debentures.
 - (iv) Draw, make, accept, endorse, discount and issue promissory notes and bills of exchange.
 - (v) Enter into and bind all or any part of the assets and undertakings of the Club by guarantees, indemnities or similar obligations in any cases where it is thought that the objects of the Club can be more fully realised or attained by such obligations.
 - (vi) Sell and dispose of any or all the real and personal property of the Club for such consideration as the Club may think fit.

- (vii) Invest and deal with the moneys of the Club not immediately required, in such manner as may from time to time be determined.
- (viii) To subscribe to any charitable cause as determined by Committee.
- (ix) To purchase or otherwise acquire any books, newsletters or periodicals and dispose of them as it may see fit.
- (x) To determine from time to time the conditions on which and time when, members may use the property of The Club or any part or parts thereof, and when and under what conditions the premises of The Club or any part or parts thereof, shall be used by members.
- (xi) To determine what person, if any, not being members of The Club shall be permitted to use the premises of The Club or any part or parts thereof and during what time and under what conditions and when and at what times and places and under what conditions such persons shall be supplied with refreshments and amenities.
- (xii) To appoint any other officials or servants of The Club and to remove them as occasions may require at their discretion and to define their respective duties.
- (xiii) To delegate, subject to such conditions as it thinks fit any of its powers to sub committees consisting of such members of the Committee and other members of The Club co-opted for the purpose as it may determine and to make such regulations as to the proceedings of such sub committees as may be thought desirable.
- (xiv) To regulate and control their own meeting and the transaction of business.
- (xv) To reimburse expenses of any servant of The Club for faithful and diligent service as deemed fit.
- (xvi) In accordance with the rules, to suspend, or expel any member.
- (xvii) To enter into or accept any lease or tenancy of the premises where on The Club shall conduct its affairs or of any furniture, goods and effects, which may be required for the use of The Club on such terms and on such conditions as The Club, may deem expedient.
- (xviii) To take and defend all legal proceedings by or on behalf of The Club and to appoint all necessary Attorneys for any such purpose.
- (xix) To borrow, raise or secure the payment of money, and to sell and dispose of the assets of The Club.
- (xx) To make, alter and repeal by-laws not inconsistent with these rules regulation the use and management of The Club premises, the admission of members and the conduct of The Club and its affairs generally.

- (xxi) To do and perform any other act, matters and things in connection with or relative to the management of The Club as shall not by these rules require to be done by The Club in General Meetings.
- (xxii) To appoint such number of delegates to racing industry bodies and associations with which The Club may from time to time be affiliated as may be required by the rules thereof and such delegates shall hold office in accordance with the rules of such sporting bodies and associations respectively.
- (xxiii) Every member of the Committee shall be indemnified against any loss, expenses or liability incurred by reason of any act or deed performed by him/her in good faith on behalf of the Committee and the Committee may use the funds of The Club for any such purpose required, together with any reasonable expenses incidental to Committee activities.

3.7 Sale of Pinjarra Harness Racing Club Inc

- (1) Notwithstanding the Committee's power to sell and dispose of any real or personal property of the Club, no part of the property known as "Pinjarra Harness Racing Club Inc" shall be sold or otherwise disposed of unless:
 - (a) such sale or disposal shall have first been approved at a referendum conducted for the purpose by seventy five per centum (75%) or more of the eligible voting members; and
 - (b) the number of members who voted in favour of the approval shall exceed fifty per centum (50%) of the eligible voting members.
- (2) In this clause, "eligible voting member" means a full member or life member included in the electoral roll prepared for the referendum in accordance with the provisions of Schedule 1.
- (3) The Committee shall arrange for the referendum referred to in subclause (1) to be conducted in accordance with Schedule 1.

3.8 Election procedures to apply to referendums

To the extent to which the provisions of Schedule 1 are capable of being applied with or without adaptation in respect of referendums to be conducted by the Club, those provisions apply with or without adaptation in respect of those referendums.

Division 3 - Terms of office

3.9 Term of office

- (1) A member of the Committee shall hold office for two (2) years until the close of the annual general meeting at which the member's successor is declared elected. Committee shall be eligible for re-election at the conclusion of such period of office.
- (2) A successful candidate elected to the Committee shall take office at the close of the meeting at which the candidate is declared elected.

3.10 Election of President and Vice Presidents

At its first meeting after the election of the Committee, the members of the Committee shall elect from among their number a President and two Vice Presidents, who shall hold office until the close of the next annual general meeting.

3.11 Casual vacancy in the office of President

In the case of a vacancy in the office of President, the nominated Vice President shall become the President, the remaining Vice President shall continue in that role. The Committee may elect one of its members to the office of Vice President who shall hold that office until the close of the next annual general meeting.

3.12 Casual vacancy in the office of Vice President

In the case of a vacancy in the office of a Vice President, the Committee may elect one of its members to the office of Vice President who shall hold that office until the close of the next annual general meeting.

3.13 Retiring members

- (1) Subject to subclauses (2) to (6), if a member of the Committee ceases to be such before the expiration of his or her term of office (in this clause "**the Retiring Member**") then, in the discretion of a majority of the remaining members of the Committee, the casual vacancy may:
 - (a) be filled by an appointee of a majority of remaining members of the Committee;
 - (b) be filled by a ballot at a by-election;
 - (c) not be filled until at the next ordinary election of the Committee; or
 - (d) not be filled at all.

- (2) If the effect of the Retiring Member's ceasing to be a member of the Committee is that the number of members of Committee shall be less than 7 then the casual vacancy shall be filled by the conduct of a by-election.
- (3) (a) If the Committee determines that the casual vacancy shall be filled by the conduct of a by-election or if by reason of the provisions of subclause (2) the casual vacancy is required to be filled by the conduct of a by-election then the same shall be conducted by a ballot to which the provisions of Schedule 1 shall apply except that:
 - (i) the Committee shall fix the date upon which nominations shall close and the date upon which the ballot shall be declared respectively;
 - (ii) the Returning Officer shall make his report to the President of the Club who shall declare and record the result of the ballot; and
 - (iii) every person elected to a casual vacancy of the Committee shall hold office until the term of the office of the Retiring Member in whose place the person was elected would have expired had the Retiring Member continued to be a member of the Committee.
- (4) If the Committee appoints a person to fill a casual vacancy the person appointed to fill the vacancy shall retire at the next ordinary election. The vacancy created shall be filled by the candidate for election to the Committee who, at that next ordinary election, shall poll the next highest number of votes after the candidate for election to membership of the Committee who shall be elected last to membership of the Committee.
- (5) If the Committee does not appoint a person to fill the vacancy, then the vacancy shall be filled at the next ordinary election by the candidate for election to membership of the Committee, who at that next ordinary election shall poll the next highest number of votes.
- (6) The member of the Committee elected pursuant to subclause (4) or (5) as the case may be, shall hold office so long as the Retiring Member in whose place he was elected would have held office had the Retiring Member continued to be a member of the Committee.

3.14 Resignation

- (1) A member of the Committee may:
 - (a) resign from the office of member of the Committee;
 - (b) resign from the office of President or Vice President.

- (2) Written notice of resignation is to be signed and dated by the person who is resigning and delivered to the Harness Racing Manager or the Executive.
- (3) The resignation takes effect from the date of delivery of the notice or from a later day as specified in the notice.
- (4) A casual vacancy occurs in the office of a Committee Member and that office becomes vacant if the Committee Member:
 - dies;
 - ceases to be a Member;
 - becomes disqualified from holding a position under Section 19(g) or 19(h) as a result of bankruptcy or conviction of a relevant criminal offence;
 - becomes permanently incapacitated by mental or physical ill-health;
 - resigns from office under rule 3.14
 - is absent from more than:
 - three consecutive Committee Meetings without a good reason; or
 - three Committee Meetings in the same Financial Year without tendering an apology to the person presiding at each of those Committee Meetings,
 - Is removed from office under by resolution at a General Meeting of The Club if a majority of the Members present and with voting rights at the meeting vote in favour of the removal.

The Committee Member who faces removal from the Committee must be given a full and fair opportunity at the General Meeting to decide the proposed resolution, to state his or her case as to why the Member should not be removed from his or her position on the Committee.

If all Committee Members are removed by resolution at a General Meeting, the Members must, at the same General Meeting, elect an interim Committee. The interim Committee must, within two months, convene a General Meeting of the Association for the purpose of electing a new Committee.

Division 4 - Qualifications for holding office on the Committee

3.15 Eligibility for Committee

A person is eligible to be elected as a member of the Committee if the person:

- (a) is a full or life member who is at least 18 years of age; and
- (b) has been a full member during the season immediately prior to the closing date for nomination for election.

3.16 Disqualification because of employment

- (1) A person is disqualified from membership of the Committee if the person becomes an employee of the Club.
- (2) If a person who is employed by the Club is declared to be elected as a member of the Committee:
 - (a) then the person is ineligible to attend meetings of the Committee until the person has ceased employment with the Club; and
 - (b) if the person remains employed by the Club at the expiry of 2 months after the date on which the person is declared elected, then the person is disqualified from membership of the Committee.

3.17 Disqualification because of ceasing to be a full member

A person is disqualified from membership of the Committee if the person ceases to be a full member of the Club.

3.18 Disqualification for failure to attend meetings

- (1) The Committee may, by resolution, grant leave of absence, to a member.
- (2) Leave is not to be granted to a member in respect of more than 12 consecutive ordinary meetings of the Committee.
- (3) The granting of the leave is to be recorded in the minutes of the meeting.
- (4) A member who is absent, without first obtaining leave of the Committee, throughout 3 consecutive ordinary meetings of the Committee is disqualified from continuing his or her membership of the Committee.
- (5) A member who is absent for three Committee meetings in the same Financial Year without tendering an apology to the presiding person at each of those Committee meetings.
- (6) The non-attendance of a member at the time and place appointed for an ordinary meeting of the Committee does not constitute absence from an ordinary meeting of the Committee if no meeting of the Committee at which a quorum is present is actually held on that day.

