



# BRIBIE ISLAND SURF LIFESAVING CLUB CONSTITUTION

10<sup>th</sup> July 2016

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BRIBIE ISLAND SURF LIFE SAVING CLUB INC.

PART 1  
THE CONSTITUTION

SECTION A  
Name, Control, Objects, Badges

##

1 - NAME, INTERPRETATION AND DEFINITION

15.1 NAME

The name shall be " BRIBIE ISLAND Surf Life Saving Club Inc.," hereinafter referred to as "The Club".

- a) ASSOCIATION - shall mean "Surf Life Saving Australia Limited" or SLSA.
- b) AUSTRALIAN COUNCIL - shall mean the body consisting of the SLSA (Association) Directors.
- c) STATE CENTRE - shall mean "Surf Life Saving Queensland" (SLSQ), which includes Branches, Clubs and their members.
- d) BRANCH - shall mean the Sunshine coast Branch, which includes the affiliated Clubs and their members within the boundaries of that Branch as defined by SLSQ, and representatives of Auxiliary Organisations.
- e) CLUB - shall mean all the registered, financial members as defined in B/1.1, and the affiliated Auxiliary Organisations.
- f) COUNCIL - shall mean the body consisting of the President and elected officers and voting members.

15.2 INTERPRETATION

In this Constitution:

- a) a reference to a function includes a reference to a power, authority and duty;
- b) a reference to the exercise of a function includes where the function is a power, authority or duty a reference to the exercise of the power or authority of the performance of the duty;
- c) words importing the singular include the plural and vice versa;
- d) words importing any gender include the other genders;
- e) references to persons include corporations and bodies politic;
- f) references to a person include the legal personal representatives, successors and permitted assigns of that person,
- g) a reference to a statute, ordinance code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them (whether of the same or any legislative authority having jurisdiction).
- h) The specification of the objects and powers of the Club in *N3* of this Constitution are not in any particular order and are not to be construed so as to lead to the construction that any object or power is more important than any other object or power, nor that any object or power which is specified in detail is more important than any object or power which has not been specified in detail, and no particular object or power will be limited by reference to any other and the rule of construction known as the "ejusdem generis" (of the same kind) rule shall not apply.

- i) If any provision of this Constitution or any phrase contained in it is invalid or unenforceable in any jurisdiction, the phrase or provision is to be read down for the purpose of that jurisdiction. If possible so as to be valid and enforceable and otherwise it shall be severed to the extent of the invalidity or unenforceability, without affecting the remaining provisions of this Constitution or affecting the validity or enforceability of that provision in any other jurisdiction.

### 1.3 DEFINITIONS

- a) Where the word " Administrator " appears in this document it shall be acknowledged to refer to a Secretary as defined in the relevant Government legislation.
- b) Where the words "Finance & Property Officer" appear in this document they shall be acknowledged to refer to a Treasurer as defined in the relevant Government legislation.
- c) Year - In respect to "Membership" and "Competition", shall mean, in the case of a Club, Branch and State Centre, the period between 1st October in any one year and 30th September in the year following.

## 2 - CONTROL

- 2.1 The Club shall be subject to the control of State Centre and the Branch to the extent of the power of the State Centre and the Branch and shall have full control over all surf life saving services within that part of the Branch area designated as the Club's Bathing Reserve or as directed by the State Centre or the Branch from time to time. It shall be charged with the fulfillment of the objects of the Association within the boundaries of its jurisdiction.
- 2.2 Auxiliary organisations may be formed and affiliated to the Club providing such organisations have similar aims and objects as the Club and are subject to the overall control of the Club.
- 2.3 Topics - Religion and politics and matters such as this shall not be part of the Association business and are banned from discussion at any official meetings held within the Association. These items shall remain as an individual commitment only, without reference to the Association in any way.

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## 3 - OBJECTS AND POWERS

The club is a charitable community organisation with the following objects and powers:

- 3.1 Promote, advance and control the work of Surf Life Saving, the resuscitation of the apparently drowned, the treatment and resuscitation of any person stung by any marine stinger, and the application of first aid on surfing beaches and elsewhere.
- 3.2 Assist in research and experiments for the improvement of methods of Surf Life Saving, the resuscitation of the apparently drowned and the treatment of the seriously stung, and to provide efficient life saving equipment of standard design, and oversee the training of members of the Club in the efficient use of such equipment to minimise loss of life in surf bathing and elsewhere.
- 3.3 Co-operate with any organisation in improving methods of life saving (whether in still or rough water or elsewhere) and the securing of public recognition and financial support for Life Saving.
- 3.4 Promulgate rules issued by the Branch, from time to time, for the management and control of surf life saving and resuscitation work so far as local conditions permit, and within the Club's area of authority.
- 3.5 Promote, demonstrate and instruct the methods of Surf Life Saving.

