## Submission: Objection to Key Provisions in the Proposed Registered Clubs Regulation 2025

**To:** Liquor & Gaming NSW  
**From:** Chris Mader – Advocate for Constitutional Governance and the Restoration of Democracy  
**Date:** 16th June 2025  
**Subject:** Formal Objection to Anti-Democratic Provisions in the Proposed Registered Clubs Regulation 2025

### 1. ****Introduction****

I submit this objection in response to the draft Registered Clubs Regulation 2025 and its accompanying Regulatory Impact Statement (RIS). While I support the intent to modernize language and maintain operational continuity for clubs, I raise grave concerns over certain proposed provisions that risk undermining **member sovereignty**, **financial accountability**, and the **democratic foundations** of registered clubs in New South Wales.

As someone deeply committed to lawful governance, I remind regulators that true democracy originates in the people, not government or corporate boards. Clubs are microcosms of community rule. Any erosion of member control or transparency violates the enduring constitutional standard set by **Magna Carta 1215**, especially Articles 39 and 40, and undermines the natural right of people to self-govern through full, informed participation.

### 2. ****Objection 1 – Appointed Directors Not Bound by Constitutional Eligibility****

**Provision:** Section 26(2)(b) of the proposed Regulation

**Issue:** This clause enables **appointed directors** to **bypass eligibility requirements** defined in a club’s constitution. Elected directors must meet those standards; appointed directors do not.

**Objection:** This creates a **two-tiered governance system** where unelected individuals may hold power without proper vetting or allegiance to member-defined standards. It **violates the democratic principle** that all officeholders must derive legitimacy from the people — in this case, the club members via their constitution.

**Relief Sought:**  
Amend Section 26(2)(b) to require that **all directors, elected or appointed**, must comply with all constitutional eligibility criteria defined by club members.

### 3. ****Objection 2 – Restriction on Member Access to Financial Records****

**Provision:** Schedule 1, Section 10(b)(ii) – Five-year limit on member requests for financial statements.

**Issue:** The Regulation proposes to cap access to historical financial records at five years.

**Objection:** This restriction **hinders long-term accountability**, especially where financial mismanagement, misconduct, or conflicts of interest may take time to uncover. Members must retain the right to inspect financial history without artificial time limits, especially since club executives are not term-limited and may remain in control for extended periods.

**Relief Sought:**  
Restore **full access to all historical financial statements**, or at minimum, extend the disclosure period to **10 years** in line with serious audit and fraud investigation standards.

### 4. ****Objection 3 – Lack of Safeguards for Volunteer Secretary Proposal****

**Provision:** Section 6 – Volunteer secretaries (discussion only)

**Support with Conditions:** I support the principle of allowing volunteer secretaries in small or regional clubs **only if strict criteria apply**, such as revenue thresholds, non-profit status, and community-based governance.

**Risk:** Without regulation, this could be exploited by wealthier clubs to avoid employment obligations and erode professional accountability.

**Relief Sought:**  
If this proposal proceeds, it must be accompanied by:

* A maximum annual revenue threshold (e.g., <$150,000)
* A clear ban on unpaid secretaries in any club classified as “medium” or “large” by Liquor & Gaming NSW
* Mandatory disclosure to members when a volunteer secretary is used

### 5. ****Final Comments on Democratic Integrity****

The strength of community institutions like registered clubs lies in the **sovereignty of their members**, who must have:

* The **exclusive right to define eligibility for leadership**
* **Unrestricted access to financial information**
* **Full transparency and protections** in all matters of governance

I urge Liquor & Gaming NSW to **align the Regulation with these principles**. To ignore these risks creating legal structures that favor managerial convenience over member authority, thereby transforming democratic clubs into corporate fiefdoms.

### 6. ****Conclusion and Demand for Amendment****

The proposed Regulation, if unamended, risks violating the democratic foundations upon which registered clubs are built. I respectfully demand that the Regulation be amended in the interests of:

* Upholding **member sovereignty**
* Ensuring **financial accountability**
* Maintaining the **spirit of lawful governance** consistent with Magna Carta 1215

**Sincerely,**

**Chris Mader**

Constitutional Researcher | Advocate for Lawful Democracy

Author of multiple formal submissions to NSW and Federal Parliament

Specialising in Magna Carta 1215, Democracy, Natural Law, and the Sovereignty of the People

**Constitutional Clarification:**  
The Commonwealth of Australia Constitution Act 1900 (UK) is a statute of the British Parliament and holds lawful validity only insofar as it does not conflict with **Magna Carta 1215**, **Natural Law**, and the Sovereign Right of the People to rule through **Trial by Jury**. Any portion of the Act that contradicts these foundational authorities is, by operation of law, void and of no lawful effect. The People do not stand under Parliament — Parliament stands under the Constitution.