3.19 Disqualification because of insolvency

A person is disqualified for membership of the Committee if the person is an insolvent under administration within the meaning of the Corporation Law.

3.20 Disqualification because of convictions

A person is disqualified for membership of the Committee if the person has been convicted of a crime and is in prison serving a sentence for that crime.

3.21 Disqualification because of warning off

A person is disqualified for membership of the Committee if the person is, or has been:

- (a) warned off under the Rules of Racing;
- (b) warned off by a recognised harness racing authority of a State or Territory of Australia or in any other country or part of a country, including by the officials, officers or stewards of the authority; or
- (c) warned off by a controlling body for thoroughbred or greyhound racing in a State or Territory of Australia or in any other country or part of a country including by the officials, officers or stewards of the controlling body.

3.22 Disqualification because of disqualification

A person is disqualified for membership of the Committee if the person is or has been under disqualification for a period or periods which total 5 years or more where the disqualification is imposed:

- (a) under the Rules of Racing;
- (b) by a recognised harness racing authority of a State or Territory of Australia or in any other country or part of a country, including by the officials, officers or stewards of the authority; or
- (c) by a controlling body for thoroughbred or greyhound racing in a State or Territory of Australia or in any other country or part of a country including by the officials, officers or stewards of the controlling body.

3.23 Disqualification because of entry on unpaid forfeit list

A person is disqualified for membership of the Committee if the person is entered in the unpaid forfeit list under the Rules of Racing.

3.24 Family eligibility for Committee

No more than two (2) Members of one immediate family (as prescribed in section 1.2 Definitions) may hold a position on the Management Committee at any one time.

3.25 Disqualification because of rejection of the Committee Code of Conduct

A person is disqualified for membership of the Committee if the person does not sign the Committee Code of Conduct upon their election to the Committee. Failure to abide by the Code of Conduct throughout their term of office will result in the appropriate disciplinary action.

Division 5 - General

3.24 Voting by the Committee

- (1) Except where otherwise in these By-laws expressly provided, all questions at any meeting of the Committee shall be determined by a majority of the votes of the members present and voting.
- (2) In the case of any equality of votes, the presiding person of the meeting shall have a second or casting vote.

3.24A Revocation motions

- (1) In this clause:
 - (a) **“relevant meeting”**, means:
 - (i) the ordinary meeting specified in the notice of the revocation motion; or
 - (ii) if that meeting is adjourned before the motion is announced by the person presiding, then at the resumption of the adjourned meeting; or
 - (iii) if that meeting is closed before the motion is announced by the person presiding, then at the next ordinary meeting; or
 - (iv) if the motion is deferred by the Committee to another meeting of the Committee, then at that other meeting,as the case may be;
 - (b) **“revocation motion”** means a motion to revoke or change a decision made at a meeting of the Committee.
- (2) This clause does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.
- (3) A member wishing to move a revocation motion at a meeting of the Committee must give to the Harness Racing Manager notice of the revocation motion, which is to:
 - (a) be in writing;

- (b) specify the decision proposed to be revoked or changed;
 - (c) include a reason or reasons for the revocation motion;
 - (d) be signed by 4 members of the Committee;
 - (e) specify the date of the ordinary meeting of the Committee, as the case may be, which next follows the expiry of 5 clear days after the notice is given to the Harness Racing Manager Executive; and
 - (f) be given to the Harness Racing Manager not less than 5 clear days prior to the date of the ordinary meeting specified in the notice.
- (4) (a) If, at the relevant meeting, the member who gave the notice of the revocation motion, is present, then the person presiding is to call on that member to move the revocation motion.
- (b) If that member is not present or, being present, does not move the revocation motion when called upon to do so by the person presiding, then any member of the Committee may move the revocation motion.
- (5) Where notice of a revocation motion is given in accordance with the requirements of this clause, then the Harness Racing Manager must not implement or continue to implement, the decision the subject of the revocation motion until:
- (a) no member of the Committee moves the revocation motion;
 - (b) the motion is moved but not seconded; or
 - (c) the motion is moved and seconded but is not carried,
- at the relevant meeting.
- (6) A notice of revocation motion given in accordance with the requirements of this clause is to lapse when:
- (a) no member of the Committee moves the revocation motion;
 - (b) the motion is moved but not seconded; or
 - (c) the motion is moved and seconded but is not carried,
- at the relevant meeting.

3.25 Notice required for by-law amendments

The Committee shall not vote upon a resolution to amend or repeal a by-law or to make a new by-law unless notice of the resolution and the fact that the Committee intends to vote upon it shall have been posted on the notice board in the Club's office for a period of 14 days.

Following an amendment or repeal to any by-law, the resolution and revised wording of the by-law shall be distributed to ordinary members within 28 days following the relevant meeting.

3.26 Quorum

The Committee shall not act when their number is below a majority.

3.27 Notice of Committee meetings

- (1) Notice shall be given of every meeting of the Committee to every member of the Committee and shall be delivered to the member at any physical or electronic address which the member has registered with the Club.
- (2) The inadvertent omission to send such notice or the non receipt of such notice by any member of the Committee shall not invalidate the proceedings of the meeting.
- (3) Notice need not be given of any meeting which is fixed by any resolution of the Committee as a day whereon meetings are to be regularly held.

3.28 Presiding person

Every meeting of the Committee shall be presided over:

- (a) by the President;
- (b) by the nominated Vice President, in the absence of the President;
- (d) by a member of the Committee chosen by the Committee, in the absence of the President and the Vice Presidents.

3.29 Defects in appointment etc.

The powers of the Committee shall not be affected by:

- (a) any vacancy in the membership of the Committee;
- (b) any defect afterwards discovered in the appointment or qualification of a person purporting to be a member of the Committee;
- (c) a minor irregularity in the convening or conduct of a meeting of the Committee; or

- (d) the presence or participation at a meeting of a person not entitled to be present or participate.

3.30 Minutes of Committee meetings

- (1) The person presiding at a meeting of the Committee shall cause minutes to be kept of the meeting's proceedings.
- (2) The minutes of a meeting of the Committee are to be submitted to the next meeting of the Committee for confirmation. Minutes are to be distributed within 10 business days post-meeting.
- (3) The person presiding at the meeting at which the minutes are confirmed shall sign the minutes and certify the confirmation.
- (4) The Minutes of Committee meetings are available for inspection upon request, except in the instance that the Committee determines at its discretion that the minutes of Committee Meeting(s) generally, or the minutes of a specific Committee Meeting(s) are not to be available for inspection.
- (5) A Confidentiality and Non-Disclosure Agreement is to be signed by all Committee Members at the commencement of each new term of office.

3.31 Harness Racing Manager's Absence

- (1) In the absence of the Harness Racing Manager, the Club Executive are responsible for keeping the Committee informed of any matters or decisions that reflect on the administration, management and direction of the Club's position.

PART 4 - MEMBERSHIP

4.1 Membership Categories

The members of the Club are:

- (a) full members;
- (b) concession members;
- (c) trainer members;
 - a. local trainers – professional
 - b. local trainers – hobby
 - c. trainers floating in
- (d) life members;
- (e) life patronage
- (f) honorary members;
- (g) junior members;
- (h) social members

The Committee has the authority to alter the sub-categories of Membership at any given time.

4.2 Application for membership

An application for membership shall be made on the form approved by the Harness Racing Manager and shall be accompanied by payment of the relevant annual subscription.

4.3 Election procedure for full, junior and life patrons

- (1) This clause applies to the election of any:
 - (a) full member (inclusive of concession and trainer members);
 - (b) junior or social member.
 - (c) life patron
- (2) A member wishing to propose a new member shall complete a nomination form in a form approved by the Harness Racing Manager and lodge the form with the Harness Racing Manager.
- (3) The Harness Racing Manager shall submit the nomination form to the next meeting of the Committee.
- (4) The Committee shall determine all nominations for new membership under this clause.

4.4 Annual subscriptions

- (1) The Committee shall determine the annual subscriptions payable by members.
- (2) If a member fails to pay the applicable annual subscription on or before 1st November in respect of which the annual subscription is due, then the member shall forfeit all entitlements under these By-laws, which includes use of the Pinjarra Harness Racing Club Inc's facilities for the purposes of horse training activities.
- (3) New Members subscriptions must be paid on application for election for membership.

4.5 Eligibility and election of full members

- (1) Any person who is over the age of 18 years is eligible to be elected as a full member.
- (2) Clause 4.3 applies to the election of a full member.

4.6 Entitlement of full member

A full member is entitled to:

- (a) attend and vote at general meetings;
- (b) vote in elections for members of the Committee and in referendums;
- (d) propose or second candidates for election to the Committee;
- (e) receive a copy of the annual report of the Club;
- (f) receive a copy the Club's newsletters;
- (g) free entry to and use of the members' facilities at any Pinjarra harness racing venue of the Club during race meetings by the member, and 1 guest;
- (h) subject to clause 3.3, stand for election to the Committee;

4.7 Eligibility and election of honorary members

The Committee may, at any time without notice, elect an honorary member and cancel the membership of an honorary member.

- (1) Any company or body corporate who establishes a sponsorship affiliation with the Club is eligible to be elected as an honorary member.

4.8 Entitlement of honorary members

- (1) An honorary member is entitled to:

- (a) receive a copy of the annual report of the Club;
- (b) receive a copy of the Club's newsletters; and
- (c) the free entry to and use of by any one of its officers or employees, the members' facilities at the Club.

- (2) An honorary member is not entitled to:

- (a) attend and vote at general meetings;
- (b) vote in elections for members of the Committee or in referendums;
- (c) propose or second candidates for membership; or
- (d) propose or second candidates for election to the Committee;

4.9 Eligibility and election of junior members

- (1) A person who is:
 - (a) the child or grandchild of a full member; and
 - (b) aged up to 17 years of age (can turn 18 during the Membership year, however thereafter must pay full membership),is eligible to be elected as a junior member.
- (2) Clause 4.3 applies to the election of a junior member.

