



Classic Riders Club of Goulburn Incorporated

By-Law 02: DISPUTE RESOLUTION PROCESS

This By-Law is to be read in conjunction with the Discipline clause 9, Right of Appeal Clause 10 and Resolution of Internal Disputes clause 11 of the *Classic Riders Club of Goulburn Incorporated Constitution*. The Club's Constitution prevails to the extent of any inconsistencies with this By-Law.

Purpose

The following describes the process that will be followed prior to a dispute/s being referred to a Community Justice Centre for mediation under the *Community Justice Centres Act 1983 (NSW)*, available to members under the Club's constitution.

Application

1. The procedures apply where a dispute exists between: a) a Club member and another Club member;
b) a Club member and the Committee;
2. A Club member must not initiate a dispute resolution process regarding a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

Attempt to resolve the dispute

1. The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

Choosing a Conciliator

1. If the parties to a dispute are unable to resolve the dispute between themselves within 14 days, the parties shall within 10 days—
 - a) Notify, in writing, the Committee of the dispute; and
 - b) agree to or request the assistance of a conciliator; and
 - c) attempt in good faith to settle the dispute by conciliation.
2. The conciliator shall be—
 - a) a person chosen by agreement between the parties; or
 - b) in the absence of agreement, a person chosen by the Committee.
3. A conciliator selected by the Committee may be a member or former member of the Club, but in any case, must not be a person who—
 - a) has a personal interest in the dispute; or
 - b) is biased in favour of or against any party.

Conciliation process

1. The conciliator to the dispute, in conducting their process, must—
 - a) give each party every opportunity to be heard; and
 - b) allow due consideration by all parties of any written statement submitted by any party; and
 - c) ensure that natural justice is accorded to the parties throughout the process.
2. The conciliator must not determine the dispute.

Failure to resolve dispute by conciliation

1. If the conciliation process does not resolve the dispute, the parties may seek resolution in accordance with paragraph (d) of the Discipline clause of the Club's Constitution.