



New South Wales

Registered Clubs Amendment (Disclosures) Regulation 2019

under the

Registered Clubs Act 1976

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Registered Clubs Act 1976*.

PAUL TOOLE, MP
Minister for Racing

Explanatory note

The objects of this Regulation are as follows:

- (a) to require any person standing for election or appointed as a member of the governing body of a registered club to disclose any previous period in which the person was ineligible to stand for election or to be appointed to, or to hold office in, the position of secretary or member of the governing body,
- (b) to require registered clubs to make available to members of the club information relating to any training taken by directors, secretaries or managers of the registered club.

This Regulation is made under the *Registered Clubs Act 1976*, including sections 30 (1) (b1), 41C (1) and 73 (the general regulation-making power), in particular, section 73 (1) (n).

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1 Name of Regulation

This Regulation is the *Registered Clubs Amendment (Disclosures) Regulation 2019*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Registered Clubs Regulation 2015

[1] Clause 31 Appointments made by governing body

Insert after clause 31 (2):

- (2A) In determining whether to appoint a person under subclause (1), the governing body of the registered club may request the person disclose to the governing body any previous period in which the person was declared by the Authority under section 57H (2) (g) of the Act to be ineligible to stand for election or to be appointed to, or to hold office in, the position of secretary or member of the governing body (or both of those positions) of any registered club.
- (2B) If a person is requested to make a disclosure under subclause (2A), the person:
 - (a) must make the disclosure within 7 days of the request being made, and
 - (b) is not to be appointed until the disclosure is made.
- (2C) If a person is appointed under subclause (1), and was not requested to make a disclosure under subclause (2A), the person must make the disclosure described in subclause (2A) within 7 days of the appointment being made.

[2] Clause 31 (3) (d)

Insert at the end of clause 31 (3) (c):

- , and
- (d) any previous period in which the person was declared by the Authority to be ineligible, as disclosed by the person in subclause (2A).

[3] Clause 31A

Insert after clause 31:

31A Disclosure of previous ineligibility of persons to be secretary or member of governing body

- (1) A person must not stand for election as a member of the governing body of a registered club unless the person discloses any previous period in which the person was declared by the Authority under section 57H (2) (g) of the Act to be ineligible to stand for election or to be appointed to, or to hold office in, the position of secretary or member of the governing body (or both of those positions) of that club or any other registered club.
- (2) A disclosure under subclause (1) must:
 - (a) be made during the nomination period, and
 - (b) be made to the secretary or manager of the registered club, or a person appointed by the secretary or manager of the registered club to accept nominations for the election, and
 - (c) be clearly displayed on a notice board on the premises of the registered club and on the club's website (if any) for at least 7 days before the person stands for election.
- (3) In this clause, *nomination period* means the period commencing on the day on which the person is nominated to stand for election as a member of the government body of a registered club and ending 1 week before the person stands for the election.

[4] Schedule 2 Registered Clubs Accountability Code

Insert after clause 9:

9A Training disclosures

(1) Offence provision

A registered club must make available to the members of the club details of any training completed by a person who is a director, club secretary or manager under Part 6 of the *Registered Clubs Regulation 2015* and reasons for any exemption from the training requirements under that Part.

(2) A registered club must indicate, by displaying a notice on the club's premises and on the club's website (if any), how the members of the club can access the information.