Entitlement of junior members

- (1) A junior member is entitled to sit in the members' areas of any metropolitan harness racing venue of the Club as if they were a full member.
- (2) A junior member in a non-voting member and no entitlement other than that referred to in subclause (1).

4.11 Eligibility and election of social members

- (1) A person who pays the nominated subscription for social membership is eligible to be elected as a social member.

Entitlement of social members

- (1) A social member is entitled to receive
 - a. 1 Member Pass
 - b. Exclusive Lunch Specials in the Paceway Pavilion Restaurant on race days
 - c. Receive Club Newsletters to stay abreast of all upcoming news, events and functions
 - d. Discounts on Venue Hire of the Paceway Pavilion for private functions and events
- (2) A social member in a non-voting member and has no entitlement other than that referred to in subclause (1).

4.13 Eligibility of life members

Any full member of the Club is eligible to be elected as a life member.

4.14 Election of life members

- (1) At any general or Committee meeting, the members entitled to vote may elect a person who is considered to have rendered special services to the Club to be a life member, provided that:
 - (a) not less than 14 days notice of the motion is given to the Harness Racing Manager
 - (b) the resolution is passed by not less than 75% of the persons present at the meeting and entitled to vote.

4.15 Entitlement of life members

A life member is entitled to the same privileges as a full member but is not required to pay an annual subscription.

4.16 Cessation of membership

- (1) Cessation of Membership:

The person ceases to be a member when any of the following takes place:

- b. For a member who is an individual, the individual dies;
- c. For a person whose title represents a corporate member, the body corporate is wound up;
- d. The person resigns from The Club;
- e. The person is expelled from The Club under Section 0;
- f. Disqualification under the Rules of racing; or
- g. Failure to pay the applicable annual subscription on or before 1st November.

The Harness Racing Manager will keep a record on file of the date on which the person ceased to be a member; and the reason why the person ceased to be a member, if that reason is anything other than non-renewal.

- (2) A member may resign from membership of The Club by giving written notice of the resignation to the Harness Racing Manager:
 1. The resignation takes effect when the Harness Racing Manager receives the notice; or if a later time is stated in the notice, at that later time.
 2. A person who has resigned from membership of The Club remains liable for any fees that are owed to The Club (the owed amount) at the time of resignation.
 3. The owed amount may be recovered by The Club in a court of competent jurisdiction as a debt due to The Club.

- (3) If a former member who has ceased to be a member makes a payment of all arrears during the then current financial year, then the Committee may reinstate the person as a member.
- (4) If a member:
 - (a) becomes bankrupt or makes any assignment for the benefit of his creditors;
 - (b) fails to comply with any of these By-laws or the Rules or any other order or direction of the Committee or of the members passed at a general meeting;
 - (c) is convicted and imprisoned for any offence punishable by the courts for any crime or misdemeanour; or
 - (d) in the opinion of the Committee, is guilty of any act, practice, conduct, matter or thing calculated to bring discredit on the Club or its members or on the sport of harness racing or to impair or affect the enjoyment of the Club by the other members,

then that member shall be liable to be suspended or expelled from membership by resolution of the Committee.

4.17 Suspension or Expulsion of Members; Disciplinary Procedures

The Committee shall have the power to reprimand, suspend or expel any member of The Club. The procedure for complaints, suspension and expulsion is detailed as follows;

- (a) The President, Committee or Approved Manager in receiving a complaint from the Approved Manager or Approved Bar Staff, of a member's behaviour which is considered a serious breach of the Liquor Act or acceptable member behaviour or where police involvement is required, may suspend a member for a period of time until disciplinary action under Section 26(e) can be taken.
- (b) The Committee is required to exempt any member of that Committee from hearing a charge in which he or she has an interest.
- (c) If a responding member or a representative of the responding member does not attend within 30 minutes of the time stated on the hearing notice, the hearing may start without that member or his or her representative and determination will be made at the hearing.
- (d) The Committee shall apply the power to reprimand, suspend or expel any member of The Club who:

- (i) fail in the observance or commit any breach of any rule of The Club, members Code of Conduct, or any by-law of The Club or of any order or direction of the Management Committee or of any General Meeting; and/or
 - (ii) in the sole judgement of the Committee have been guilty in or out of The Club's premises of any act, conducted matter or thing calculated to bring discredit on The Club or its members, or to impair or affect the enjoyment of The Club by other members
- (e) Any member charged with misconduct as above shall be furnished with a written copy of the charge and summoned before the Committee with no less than seven (7) days' notice.
 - (i) The Committee shall after hearing the accuser and accused and taking such evidence as they may consider proper, if they find the charge proved, inflict a penalty of suspension from all or any of the privileges of membership.
 - (ii) If the Committee consider that on a charge of gross misconduct suspension as above is insufficient, they may call on the member to resign, and if he or she neglects to resign within ten (10) days they may declare him or her to be expelled.
 - (iii) If a Member is suspended or expelled under Section 26(f)(i) or 26(f)(ii), the person may appeal the Committee's decision through a Special general meeting by giving written notice to the Harness Racing Manager within fourteen (14) days of receiving notice of the Committee's decision under Section 26(f)(i) or 26(f)(ii).
- (f) Members are not permitted to have legal representation attend any disciplinary matters, but may bring another member to act in a support capacity only.
- (g) If a Member's membership is suspended under Section 26(f)(i), the Harness Racing Manager must record in the Register:
 - (i) the name of the Member that has been suspended from membership;
 - (ii) the date on which the suspension takes effect; and
 - (iii) the length of the suspension as determined by the Committee under Section 26(f)(i)
- (h) During the period a member's membership is suspended, the member –
 - (i) loses any rights (including voting rights) arising as a result of membership;
 - (ii) is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to The Club; and

- (iii) Cannot attend the Club as a Guest of a member, unless prior written authorisation is received by the Management Committee.
 - (i) Upon the expiry of the period of a Member's suspension, the Harness Racing Manager must record in the Register that the Member is no longer suspended.
 - (j) If the Committee's decision to suspend or expel a Member is revoked under these Rules, any act performed by the Committee or Members in a General Meeting during the period that the Member was suspended or expelled from Membership under Section 26(e), is deemed to be valid, notwithstanding the Member's inability to exercise their rights or privileges of Membership, including voting rights, during that period.
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4.18 Actions on which the Committee may instigate Disciplinary Procedures

Acting in a manner prejudicial to the Club

1. A member or patron shall not act in a disorderly manner, or any other manner prejudicial to discipline of the Pinjarra Harness Racing Club Inc
2. A member or patron shall not act in a manner that is likely to bring discredit on the Club, or in a manner that is unbecoming of a member or patron of the Club as the case may be.

Behaviour towards other members, patrons or the Club itself

A member or patron shall not

- a) Be insubordinate in any way
- b) Use oppressive or tyrannical conduct towards another member, patron or employee
- c) Use obscene, abusive or insulting language towards any other member, patron or the Club itself including employees
- d) Wilfully or negligently make any false complaint or statement against a member, patron or the Club itself including employee's
- e) Assault or threaten a member, patron or employee
- f) Withhold any complaint against a member, patron or employee
- g) Cause or attempt to cause disaffection amongst members and patrons against the Club and its employee's

PART 5 – MEETINGS – ANNUAL GENERAL AND SPECIAL

5.1 Annual general meeting

- (1) The annual general meeting shall be held no later than six (6) months following the Club's end of Financial Year.
- (2) The annual general meeting shall be held on a day and hour determined by the Committee from time to time, and shall be convened by not less than 7 days' notice.

5.2 Submission of motions by members to annual general meetings

- (1) Any member may give notice of any motion to the then next annual general meeting by giving to the Harness Racing Manager Executive:
 - (a) written notice;
 - (b) a copy of the proposed motion,at least 14 days prior to the nominated date of the annual general meeting.
- (2) Upon receipt of the notice and motion, the Harness Racing Manager shall:
 - (a) post the notice on the notice board in the Club's office; and
 - (b) notify the same in the notices convening the annual meeting.

5.3 Special meetings

- (1) At any time, the Committee may convene a special meeting of members.
- (2) The Committee shall convene a special meeting on requisition made in writing by not less than 10% of the current members.
- (4) Every requisition shall express the object of the meeting proposed to be called.
- (5) Seven (7) financial members shall form a quorum.
- (4) The special meeting shall be held in not less than 7 days nor more than 28 days from the time of receipt of the requisition.

5.4 Notice of special meeting

The Harness Racing Manager shall cause a minimum of 7 days' notice of every special meeting, specifying the time and place of meeting and nature of the business to be given to the members.

5.5 Special business

Only business of which notice shall have been given as above, or in accordance with these rules, shall be transacted at a Special General Meeting.

5.6 Place for meeting

Every annual general meeting and special meeting shall be held at a place determined by the Committee from time to time.

5.7 Quorum

At any annual general meeting or special meeting, a minimum of seven (7) members who are entitled to vote shall form a quorum.

5.8 Procedure where quorum not present

- (1) If a quorum of members is not present within 30 minutes from the time appointed for an annual general meeting or special meeting, then the meeting shall stand adjourned to the same day in the following week at the same time and place.
- (2) If at the adjourned meeting a quorum of members be not present, then the members present shall be a quorum and may transact the business for which the meeting was called.

5.9 Presiding person

- (1) Every meeting of the Club shall be presided over:
 - (a) by the President;
 - (b) by the nominated Vice President, in the absence of the President;
 - (d) by a member of the Committee, in the absence of the President and the Vice Presidents.
- (2) If within 10 minutes of the time appointed for the meeting none of the persons referred to in subclause (1) are present, then the meeting may elect its own presiding person.

