



May 2024

ClubED

Bite-Sized Learning

CEI Monthly Newsletter



Club Education Institute

Welcome to the May edition of our Bite-Sized Learning newsletter.

The Club Education Institute (CEI) is excited to continue with its case study learning modules that will provide you with tangible examples of how the concepts under discussion can be applied to your club.

Registered Club Accountability Code

Liquor & Gaming NSW has released its delivery plan which sets out its compliance, enforcement and assistance priorities for 2024–2026. Ensuring responsible governance, operator integrity and financial accountability, along with reducing gambling harm, is a key priority. This month's learning is about the key areas of focus the directors seek to ensure compliance with the *Registered Club Accountability Code*.

Case Study

Harborview Club Board Oversight of the Registered Club Accountability Code

Harborview Club is located in the picturesque coastal town of Seaville. As a popular hub for social gatherings, fine dining, gaming and entertainment, the Club plays a vital role in the community. The Board is aware, through communication from ClubsNSW, that ensuring

responsible governance, operator integrity and financial accountability, along with reducing gambling harm, is a key priority of Liquor & Gaming NSW.

The Board tasks Paul the CEO to report on the Club's compliance with the Registered Club Accountability Code (the Code). Below is what Paul outlines for the Board:

1 Definition of Top Executives

The Code defines a 'top executive' within the Harbourview Club as any of the following:

- Club Secretary — responsible for administrative functions
- Club Manager — oversees day-to-day operations
- Nominated top executive — any employee nominated as the five highest paid employees of the Club and whose remuneration package exceeds the high-income threshold set by the Fair Work Commission (\$167,500 as at July 2023)
- Involvement criteria — involved in general Club administration, liquor or gaming operations.

Paul confirms that all the employment contracts for all top executives of the Club are:

- in writing
- reviewed by an independent advisor
- approved by the Board.

2 Register of Disclosures

The Harborview Club maintains a comprehensive 'register of disclosures' to track personal and

financial interests of club managers and directors.

This includes:

- affairs of the Club — any pecuniary interests related to Club operations
- major capital works — disclosures regarding significant infrastructure projects
- procurement of goods/services — details of contracts within 40 kilometres of Club premises
- gifts and remuneration — any gifts or payments valued at \$1000 or more.

Paul confirms that the contract restrictions are included as part of the contract and through due diligence of the companies/individuals being considered and also before going out to tender. He assures the Board that the Club employees are vetted via this process prior to employment being offered.

3 Contract Restrictions

The Club is prohibited from entering into contracts with certain individuals or companies without Board approval. These include:

- Club Secretary or Manager — directly involved in club management
- close relatives — relatives of the secretary or manager
- exceptions — contracts resulting from open tender processes and employment contracts.

Paul confirms that the contract restrictions are included as part of the contract and through due diligence of the companies/individuals being considered and also before going out to tender. He assures the Board that the Club employees are vetted via this process prior to employment being offered.

4 Management Contracts (excluding club management, secretary managers or employees)

Before entering into a management contract, the Harborview Club must:

- notify members — inform members at least one month in advance
- report to Liquor & Gaming NSW — provide a detailed report to the relevant authority
- consider member interests when making management decisions.

Failure to comply with these requirements will void the contract.

Paul advises that this only applies if a secretary manager or club manager is unable to manage the responsibilities of the operation and a third-party company or manager is to be appointed.

5 Transparency and Member Access

The Harborview Club ensures transparency by making the following information available to its members:

- Register of Disclosures — maintained and accessible
- overseas travel details — information related to Club representatives' travel
- employee loans — details of loans provided to employees
- financial administration — relevant financial records.

By adhering to these guidelines, Harborview Club maintains its reputation as a trusted and responsible institution within the Seaville community.

Key Takeaways from this Learning Module

1. Understanding the Code's definition of top executives and the requirements for their appointment.
2. Recognising the importance of disclosing personal and financial interests to prevent conflicts of interest.
3. Understanding the guidelines for contracting with specific individuals or companies and the exceptions to these rules.
4. Learning the procedures for notifying members and regulatory bodies before entering into management contracts.
5. Appreciating the significance of transparent financial reporting in maintaining accountability and trust within clubs.

[Find out more.](#)

Upcoming CEI Seminars — Round 2

- **Sexual Harassment Legislation Board Oversight**
- **Exploring Club Industry Dynamics & Diversification Strategies**

Following the seminar, one of our ClubsNSW WR/HR team members will be available to address any enquiries or offer guidance regarding the management of workplace issues.

[Register Here](#)