



EMERALD LAKERS BASKETBALL CLUB

ADDITIONAL CLUB POLICIES

PURPOSE AND APPLICATION

These policies apply to Emerald Lakers Basketball Club Inc, its members, players, parents and carers, coaches, team managers, officials, Committee members, volunteers and other persons participating in or representing the Club, where relevant.

These policies should be read together with the Club's Constitution, Child Safety and Wellbeing Policy, Codes of Conduct and other policies adopted by the Committee. Where a policy concerns child safety, the safety and wellbeing of children and young people is the paramount consideration. Nothing in these policies limits any obligation to report a matter to an external authority or any right or remedy available under applicable law.

REFUND POLICY

Emerald Lakers Basketball Club is a not-for-profit incorporated association operating under the Associations Incorporation Reform Act 2012 (Vic). Registration fees contribute to competition entry, venue hire, uniforms, insurance, equipment and administration costs.

In accordance with the Australian Consumer Law contained in Schedule 2 to the Competition and Consumer Act 2010 (Cth), refunds or other remedies will be provided where required by law, including where services are not delivered as agreed. Nothing in this policy excludes, restricts or modifies any rights or remedies available under the Australian Consumer Law or other applicable legislation.

Refunds may also be considered at the discretion of the Committee in the following circumstances:

- Serious injury or medical condition preventing participation
- Relocation outside the competition area
- Exceptional hardship circumstances
- Duplicate registration or administrative error

Refund requests must be made in writing and may require supporting documentation. Refunds are not automatic and may be reduced to account for reasonable costs already incurred or committed by the Club, including competition fees, venue costs, administration costs and uniforms issued.

A change of mind, voluntary withdrawal from a team, dissatisfaction with grading or team allocation, or a decision not to participate will not ordinarily create an entitlement to a discretionary refund once Club costs have been incurred or committed. The Committee may nevertheless consider exceptional circumstances.

The Committee will determine discretionary refund requests acting reasonably, consistently and in good faith.

SEXUAL HARASSMENT POLICY

Emerald Lakers Basketball Club is committed to providing a safe, respectful and inclusive environment consistent with the Equal Opportunity Act 2010 (Vic), the Sex Discrimination Act 1984 (Cth), the Child Wellbeing and Safety Act 2005 (Vic), and applicable Victorian Child Safe Standards.

Sexual harassment is unlawful and will not be tolerated. It includes unwelcome sexual conduct, comments, gestures, messages, physical contact or other behaviour of a sexual nature in circumstances where a reasonable person would have anticipated that the person subjected to the conduct would be offended, humiliated or intimidated. Sexual harassment may involve a single incident or repeated behaviour, and a person's intention is not determinative.

The Club has a positive duty under the Equal Opportunity Act 2010 (Vic) to take reasonable and proportionate measures to eliminate discrimination, sexual harassment and victimisation as far as possible. The Club will take reasonable steps to prevent such conduct through clear behavioural standards, education, appropriate supervision, accessible reporting mechanisms and prompt responses to concerns.

This policy applies to players, coaches, team managers, officials, Committee members, volunteers, parents, carers, spectators and other persons participating in or representing the Club, including:

- At training sessions, games and tournaments
- At Club functions, meetings and events
- In digital communications, messaging platforms and social media
- During travel or accommodation associated with Club activities
- In any other setting where a person is participating in or representing the Club

Reports will be treated seriously, sensitively and as confidentially as reasonably practicable. Retaliation or victimisation against a person who raises a concern or assists with a complaint will not be tolerated.

Reports will be managed in accordance with the Club's separate Complaints Resolution Policy and other applicable Club policies. Where a complaint involves a child or young person, the Club's Child Safety and Wellbeing Policy and applicable child-safety reporting obligations will take precedence where necessary. Matters may be referred to Basketball Victoria, Victoria Police, the Victorian Equal Opportunity and Human Rights Commission, the Commission for Children and Young People or another relevant authority where appropriate or required by law.

MISCONDUCT AND PROTECTED REPORTING POLICY

Emerald Lakers Basketball Club encourages the reporting in good faith of misconduct, unethical behaviour, serious breaches of Club policies or governance concerns.

As an incorporated association under the Associations Incorporation Reform Act 2012 (Vic), the Club and its office holders have governance and financial-management obligations. This policy provides a practical internal mechanism for raising serious concerns and is not intended to represent that the statutory whistleblower regime under the Corporations Act 2001 (Cth) applies to the Club.

Reportable matters may include:

- Financial misconduct, fraud or misuse of Club funds or property
- Dishonest, corrupt or seriously unethical conduct
- Serious or repeated breaches of Club policies or Codes of Conduct
- Child safety concerns or failures to comply with child-safety obligations
- Serious governance failures or conduct creating a significant risk to the Club or its members

A person who raises a concern honestly and on reasonable grounds will not be subjected to retaliation, intimidation, disadvantage or adverse treatment by the Club because they made the report. The Club will, so far as reasonably practicable and lawful, protect the confidentiality of the reporting person's identity.

A report will not be considered false or malicious merely because it is not substantiated. Disciplinary action may be considered where a person knowingly provides false information or makes a report primarily to cause harm to another person.

Nothing in this policy prevents or restricts a person from reporting a matter directly to Victoria Police, Child Protection, the Commission for Children and Young People, Consumer Affairs Victoria, Basketball Victoria or another appropriate authority.

DRUGS AND ALCOHOL POLICY

Emerald Lakers Basketball Club promotes a safe, responsible and family-friendly sporting environment in accordance with the Liquor Control Reform Act 1998 (Vic), the Drugs, Poisons and Controlled Substances Act 1981 (Vic), the Tobacco Act 1987 (Vic), and applicable child-safety obligations.

Players under 18 years of age must not consume or possess alcohol or illicit drugs at any Club activity. Smoking and vaping are prohibited at junior training sessions, games and Club activities, and in any area where prohibited by the Tobacco Act 1987 (Vic), venue rules or other applicable law.

The possession, use, supply or distribution of illicit drugs at Club activities is strictly prohibited and may result in disciplinary action and referral to relevant authorities.

Alcohol may only be supplied or consumed at Club events where permitted by the venue, any applicable liquor licence or permit, and Victorian law. Where alcohol is supplied, responsible service of alcohol requirements must be observed.

Coaches, team managers, officials, Committee members and volunteers responsible for supervising children or performing Club duties must not consume alcohol or use illicit drugs while carrying out those duties and must not undertake those duties while impaired by alcohol, drugs or any other substance.

Any person whose behaviour is unsafe, disruptive or inappropriate because of alcohol or drug use may be directed to leave a Club activity or venue and may be subject to further action under the Club's Constitution, Codes of Conduct or other policies.