5.10 Adjournment

- (1) With the consent of the meeting, the chairperson of any meeting may adjourn the same from time to time and from place to place.
- (2) No business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

5.11 Carrying of resolutions

- (1) At any annual general meeting or special meeting, a declaration by the chairman that a resolution has been carried, carried by a particular majority or lost, and an entry to that effect in the minutes of the meeting shall be sufficient evidence of the fact without proof of

the number or proportion of the votes recorded in favour of or against the resolution.

- (2) Notwithstanding subclause (1), any member may demand a division on the resolution which shall be taken forthwith and the decision shall be final.

5.12 Voting entitlement

Every member entitled to vote shall be entitled to one vote on a show of hands and at a division.

5.13 Order of business

The order of business at the Annual Meeting shall be as follows:

- (i) Reading notice of meeting.
- (ii) Reading minutes of the last Annual Meeting and any other General Meeting not yet confirmed and confirming or amending same.
- (iii) President's Report, discussion and adoption or otherwise.
- (iv) Harness Racing Manager's Report, discussion and adoption or otherwise.
- (v) Reading Statement of Accounts and Balance Sheet to be received or otherwise.
- (vi) Election of Management Committee.
- (vii) Special Business of which Notice of Motion has been given.
- (viii) Other Business.

5.14 Minutes

- (1) Minutes of the proceedings at every annual general meeting or special meeting shall be entered and kept in a book and the minutes shall be produced to and signed by the presiding person within 30 days of the holding of the general meeting.
- (2) When signed by the presiding person or by the presiding person of the next following general meeting, the minutes shall be *prima facie* evidence of the proceedings and matters stated in the minutes.
- (3) Minutes of the proceedings at every meeting shall be confirmed at the next annual general meeting and, unless such minutes shall have been previously circulated to members, shall be read at such annual general meeting prior to being confirmed.

5.15 Giving of notice

- (1) Annual general meetings and special meetings shall be convened by notice given by circular notification addressed to each member and publicised on the Club's website and notice board.
- (2) Every meeting shall be valid notwithstanding the inadvertent omission to post to or the non-receipt of any notice by any member.

PART 6 - ADMINISTRATION

6.1 Common seal

The common seal of the Club shall be affixed:

- (a) to any deeds, instruments and documents required to be under seal by order of the Committee; and
- (b) in the presence of 2 members of the Committee, or one Committee Member and a person authorised by the Committee, who shall countersign the deed, instrument or document.

6.2 Register of members

- (1) The Harness Racing Manager shall cause to be kept a register of members in accordance with this clause.
- (2) The register of members shall include:
 - (a) the name and address (e-mail address is acceptable) of each member; and
 - (b) each member's category of membership.
- (3) For the purpose of these By-laws, the register is conclusive evidence as to the matters stated in it.

6.3 Signatures of members

- (1) All members shall comply with a request by the Harness Racing Manager to affix the member's ordinary signature in a register for the purposes of identification.
- (2) The register referred to in this clause may be used to identify signatures for the purpose of Schedule 1.

PART 7 - FINANCIAL

7.1 Accounts

The Club shall keep correct accounts and financial records showing the financial affairs of the Club and the particulars usually shown in accounts and financial records of a like nature.

7.2 Subsidiaries

In the event of a corporation being a subsidiary of the Club, separate accounts and financial records shall be kept for the Club and the corporation and no group accounts shall be prepared without a resolution of the Committee.

7.3 Financial year

The financial year of the Club shall run from 1 August to 31 July in the following year and the accounts of the Club shall be closed on 31 July in each year and a balance sheet containing a summary of assets and liabilities of the Club on that date shall be made out.

7.4 Appointment of Auditor

- (1) The Auditor, who shall be a registered company auditor, shall be appointed by the by the Committee from time to time.
- (2) Any outgoing or past Auditor is not precluded from submitting an expression of interest or from being appointed for a further term or terms of office.
- (3) A copy of a statement containing the names of all eligible nominees and remunerations sought will be sent to each member 7 days prior to the relevant Committee meeting.
- (4)
 - (a) The Committee may make a recommendation to members on the basis of expressions of interest and submissions received.
 - (b) The appointment of the Auditor shall be decided by the highest number of votes counted from a show of hands.
 - (c) In the event of a tie the presiding person shall decide the issue by a casting vote.
- (6) In the event that the Auditor dies or is unwilling or unable to continue in that position before the expiration of his or its appointed term, then the vacancy shall be filled by a registered company auditor for the time being appointed by a majority of the members of the Committee at a meeting of the Committee.

- (7) The Auditor (including any employees, partners or associates of the Auditor and any persons with an interest in the Auditor) shall not be eligible to serve as a member of the Committee.

Auditor's functions

- (1) Before each annual general meeting in November, the accounts for the previous financial year, with all vouchers and receipts and also balance sheet, shall be examined by the Auditor, whose report on them shall be forwarded, annually, to every member.
- (2) The Auditor shall have power to call for all books, accounts and other papers relating to the affairs of the Club.

PART 8 – MISCELLANEOUS

8.1 Duties and Responsibilities; Harness Racing Manager

The position of Harness Racing Manager is held by an employee who is appointed by the Management Committee; Management Committee members are charged with the governance of the incorporated entity, whereas the Harness Racing Manager's position is that of a Chief Administrative Officer; and/or Chief Operating Officer. In this context, the Harness Racing Manager is an officer of the incorporated entity and consequently has duties and responsibilities akin to those of Management Committee members.

As with Management Committee members, the common law duties of Harness Racing Manager can be summarised as follows:

- To act honestly.
- To exercise reasonable care and skill.
- To be diligent.
- To fulfill fiduciary duties.

These are legal and equitable duties that arise from the special position in which Harness Racing Manager are placed, as an employee.

Examples of fiduciary duties are:

- To act in good faith and in the interests of the Club as a whole.
- To exercise their powers for the purposes for which they were given.
- To avoid any conflicts of interest.

8.2 Scope of Authority of Harness Racing Manager

In terms of the general scope of authority, the Harness Racing Manager will be required to do the following in accordance with the Constitution (Section 21):

- (i) Carry out the functions of Chief Administrative Officer/Operating Officer of the corporation, subject at all times to the limits of the law and the lawful direction of the Committee.
- (ii) Possess a clear understanding of the Club's constitution and rules.

- (iii) Ensure the establishment and proper maintenance of necessary registers required to be kept by the Associations Incorporation Act, or any other statute.
- (iv) Ensure the lodging of all returns (financial and otherwise) with the regulatory authorities.
- (v) Organise and attend meetings of members and Committee including dispatch of notices, preparation of agenda and compilation of Minutes.
- (v) Possess a good working knowledge of meeting procedure in order to advise the President or Chairman if the need arises.
- (vi) Act as the custodian of the Club's seal and seal practice.
- (vii) Establish Committee-approval procedures relating to banking, safe custody of documents and other administrative functions.
- (ix) perform any other Racing duties as are imposed by these Rules or The Club on the Harness Racing Manager.

The foregoing is not an exhaustive list, but is meant to act as a guide to the important operational responsibilities of the Harness Racing Manager.

The Harness Racing Manager, whilst they are accountable to the Committee, is answerable on a day-to-day basis to a nominated Committee member; commonly the President, to avoid the possibility of conflicting instructions.

8.3 Admission charges

- (1) Subject to subclause (2), admission and other charges shall be fixed by the Committee from time to time.
- (2) All members of the Club shall, upon production of their tickets, be admitted free of charge to any part of the racecourse, lands and grounds, with exception of the parts set aside for the use of officials employees of the Club or of RWWA, drivers or reinspersons, and any other parts as the Committee shall from time to time determine.

8.4 Dissolution of Club

- (a) The Club may cease its activities and have its incorporation cancelled in accordance with Part 10 of the Act:
 - (i) after the Committee has determined the association is able to pay or meet its debts and liabilities; and
 - (ii) the Members resolve by Special Resolution that The Club will:
 - 1. apply to the Commissioner for cancellation of its incorporation; or
 - 2. appoint a liquidator to wind up its affairs
- (b) The Club must be wound up in accordance with Part 9 of the Act if:

- (i) the Committee has determined the association is unable to pay or meet its debts and liabilities; or
 - (ii) is party to any current legal proceedings; or
 - (iii) has any other outstanding legal obligations
- (c) Upon cancellation of The Club, the Surplus Property must only be distributed to one or more of the following:
 - (i) an incorporated association under the Act;
 - (ii) a body corporate that at the time of the distribution is the holder of a licence under the charitable collections legislation in Western Australia;
 - (iii) a company limited by guarantee that is registered as mentioned in section 150 of the Corporations Act 2001 (Cwth);
 - (iv) a company holding a licence that continues in force under section 151 of the Corporations Act 2001 (Cwth);
 - (v) a body corporate that:
 - 1. is a member or former member of The Club; and
 - 2. at the time of the Surplus Property is distributed, has rules that prevent the property being distributed to its members;
 - (vi) a trustee for a body corporate referred to in rule Section 29(c)(v); or
 - (vii) a co-operative registered under the Co-operatives Act 2009 that, at the time of the distribution, is a non-distributing co-operative as defined in that Act.

8.5 Protection of Committee members and employees

A member of the Committee or any employee of the Club is not personally liable for any act done or omitted to be done in good faith by the Club in the performance or purported performance of any function under these By-laws.

8.6 Recovery of subscriptions

- (1) All:
 - (a) subscriptions; and
 - (b) other fees and money,

which are due and payable by a member are recoverable by the Club as a debt in a court of competent jurisdiction.

- (2) Any amount recoverable under subclause (1) is recoverable notwithstanding that the member has ceased to be a member whether at the commencement of the action or otherwise.
- (3) In any action for recovery under this clause proof is not required of the making of the By-laws or the authority to sue and all such matters may be sufficiently proved by the oral evidence of the Harness Racing Manager.

