



# Formation and Management of Clubs Policy

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## DATE OF COMMENCEMENT

This policy takes effect on 23 February 2005

## PURPOSE

The *Racing Act 2002* authorises Greyhounds Queensland Limited (GQL) to make policies for the sound management of the greyhound racing industry. Section 81 (i) of the Act requires GQL to make a policy on the formation and management of clubs eligible to be licensed by GQL to hold race meetings.

Race clubs are the mechanism by which greyhound racing delivers its product to its customers. Greyhound racing depends on properly formed and soundly managed clubs for its continued prosperity.

The *Racing Act 2002* provides that a licensed greyhound racing club that was a non-proprietary club at the time it was licensed but subsequently became a corporation would continue to be considered non-proprietary for the purposes of its revenues and profits and disposal of assets.

The purpose of this policy is to ensure a greyhound racing club, whether proprietary or non-proprietary, is properly formed and managed.

## POLICY STATEMENT

### *Club formation*

GQL will ensure that a greyhound racing club is properly constituted under either the *Associations Incorporations Act 1981* (for a club formed as an incorporated association) or the *Corporations Law* (for a club formed as a corporation) and that persons appointed or employed as executive officers are eligible individuals.

### *Proprietary clubs*

A proprietary greyhound racing club must be formed in accordance with the *Corporations Law*. The club must be registered under the *Corporations Law* and have a constitution that requires, at all times, at least three directors.



### ***Club management***

GQL will oversee the financial management and performance of all Queensland greyhound racing clubs to ensure they are properly managed.

A greyhound racing club, whether proprietary or non-proprietary, must manage its finances according to the *Racing Act 2002*, GQL rules of greyhound racing and the Financial Management Procedures Manual for Queensland Greyhound Racing Clubs, and under section 34 (2) of the Act must comply with a direction from GQL in relation to the club's operations or racing venue.

A non-proprietary greyhound racing club must comply with GQL policy on Spending by Non-proprietary Licensed Clubs and policy on Disposal of Assets by Non-proprietary Licensed Clubs and the provisions of the *Associations Incorporations Act 1981*.

In accordance with *Racing Act 2002*, a greyhound racing club must forward to GQL within 90 days of the end of the financial year a properly audited balance sheet and profit and loss statement showing the operations of the club for the financial year just concluded.

Within 30 days of a greyhound racing club's annual general meeting, the club must forward to GQL a written report on its activities over the year and a copy of any corporate, strategic, business or other plan the club may have adopted in that period.

Within 21 days after the end of a calendar month a greyhound racing club must lodge an unaudited statement of receipts and expenditure for that calendar month.

### ***Safe working environment***

GQL requires a greyhound racing club to take all reasonable steps to provide a safe working environment for officials, other staff, licence holders and any other persons.

A greyhound racing club must provide information and training to its officials and staff to help ensure they are aware of their rights and responsibilities under relevant legislation including:

- *Anti-Discrimination Act 1991*
- *Workplace Health and Safety Act 1995*

A greyhound racing club must not tolerate offensive, explicit material or behaviour in the workplace.



### ***Disciplinary action***

As provided for in GQL Policy For Licensing Scheme – Club, GQL will take disciplinary action against a greyhound racing club that contravenes the *Racing Act 2002*, *Associations Incorporations Act 1981*, *Corporations Law*, GQL rules of greyhound racing, the Financial Management Procedures Manual for Queensland Greyhound Racing Clubs, GQL policies or directives, or legislation providing for a safe working environment.

### **APPLICATION**

This policy applies to:

- GQL
- all greyhound racing clubs, whether proprietary or non-proprietary.

### **DEFINITIONS**

This policy adopts the terminology used in the *Racing Act 2002*. Schedule 3 of the Act contains a dictionary of words used in the *Racing Act 2002* and may be accessed via the internet at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au) under the tab “R”

**Eligible individual** – means a person who:

- is not affected by bankruptcy action
- is not subject to an exclusion action under GQL rules of greyhound racing
- is not disqualified from managing corporations under the *Corporations Law*
- is not subject to a conviction for any of the following, other than a spent conviction-
  - an offence under this Act or the repealed Act;
  - an indictable offence, or a summary offence that involved dishonesty, fraud, stealing or unlawful betting, under any other Act;
  - an offence under a law of another State, that is prescribed under a regulation as a law about racing or betting.

**Executive officer** – means a person who is concerned with or takes part in the management of a club, whether or not the person is a director or the person’s position is given the title of “executive officer”.



## FORMATION AND MANAGEMENT OF CLUBS POLICY

**Non-proprietary club** – means a not-for-profit greyhound racing club. A non-proprietary club has a constitution that :

- provides for the application of all of the club's profits and other income to the promotion of the club's objects; and
- prohibits the payment of dividends to the members of the club.

**Proprietary club** – means a for-profit greyhound racing club.

## PROCEDURES

### Roles and responsibilities

#### *GQL*

GQL will:

- Assess a greyhound racing club's application to ensure all the required information is provided and that the club is properly constituted
- Conduct investigations to ensure that greyhound racing club committee members, executive officers and other people associated with the ownership or management of clubs are of good character and suitable to hold such positions
- Analyse greyhound racing club's financial statements, annual reports and strategic and business plans to ensure the club is properly managed
- Regularly audit the operations of a greyhound racing club to ensure its continued suitability to be licensed

#### *Race club executive officers*

The executive officer must ensure that full documentation for the licence application of a greyhound racing club is provided to GQL.



## FORMATION AND MANAGEMENT OF CLUBS POLICY

### **Review**

This policy will be reviewed after two years of operation.

This policy was reviewed by GQL Board on 31 January 2007, with the policy to be reviewed within two years of this date or earlier as determined by GQL Board.

### **GQL rules of greyhound racing**

GQL rules of greyhound racing provide for the application of this policy.

### **Authority and other information**

This policy was issued by GQL on 23 February 2005 pursuant to the powers vested in GQL by the *Racing Act 2002*.