8.7 Income and property of the Club

- (1) The property and income of the Club shall be applied solely towards the promotion of the objects of the Club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to the members.
- (2) Nothing in this clause shall prevent the payment of remuneration in good faith to any officer, servant or member of the Club in consideration for services actually rendered to the Club.
- (3) No remuneration or other benefit in money or money's worth shall be paid to or conferred on a member of the Committee except repayment of out of pocket expenses.
- (4) Any payment or benefit referred to in subclause (3) shall be shown clearly in the annual profit and loss account and shall be approved by the Club at an annual general meeting or special meeting.

8.8 Track Rules and Usage Times

Financial members may utilise the Club's track facilities for horse training purposes as prescribed by the following, provided that the Committee may alter the Track Rules and Usage Times as they see fit;

TRACK RULES & USAGE TIMES

All fast work track and jog track users must be financial Members of the Club.

The annual Memberships must be paid in full by 30th September or a late fee will apply.

Approved safety equipment - **helmets and safety vests** are to be worn

AT ALL TIMES as stipulated by RWWA Rules.

Failure to wear approved safety equipment will be reported to the Stewards.

Stablehands must be licensed by RWWA to be allowed to use the Club's facilities.

TRACK CLOSURE TIMES

NON-RACE DAYS:

TUESDAY to FRIDAY - Closed between 12 noon & 4pm

SATURDAY - Closed after 12.00pm

SUNDAY - Closed 30mins after the last Trial

RACE DAYS:

MONDAY - Closed until 2 hours after the last race

***To ensure our track staff are given the opportunity to keep the track in top condition
the above times must be strictly adhered to.***

Additional Closure Times may be notified by the Club on occasion for necessary maintenance or special on-course events.

Trainers will be advised prior to the closure via SMS and Notices at the track.

DAILY TRACK MAINTENANCE TIMES

Fast work track maintenance will occur **MONDAY TO SATURDAY** between
8.00 – 8.30am and 9.30 – 10.00am

Trainers please be mindful of machinery while working on the track at these times.
Your safety is our priority.

TRACK USAGE OUTSIDE OF STAFFED HOURS

Track users are to take particular care when using the track and facilities outside of staffed hours:
before 9am and after 5pm.

The Club highly recommends that track users never work alone at the Pinjarra Paceway, always
have at least one other person present to supervise trackwork.

Trackwork is only permitted during daylight hours – NOT after dark.

Track users must Sign In outside of staffed hours and are encouraged to have their mobile phone on
their person at all times; in case of emergency dial 000.

8.9 Official Trial Procedures

Trials are to be conducted at the Committee's discretion by the Club under the specifications of the RWWA Official Trial Procedures.

RWWA OFFICIAL TRIAL PROCEDURES

To ensure the efficient conduct of trials the following rules will apply:

PROCEDURES

1. Except where Stewards otherwise determine, late nominations shall only be accepted for horses barred from racing on the Friday, Saturday and Sunday meetings immediately preceding the trials, and must be directed to the Stewards / Trial Supervisor 30 minutes prior to the first trial.
2. Horses must be on course and accepted for 30 minutes prior to their trial.
3. Scratchings and driver changes must be made 30 minutes prior to the horse trialing direct to the Stewards / Trial Supervisor.
4. The trial fee must be paid whether the horse trials or not unless scratched prior to the Trial Meeting.
5. All horses shall be identified by freeze brand prior to trialing. Please ensure your horse is presented in the parade ring before entering the track. You may exit the parade ring only after the brands officer is satisfied with the identity of your horse.
6. Drivers in official trials must wear colours registered in their own name or in the name of the trainer or owner of the horse they are driving.
7. Please note that horses cannot qualify from a standing start after competing in a mobile trial on the same day.

9.0 Employees Children on Course

Employees Children on Course

Employees of the Pinjarra Harness Racing Club Inc are not permitted to have their children on-course during working hours (except in exceptional circumstances on an isolated basis and with the express permission of the Club President).

SCHEDULE 1

PROCEDURE FOR ELECTIONS AND REFERENDUMS

Division 1 - Election procedures

1. Application and definitions

- (1) This Schedule applies to the following stages in the preparation for, and conduct of an election:

Stage 1 - Appointment of Independent Returning Officer

Stage 2 - Preparing the electoral roll

Stage 3 - Nomination of candidates

Stage 4 - After nominations close

Stage 5 - Preparing for voting

Stage 6 - Voting

Stage 7 - Counting the Votes

Stage 8 - Declaring the result

- (2) In this Schedule, unless the contrary intention appears:

“**Returning Officer**” means the independent person appointed by the the Committee to act as returning officer in respect of an election or referendum conducted under this Schedule.

Stage 1 - Appointment of Returning Officer

2. Appointment of the Returning Officer

- (1) The Committee shall appoint an independent person to be the Returning Officer of the Club for the election.
- (2) The appointment of the Returning Officer shall be effective from the date of the appointment until the declaration of the result of the election for which the Returning Officer was appointed.
- (3) A person must not be appointed as the Returning Officer if the person is a candidate or a person eligible to vote in the election.
- (4) Other officers may be appointed by the Returning Officer to assist in the conduct of the election.

4. Information to be provided to the Returning Officer

The Club shall provide the following information to the Returning Officer conducting elections:

- (a) number of positions requiring election;

- (b) terms of office;
- (c) number of electors; and
- (d) name, title and contact details of the Club's officer with whom the Returning Officer is to liaise during the election.

Stage 2 - Preparing the electoral roll

5. New roll for each election

An electoral roll is to be prepared by the Harness Racing Manager for each election of members to the Committee.

6. Close of enrolments

- (1) In order to be included in the electoral roll for an election, a person must:
 - (a) be a full member; and
 - (b) have paid all subscriptions and other money due to the Club;
or
 - (c) be a life member,
- as at 5.00 pm on 1st November = the "**Close of Enrolments**".

7. Preparation of electoral roll

As soon as practicable after the Close of Enrolments, the Harness Racing Manager is to prepare the electoral roll for the election.

8. Supply of roll to Returning Officer, members of Committee and candidates

- (1) The Harness Racing Manager is to ensure that the Returning Officer has as many copies of the electoral roll as the Returning Officer may require for the purposes of the election.
- (2) A copy of the roll is to be supplied, free of charge, to any member of the Committee or candidate who requests it.

Stage 3 - Nomination of candidates

9. Times for nomination

- (1) The Harness Racing Manager shall determine the times and dates of the commencement and close of the period for lodging nominations of candidates for election to the Committee having regard to:
 - (a) the date of expiration of the term of office of the holder of the office;
 - (b) the time required to lodge nominations;
 - (c) the time required to complete the election; and
 - (d) the provisions of these By-laws relating to the times and dates of the commencement and close of the period for lodging nominations in respect of the election.
- (2) The Harness Racing Manager shall determine the place for lodging nominations of candidates for election.

10. Notice inviting nominations

- (1) The Harness Racing Manager shall issue a notice inviting nominations of candidates for election to the Committee which shall set out:
 - (a) the intention to hold an election;
 - (b) the name of the Club;
 - (c) the title of the office;
 - (d) the number of Committee members to be elected;
 - (e) the form in which nominations are to be made and where those forms can be obtained;
 - (f) the place for lodging nominations;
 - (g) the times and dates of the commencement and close of the period for lodging nominations, which shall be a period of not less than 14 days;
 - (h) eligibility criteria for electors, nominees and nominators; and
 - (i) the time and date of the ballot, if required,

and inviting nominations of persons eligible for election for the office under these By-laws to stand as candidates for election to the Committee.

11. Form of nomination

- (1) A person is eligible for election to the Committee if:
 - (a) the candidate is eligible to be elected as a member of the Committee under clause 3.15 of these By-laws; and
 - (b) 2 members of the Club who are entitled to do so under the By-laws have nominated him or her for election by completing in writing the prescribed nomination form, which signed by the nominators; and
 - (c) the candidate signifies, by notice signed by him or her on the prescribed Nomination Form, their willingness to accept the office if elected.
- (2) A person nominated as a candidate may, by notice signed by him or her and witnessed by a member of the Club who is entitled to vote, and addressed to and lodged with the Returning Officer before the time and date fixed for the expiry of the period for lodging nominations, withdraw his or her consent to the nomination and that person shall thereupon be deemed not to have been nominated.
- (3) The nomination form shall include the candidate's name to be used on the ballot paper.
- (4) A person who is eligible for election or re-election may vote for himself or herself.
- (5) The Returning Officer may reject a nomination that does not conform with this Schedule.
- (6) Before rejecting a nomination under subclause (5), the Returning Officer shall notify the person nominated and give the person the opportunity to remedy the defect within a specified period other than a defect relating to eligibility.

Stage 4 - After nominations close

12. Candidates elected unopposed

Where on the expiry of the period for lodging nominations the number of eligible candidates does not exceed the number of offices to be elected, the Returning Officer shall declare in accordance with this Schedule that those candidates are elected unopposed.

13. Insufficient candidates

Where on the expiry of the period for lodging the nominations of a candidate for election to Committee no nomination has been received, the Returning Officer shall as soon as practicable after the expiry of that period so advise the Club.

14. Death of a candidate

(1) Where the death of a candidate occurs in an election with a single vacancy:

- (a) where a nominee dies before the declaration of nominations, his or her name shall not be declared as a candidate and the election shall proceed as normal;
- (b) where the death occurs after the declaration of nominations but before postal votes are dispatched, no voting shall take place for the relevant position for which the deceased was a declared candidate;
- (c) where the death occurs after the dispatch of postal votes but before the close of polling, all further voting is to be suspended in respect to only the position contested by the deceased. No count of any votes already received shall take place and the votes themselves shall be placed in a sealed parcel if the ballot paper is solely devoted to that particular position.

(2) Where the death of a candidate occurs in an election with multiple vacancies:

- (a) where a nominee dies before the declaration of nominations, he or she shall not be declared as a candidate and elections shall proceed as normal; and
- (b) where a candidate dies between the declaration of nominations and the close of the poll, the following action shall apply:
 - (i) if the public list has not been printed, the name shall be excluded from that list;
 - (ii) if the ballot papers have not been printed, the name shall be excluded from the ballot paper and no redraw shall be necessary; and
 - (iii) if the ballot papers have been printed, a notice shall be displayed on the ballot paper to alert voters in the polling place and the candidate shall be excluded from the count.

Stage 5 - Preparing for voting

15. Commencement and close of ballot

- (1) Where the number of candidates exceeds the number of offices to be elected, the Returning Officer shall determine the date of commencement of issuing ballot papers and the time and date of the close of the ballot having regard to:
 - (a) the date of expiration of the term of office of the holder of the office;
 - (b) the time required to send and return ballot papers by post;
 - (c) the time required to complete the election; and
 - (d) the provisions of this Schedule relating to the times and dates of the commencement and close of the ballot in respect of the election.
- (2) Elections shall be conducted in secret by a postal ballot.

16. Election package

- (1) An election package posted to eligible electors shall contain:
 - (a) a ballot paper on security paper authorised by the Returning Officer or a ballot paper initialled by the Returning Officer or bearing an exact copy of those initials;
 - (b) an envelope marked "ballot paper", which may have a counterfoil attached or, where the back of that envelope is not so used, a separate counterfoil is numbered to coincide with an identifying number shown against the name of that person on the Returning Officer's electoral roll;
 - (c) any instructions; and
 - (d) a reply-paid envelope addressed to the Returning Officer at the private box referred to in clause 23 of this Schedule.
- (2) Any or all of the items referred to in subclause (1) may be printed as one stationery item.

17. Form of ballot paper

- (1) The ballot paper for an election for an office shall be in a form that is determined by the Returning Officer.

- (2) The order of names of candidates for election for an office that appear on the ballot paper for that election, shall have been drawn by lot by the Returning Officer, as soon as practicable following the Close of the Nominations.
- (3) The Returning Officer shall include on the ballot paper information and instructions to the voter with respect to the following matters:
 - (a) the number of positions to which the election relates;
 - (b) the names of the candidates as determined in accordance with subclause (2);
 - (c) the time and date of the close of the ballot;
 - (d) instructions on how to mark the ballot paper in order to record a formal vote;
 - (e) instructions not to put on the ballot paper any mark or writing by which the voter can be identified, as this will cause the vote to be rejected; and
 - (f) instructions:
 - (i) to place the ballot paper, when completed, in the envelope marked "ballot paper" and then to seal that envelope;
 - (ii) to complete the details on the counterfoil; and
 - (iii) to place the ballot paper envelope (and the counterfoil if a separate one is used) in the envelope addressed to the Returning Officer, and then to seal the envelope addressed to the Returning Officer and post it to reach the Returning Officer before the time of the close of the ballot.
- (4) The Returning Officer shall obtain from the printer of the ballot papers a certificate stating the number of ballot papers printed in respect of the election.

18. Form of counterfoil

- (1) The counterfoil shall contain:
 - (a) the full name of the voter;
 - (b) the address of the voter; and
 - (c) an identifying number shown against the name of that person on the Returning Officer's electoral roll.

- (2) The counterfoil shall make provisions for the voter to declare, by placing his or her signature in the space provided, that he or she is the elector named on the counterfoil.

19. Issue of ballot papers

- (1) As soon as practicable after the date determined under clause 15 for the commencement of issuing ballot papers in respect of an election, the Harness Racing Manager shall issue, by posting by pre-paid post, to each person whose name is on the electoral roll for the election, at the address shown on the electoral roll, a ballot paper and the other ballot material in a sealed envelope and provide for the return of the ballot paper without expense to the voter.
- (2) The envelope referred to in subclause (1) shall bear an instruction that, if it is not delivered to the addressee:
 - (a) in the case of an election conducted by the person referred to in subclause (1) of clause 23, it should be returned to the private box referred to in that subclause; and

20. Issue of duplicate ballot paper or return envelope

- (1) Where, on an application made before the time of the close of the ballot in an election, the Returning Officer is satisfied that a ballot paper or return envelope issued to a person whose name is on the electoral roll has not been received or has been lost, destroyed or spoilt, the Returning Officer shall issue to that person a duplicate ballot paper or return envelope, as the case may be.
- (2) An application under subclause (1) by a person for a duplicate ballot paper or return envelope for an election shall:
 - (a) be made orally or in writing;
 - (b) set out the grounds on which the application is made;
 - (c) declare that the person has not voted in the election; and
 - (d) if practicable, be accompanied by any evidence that is available of that non-receipt, loss, destruction or damage.

Stage 6 - Voting

21. How to mark ballot paper

- (1) If only one position is to be filled at the election, an elector is to mark the ballot paper by placing a tick in the box opposite the name of the candidate whom the elector wishes to elect.
- (2) If 2 or more positions are to be filled at the election, an elector is to mark the ballot paper by placing a tick in the box opposite the name of each candidate whom the elector wishes to elect, but is not to place ticks in more boxes than the number of offices to be filled.
- (3) Voting by proxy shall not be permitted.

22. Ballot boxes

- (1) The Returning Officer is to provide such ballot boxes as are necessary for the election at the places at which ballot boxes are required under this Schedule.
- (2) Before a ballot box is used to take ballot papers or envelopes, the Returning Officer or assistant is to satisfy himself or herself that it is empty and then secure it with a security device in a way that ensures that nothing can be removed from it without breaking the security device.
- (3) Ballot boxes that are to be used on election day are to be displayed and secured under subclause (2) in the presence of any electoral officers and scrutineers then present.

23. Receipt of ballot papers

- (1) Where an election is conducted by a Returning Officer appointed by the Club, the Returning Officer shall use, for the purpose of receiving ballot papers in respect of that election by post, a private box at a post office, being a private box used exclusively by the Club.

Stage 7 - Counting the Votes

24. Procedure for checking counterfoils

- (1) Counterfoils are to be checked as follows:
 - (a) the Returning Officer is to open each postage pre-paid envelope and remove the papers contained in it;
 - (b) the Returning Officer is to check that the counterfoil is completed in accordance with this Schedule;
 - (c) if satisfied, the Returning Officer is to mark the roll either manually or electronically; and

- (d) if not satisfied, the Returning Officer is to make a record on the ballot paper envelope of its rejection without opening it or allowing it to be opened.
- (2) The Returning Officer shall compare signatures on counterfoils to those appearing in the register referred to in clause 6.3 of the By-laws and, if not similar, reject these.
- (3) The Returning Officer shall place all envelopes in a sealed ballot box until the count or prepare the ballot papers for the count in accordance with clause 25.

25. Preparation of postal ballot papers for count

- (1) Postal voting papers for a postal election that have been:
 - (a) received by the Returning Officer before the close of poll;
 - (b) checked in accordance with clause 24(1); and
 - (c) accepted by the Returning Officer,shall be prepared for counting by the Returning Officer.
- (2) To prepare postal voting papers under subclause (1), the Returning Officer may, before the close of the poll:
 - (a) detach each counterfoil if it is attached to the envelope, and put aside;
 - (b) remove the ballot paper envelopes from the ballot box in which they were placed;
 - (c) open each ballot paper envelope; and
 - (d) without:
 - (i) examining the ballot paper personally; or
 - (ii) allowing the examination of the ballot paper by any scrutineers present,remove the ballot paper from the envelope and place the ballot paper into a sealed ballot box, which must remain sealed until the close of the poll.
- (3) The Returning Officer may conduct any or all of the processes referred to in clauses 24 and 25(2) after the close of the poll.
- (4) The Returning Officer is to keep:

- (a) the electors' counterfoils;
 - (b) the ballot paper envelopes rejected under clause 24; and
 - (c) empty ballot paper envelopes,
- in safe custody until the count is complete.

26. The count

- (1) The votes shall be counted using the "First Past the Post" method.
- (2) The candidates are elected in order according to highest number of votes received.
- (3) In the case of a tie, the Returning Officer shall decide the issue by a casting vote.
- (4) If the terms of office differ in length, the candidate or candidates with the larger number of votes are elected for the longer term.
- (5) As soon as practicable after the time of the close of the ballot, and in the presence of the scrutineers, if any, the Returning Officer shall take the ballot box or boxes to the place of count and proceed to make the count.
- (6) Where any voting paper is rejected, the Returning Officer shall mark the voting paper "rejected" with the reasons for rejection and set it aside for safe keeping.
- (7) The Returning Officer may, from time to time, adjourn the count to a day and hour to be fixed by the Returning Officer and notify the Club, candidates and scrutineers.

27. Use of computers in the counting process

The Returning Officer may use automated means to carry out the checking and counting procedures for any ballot where the Returning Officer considers this method would be a cost-efficient and appropriate method.

28. Recount

- (1) At any time before the declaration of the poll, the Returning Officer may, if he or she thinks fit, at the request of any scrutineer or of his or her own motion, recount the ballot papers.
- (2) The Returning Officer in conducting the recount shall have the same powers as if the recount was the count and may reverse any decision in relation to the scrutiny as to the allowance, admission or disallowance or rejection of any ballot paper.

29. Informal ballot papers

- (1) The Returning Officer shall reject as informal a ballot paper that is not printed on security paper or does not bear the initials of the Returning Officer or the exact copy of those initials.
- (2) The Returning Officer shall also reject as informal any ballot paper that:
 - (a) has upon it a mark or writing by which the voter can be identified; or
 - (b) is not marked substantially in accordance with the instructions on the ballot paper.
- (3) Where, during the scrutiny, the Returning Officer is informed by a scrutineer that the scrutineer objects to a ballot paper being admitted as formal, or rejected as informal, as the case may be, the Returning Officer shall decide the matter and endorse his decision on the ballot paper.
- (4) The Returning Officer is to be the sole and final judge of whether a ballot paper is formal or informal.

Stage 8 - Declaring the result

30. Declaration of result

- (1) The Returning Officer shall declare the result of the ballot to the Harness Racing Manager Executive, and the presiding person shall announce the result to the members present at the annual general meeting or in a public announcement.
- (2) Where it is not practicable for the Returning Officer to declare the result of an election under subclause (1), the Returning Officer shall declare the result of the election by giving notice of the result in writing to the presiding person of the Committee who shall declare the results of the election at the annual general meeting.
- (3) The Returning Officer shall, in the manner and at the time of declaring the result of an election under subclause (1) or (2), as the case may be, declare in respect of the election:
 - (a) the number of ballot papers printed, as certified by the printer;
 - (b) the number of ballot papers, other than duplicate ballot papers, issued;
 - (c) the number of duplicate ballot papers issued;

- (d) the number of unused ballot papers;
- (e) the number of ballot papers rejected from scrutiny;
- (f) the number of ballot papers admitted as formal;
- (g) the number of ballot papers rejected as informal; and
- (h) the number of votes admitted as recorded in favour of each candidate.

Division 2 -Validity of election

31. Preservation and custody of election material

- (1) On the completion of the counting of votes, the Returning Officer, in consultation with the Harness Racing Manager Executive, shall make provision for the preservation and custody of:
 - (a) all nomination papers;
 - (b) all ballot papers admitted as formal;
 - (c) all ballot papers rejected as informal;
 - (d) all counterfoils relating to the ballot papers, whether formal or informal;
 - (e) all envelopes received after the close of the ballot;
 - (f) the marked electoral roll against which the counterfoils were checked; and
 - (g) all unused ballot papers, counterfoils and other documents prepared in connection with the election,

which shall be respectively placed in separate containers, each endorsed with the name of the Club and the office to which the election relates.

- (2) The documents referred to in subclause (1) shall be sealed, signed and dated by the Returning Officer and retained for a period of not less than one month after the date of the election.

Division 3 - Miscellaneous

34. Preliminary powers of Returning Officer

The Returning Officer may take such action and give such directions as are considered necessary in order to:

- (a) ensure the secrecy of the ballot;
- (b) ensure that no irregularities occur in or in connection with the election; and
- (c) remedy any inconsistency or inadequacy that arises in the application of this Schedule to the conduct of an election.

35. Fees and costs of the election

- (1) All costs, charges and expenses incurred by the Returning Officer under subclause (1) in connection with the election are to be paid by the Club.
- (2) Where the Returning Officer is appointed by the Club to conduct an election, the Club will be responsible for all costs, charges and expenses incurred in connection with that election.

Division 4 - Referendums

36. Modifications to the election procedures

The provisions of this Schedule shall apply to a referendum conducted by the Club with the following modifications:

(a) Information to be provided to the Returning Officer

In lieu of the requirement under clause 4 of this Schedule, the Club shall provide the following information to the Returning Officer:

- (i) the questions to electors structured so as to give the voter the choice to vote “Yes” or “No” to the question;
- (ii) a balanced case “for” and “against” the question;
- (iii) any contents to be included in the election package other than those referred to in clause 16 of this Schedule; and
- (iv) whether the result is binding and, if so, the result required;

(b) Close of enrolments

For the purpose of applying clause 6 of this Schedule, in the case of a referendum the “**Close of Enrolments**” is to be 5.00pm on the 10th day before the day appointed for the referendum;

- (c) In lieu of the requirement under clause 15(1) of this Schedule, the Returning Officer shall, in consultation with the Harness Racing Manager Executive, determine the date of commencement of issuing the ballot papers for the referendum and the time and date of the close of the ballot.

Bylaws Updates

Bylaws Updates – 4 June 2021

4.4 Annual Subscriptions

MOTION: “That the proposed subscriptions above be approved and added to the clubs bylaws”

Moved by: T. Russell Seconded by: M. Rae

Passed unanimously by the club Committee, 20 May 2021

(4)

Subscriptions for new members must be paid within two weeks of election and shall be paid as follows:

- (a) If elected between 1 August and 31 October – Full annual subscription
- (b) If elected between 1 November and 31 January – 75% annual subscription
- (c) If elected between 1 February and 30 April – 50% annual subscription
- (d) If elected between 1 May and 31 July – 25% annual subscription

Applies to all memberships, including trainer subscriptions.

New members do not receive \$20 members dollars unless the full subscriptions fees are paid.

8.8 Track Rules and Usage Times

MOTION: “That the changes to the Track Rules and Usage Times be approved be added to the clubs bylaws”

Moved by: Mick Rae Seconded by: Ted Russell CARRIED

Passed unanimously by the club Committee June 2021 Committee Meeting

Track Rules and Usage Times

- (1) For safety reasons - Hi Vis vests must always be worn by all main track and jog track users effective Monday 7 June 2021.
- (2) Trainers are responsible to ensure all gear is removed from the stalls complex and tracks on a daily basis. The Club takes no responsibility for gear or items that are stolen or left behind.

- (3) The jog track will be open Monday – Sunday from dawn to dusk.
- (4) Use of the main track and jog track after dark is not permitted for safety seasons.
- (5) The jog track will be open Monday – Sunday from dawn to dusk.
- (6) Closing of the main track and jog track may be necessary on certain days for maintenance.
Trainer members will be advised by SMS, email and notices will be placed in advance on the stalls complex notice boards.
- (7) Leading a horse on the main track is not permitted at anytime
- (8) Galloping of horses on the main track is only permitted on the top half of the main track.
- (9) Only one (1) horse may be led from a sulky at any time on the jog track. The horse must be held by hand and must have a bit in its mouth.
- (10) Speed limit for joggers on jog track is strictly 25km per hour.
- (11) Joggers to always use the outside of the track. Joggers must abide by the RWVA Use of Joggers Official Harness Policy.
- (12) Joggers to be kept in good mechanical condition.
- (13) No noisy joggers should be used. Vehicles must be in road worthy condition.
- (14) Joggers not to park or stop on jog track unless in the case of an emergency.
- (15) No galloping of horses on joggers.
- (16) Children under 14 are not allowed on the jog track for any reason.
- (17) No galloping a horse whilst leading another horse or galloping the lead horse.
- (18) No horse to be put on a jogger with a cart on without a driver.
- (19) No persons to ride or stand on joggers.
- (20) No reinsperson is to alight from the sulky to adjust gear whilst on the main track. All gear changes must be made in the stalls complex.
- (21) Slow horses are to move up the track to allow horses fast working to pass on the inside.
- (22) The jog track is closed to joggers between 7.30am and 9.00am, Monday to Friday to allow jog track users the opportunity to educate young and fractious horses without joggers being on the track during the allotted time.
- (23) Joggers can use the jog track before 7.30am and after 9am Monday to Friday.
- (24) The jog track is open to all track users Saturdays and Sundays, with no track user restrictions.
- (25) No alcohol to be consumed whilst driving a vehicle towing a jogger.
- (26) Any person driving a vehicle towing a jogger must be the holder of a current motor vehicle driver's license and be a licensed participant in the harness industry.
- (27) Only one person to ride in a sulky at one time.

- (28) All horses must enter the jog track at walking pace only.
- (29) Mobile phones not to be used at any time whilst working horses.
Headphones not to be used at any time.
- (30) Horses entering the main track from the jog track/ chicane entry must enter at walking pace only, maintaining a safety-first mindset to ensure all track users and horses are safe.
- (31) Horses exiting the main track, through the jog track/ chicane entry must exit at walking pace, maintaining a safety first mindset at all times.
- (32) Horses are not to be driven in the stalls complex other than at walking pace for safety reasons.
- (33) Trainers and horses must vacate the stalls complex on track work days by no later than 12.30pm sharp, to ensure the track maintenance team can undertake important daily maintenance and cleaning activities.
Machinery and equipment will be used from 12.30pm sharp

Track Closure Times

Main Track

Non-race days:

Tuesday, Thursday & Fridays – 12 noon sharp until 4pm sharp

Wednesdays (Trials) – 12 noon sharp

Wednesdays (No trials) – 12 noon sharp until 4pm sharp

Saturdays – 12 noon sharp

Sundays- 10am sharp

Race days:

Mondays - Closed.

To ensure staff can undertake appropriate cleaning and maintenance tasks and procedures.

Daily Track Maintenance Times:

Main track and jog track maintenance will be undertaken daily by the track maintenance team as required.

Track Usage Outside of Staff Hours

- (1) Track users are to take particular care when using the facilities outside of staffed hours – before 8am and after 4pm.
- (2) First aid kits are available for minor scratches from the track machinery shed and administration office, during the hours of 8am to 4pm. Trainers are

encouraged to carry their own first aid kits outside of these hours and to call 000 in case of an emergency.

Miscellaneous

8.10 Club Survey Form

(1)

MOTION: "That the revamped PHRC Survey Form presented to the club committee be accepted and to be implemented effective 24 May 2021"
Moved by Ted Russell on Geoff Fullers behalf Seconded Mick Rae
Passed unanimously by the Club Committee, 20 May 2021



CUSTOMER SATISFACTION SURVEY

As part of our continuous improvement programme, the Pinjarra Harness Racing Club welcomes you on-course and seeks constructive feedback about our Club facilities, Services and Staff.

Your feedback is important to the success of our Club and it is reviewed at our monthly committee meetings.

OVERALL - HOW WOULD YOU RATE TODAY'S VISIT

Very Satisfied Satisfied Neutral Unsatisfied very
Unsatisfied

WHAT IS YOUR REASON FOR THIS RATING:

FACILITIES

- **Pavilion - Did our venue meet your expectations?**

Very Satisfied Satisfied Neutral Unsatisfied very
Unsatisfied
- **TAB - Staff Assistance/Ticket Availability/Self Service Terminal**

Very Satisfied Satisfied Neutral Unsatisfied very
Unsatisfied
- **Audio/Visual Services**

Very Satisfied Satisfied Neutral Unsatisfied very
Unsatisfied

• **Bar Service** – Range of Product/Standard of Service
 Very Satisfied Satisfied Neutral Unsatisfied very Unsatisfied

ANY ADDITIONAL COMMENTS:

***** CONTINUED ON REVERSE

CATERING

• **Variety of food choices**
 Very Satisfied Satisfied Neutral Unsatisfied very Unsatisfied

• **Value for Money**
 Very Satisfied Satisfied Neutral Unsatisfied very Unsatisfied

• **Wait Times**
 Very Satisfied Satisfied Neutral Unsatisfied very Unsatisfied

• **Quality of Service**
 Very Satisfied Satisfied Neutral Unsatisfied very Unsatisfied

ANY ADDITIONAL COMMENTS REGARDING CATERING:

Thank you for taking the time to complete this feedback. Please fold and drop this form into the locked Perspex box located in the Preux Chevalier Room – southern end of the pavilion

OPTIONAL

Name Contact number of email address

☐ Please tick this box if you would like to be contacted in respect to your feedback

Miscellaneous

8.11 Children in the Stalls Complex

(1)

MOTION: “In compliance with RWWA rules and regulations, that children are not allowed in the stalls complex during certain times”

Moved by: Mick Rae Seconded by: Ted Russell

Passed unanimously by the club Committee June 2021 Committee Meeting

Children under 14 are not allowed in the stalls complex precinct during the following times

A- Race days

B- Trial days

C- Track work times

As described on signage displayed in and around the stalls complex and other club areas.

Any breaches will be reported to RWWA Stewards for further investigation.

Miscellaneous

8.12 Employee Children on Course

(1)

MOTION: “Employees of the Pinjarra Harness Racing Club Inc are not permitted to have their children on course during working hours (except in exceptional circumstances on an isolated basis and with the express permission of the Club President”

Moved by: Geoff Fuller Seconded by: Mick Rae

Passed unanimously by the club Committee, 15 May 2019

The horse racing environment is a unique and dangerous place for children and the Club needs to adopt a firm policy on this matter to avoid potential liability should the unforeseen occur.

Bylaws Updates

Bylaws Updates – 26 August 2021

8.13 Club Awards

(1)

MOTION: “That the President’s Award criteria be approved and accepted, and added to the clubs By Laws”

Moved by Ted Russell Seconded by Committee

Passed Unanimously by the Club Committee, 19 August 2021

President’s Award

Nomination Criteria

Such an accolade can be considered and awarded to individuals who make a sustained contribution to the Pinjarra Harness Racing Club for a period of at least 1 year. The contribution made shall be of considered significant experience in impact or influence on the Clubs ability to deliver on its philosophy, core values and objectives.

Leadership

The nominee interacts effectively with members of the club to promote the club, harness racing industry in a positive manner always.

The nominee demonstrates an open, caring attitude, attentiveness to the needs and concerns of others at the Club and Harness Racing Industry in general.

Service

The nominee demonstrates a continuing commitment to service and leadership to the club. Active involvement on the club committee and or sub committees as well as other examples of volunteerism, are examples of relevant service activities at the club.

Nominations

Nominations can only be submitted by fully paid members, not including social members, and must be received by 1 September every year and submitted to the Harness Racing Manager for discussion at the Clubs September Committee meetings.

The Club Committee at its sole discretion shall consider all the nominations for the President’s award and shall ratify those considered worthy of the award to then decide the yearly Presidents award winner.

Presentation

The award shall be presented to the recipient at the Clubs Annual General Meeting.

8.14 Race Day Members Draw Eligibility

(1)

MOTION: “That fully paid financial Members of the Pinjarra Harness Racing Club have 10 minutes to be redeem the Members draw prize on race days, be approved and added to the clubs By Laws”

Moved by Ted Russell Seconded by Gavin Turner

Passed Unanimously by the Club Committee, 19 August 2021

Time allowed for Members to collect the race day members draw amount is currently 20 minutes and consider reducing to 10 minutes.

The purpose of the above is to encourage members to be on course to win the jackpot members draw amount.

(2)

Race Day Members Draw Eligibility

MOTION: “That only financial Members of the Pinjarra Harness Racing Club who have paid in full their current year membership on or before 31 August of each calendar year, be eligible to win the weekly members draw prize be approved and accepted, and added to the clubs By Laws”
Moved by Warren Robinson Seconded by Frank Nafranec
Passed Unanimously by the Club Committee, 19 August 2021

Members who have not repaid their membership fees for every season by 31 August are not eligible to win the members jackpot weekly draw until their membership is paid in full. Paid members for new seasons receive a new membership number and are not guaranteed the previous year’s membership number.

The purpose of the above is to encourage all members to renew their existing memberships in a timely manner.

8.15 Race Books

(1)

MOTION: “That One Race Day book is provided at no charge on race days be approved and accepted, and added to the clubs By Laws”
Moved by Gavin Turner Seconded by Geoff Fuller
Passed Unanimously by the Club Committee, 19 August 2021

Entitlement to a race book at no charge on race days include

- RWWA staff
- PHRC staff – various
- Race day trainers
- Race day drivers
- Life Members
- Club Committee
- Patron
- Vice Patron

The purpose of the above is to provide staff with a tool required to complete their roles adequately on race days. Trainers and drivers to complete their racing commitments. Life members in recognition of their efforts and commitment to the club and Committee members for their current commitment and support of the club.

Bylaws Updates

Bylaws Updates – 4 November 2021

8.8 Track Rules and Usage Times

Track Maintenance, JOG TRACK

(1)

MOTION: “That the Jog Track be closed the last Wednesday of each month between 11am and 3pm for Maintenance be added to the clubs By Laws”

Moved by M. Rae Seconded by M. Cox

Passed Unanimously by the Club Committee, 4 November 2021

The purpose of the above is to ensure compliance with WHS requirements and allow the track team members sufficient time to complete maintenance on a regular basis. Other required Jog Track closures shall be advised when required.

4.4 Annual Subscriptions

(4)

MOTION: “That Members dollars provided as part of PHRC yearly membership packs can only be used for placing bets on Pinjarra Harness Club race day fixtures or over the Shardons Aflyin club bar to purchase drinks and be added to the clubs By Laws”

Moved by M. Rae Seconded by G. Fuller

Passed Unanimously by the Club Committee, 4 November 2021

Bylaws Updates

Bylaws Updates – 25 November 2021

9.1 Lucky Losing Ticket Draw:

MOTION: That the winning ticket from the race day lucky losing ticket draw must have been placed on any race at a PHRC race day, otherwise it is deemed ineligible, and another ticket shall be drawn to find a losing betting ticket that was placed on any race at a PHRC race meeting. The winning ticket drawn must have the persons - full name, membership number (if applicable) and phone number

Moved by: Geoff Fuller Seconded by: Warren Robinson

Passed unanimously by the club Committee, Thursday 25 November 2021

The above supports regular attendees, supporters, and members of the PHRC race days.

Bylaws Updates – 17 February 2022

Bylaws Updates – 17 February 2022

8.10 Trials Rules:

MOTION: “That the Trials Motion above be accepted by the Club Committee and be added to the Pinjarra Harness Racing Club Bylaws.”

Moved by Geoff Fuller
CARRIED

Seconded

Graham Cox

Standard Trial Commencement times

- April to October – 3pm
- November to March – 4pm
- Sanctioned Trial Steward in consultation with RWWA Head Steward, delay trial starts times to between – 4pm to 5pm depending on action required

Trial Days

Every Wednesday, not including public holidays

Trial Steward – Responsibilities

- Adherence to RWWA Heat Policy in consultation and agreed direction with RWWA Head Steward of the day.
- Ensure any decision on abandoning or delaying trials is left to 3pm on trial days, once the Trial Day Steward has arrived on course, considered and discussed options with the Harness Racing Manager and RWWA Head Steward as required.
- Determining requirements for abandoning trials due to RWWA Heat Policy, trial incidents or other incidents in consultation with RWWA Head Steward of the day
- Determining requirements for delaying times of trials due to RWWA heat policy, trial incidents or other incidents in consultation with RWWA Head Steward of the day.

Trials Abandoned

- It is agreed should the Trials Steward in consultation with the RWWA Head Steward of the day in considering the RWWA Heat Policy or other factors impact on trials commencing within approved times, then trials for that week shall be abandoned

Bylaws Updates

Bylaws Updates – 19 May 2022

MISCELLANEOUS

9.1

STALLS PARKING

MOTION: A Trainer or person in charge of a vehicle that is participating in a racing activity are under the control of the Official Parking Attendant on arrival and will abide by his instructions regarding placement of the said vehicle.

Failure may see the matter dealt with under Section 243 of the rules of Harness Racing.

Moved: G. Fuller

Seconded: M. Cox

Carried:

9.2

CONDUCT

(Race Day, Trials or Daily Usage)

MOTION: A person who is participating on a Race Day, Trials and or Daily Usage shall not.

Threaten

Harass

Intimidate

Abuse

Assault

Otherwise interfere improperly with

Bully

Any breach of the above will be dealt with under Section 231 of the Rules of Harness Racing.

Moved: G. Fuller

Seconded: M. Cox

Carried:

9.3

USAGE (STALLS)

MOTION: Participants on completion either of a Race, Trial or General Training are required to remove effluent and rubbish from the stalls that are under their usage.

Failure may see the matter dealt with under Section 243 of the Rules of Harness Racing

Moved: G. Fuller

Seconded: M. Cox

Carried:

Bylaws Updates – 19 January 2023

8.8 Track Rules and Usage Times

(2)

Motion: Drivers must not fast work horses when a track team member turns on the flashing red lights and until it stops flashing The red light indicate track maintenance is being undertaken involving machinery and track team members.

Drivers can enter the racetrack when safe to warm up horses during this time

The above is to ensure the safety of all staff, participants, and horses.

Moved by: Geoff Fuller

Seconded: Kim Prentice

Passed unanimously by the Club Committee, 19 January 2023

There are two lights inside the stalls complex on the ceiling of the western side of the stalls complex and one light on the underside of the entry/exit to the stalls complex.