- 3.6 Enforce the observance of the Policies, Rules and Regulations of the Association, and written directions from time to time, deal with any infringement thereof, and adjudicate upon all disputes and difficulties between members of the Club.
- 3.7 Obtain improved facilities for surf bathing.
- 3.8 Effect such purposes as may be necessary in the interest of surf bathing.
- 3.9 Acquire by purchase, exchange or otherwise, whether for an estate in fee simple or for any less estate in lands, tenements or hereditaments or any tenure whether subject or not to any changes or encumbrances and erect, replace, maintain, reconstruct, adapt and furnish any offices or other buildings thereon and sell, let, alienate, mortgage, charge or otherwise deal with all or any of such lands, tenements or hereditaments or any part thereof.
- 3.10 Raise or borrow money on bonds, or mortgage, or other security of any property, held for or on behalf of the Club, or without any such security and upon such terms as the Club shall think fit.
- 3.11 Receive money on deposit with or without allowance of interest thereon.
- 3.12 Invest the monies of the Club, not immediately required, in such manner as may from time to time be determined by the Club Management Committee.
- 3.13 Ensure that environmental considerations are taken into account in all surf life saving and related activities conducted by the Club.
- 3.14 Encourage members to realise their potential and athletic abilities by extending to them the opportunity of education and participation in surf life saving competition and to award trophies and rewards to successful competitors.
- 3.15 Encourage and promote performance-enhancing drug free competition.
- 3.16 Recommend Meritorious Awards for members and others, in honourable public recognition of difficult and meritorious rescues from the sea and elsewhere, and of deeds of exceptional bravery, from time to time performed in the course of life saving in the surf and elsewhere, and to recommend for civil honours, and support wherever requested and considered appropriate, nominations.
- 3.17 Promote the health and safety of members and all other users of the aquatic environment, and seek and obtain improved facilities for their enjoyment.
- 3.18 Effect such purposes as may be necessary in the interests of surf life saving and the aquatic environment.
- 3.19 Promote uniformity of rules and regulations for the control and regulation of surf bathing, and assist the authorities in enforcing these rules and regulations.
- 3.20 Produce, develop, create, licence and otherwise exploit, use and protect the Intellectual Property, including but not limited to logos, trademarks, copyright and names in any publication produced by the Club.
- 3.21 Construct, maintain and alter any houses, buildings or works necessary or convenient for the purposes of the Club.
- 3.22 Take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purposes of procuring contributions to the funds of the Club in the shape of donations, annual subscriptions or otherwise.
- 3.23 Print and publish any newspapers, periodicals, books or leaflets that the Club may think desirable for the promotion of its objects.
- 3.24 Promote any other person or company for any purpose calculated to benefit the Club.

- 3.25 Purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the companies, institutions, societies or associations whose activities or purposes are similar to those of the Club or generally for any purpose calculated to benefit the Club.
- 3.26 Do all or any of the matters hereby authorised, either alone or in conjunction with any person, company or unincorporated body, or by or through any factors, trustees or agents.
- 3.27 Generally do all such other things as may appear to the Club to be incidental or conducive to the attainment of the foregoing objects or any of them.

#### **4 - BADGES AND COLOURS**

- 4.1 The Club emblem shall be worn only by accredited representatives and members of teams who are selected or approved by the Club Selection Committee and shall be to the design appearing in Appendix "G". Such emblem shall be obtained only on the written order of the Club Secretary and such written order shall detail the lettering to be embroidered beneath the emblem.
- 4.2 The Club Life Membership Badge shall be presented by the Club to each duly elected Life Member and shall be to the design appearing in Appendix "G".
- 4.3 The Club Membership Badge shall be available to members and shall be to the design appearing in Appendix "G".
- 4.4 The Club Colours shall be Black and White

#### **## 5 - THE COMMON SEAL**

- 5.1 The form of the Common Seal shall be as set out in the first part of Appendix "G" of this Constitution together with the words "Bribie Island Surf Life Saving Club Inc." around its perimeter and the words "The Common Seal of" in its centre.
- 5.2 The Management Committee shall provide for the safe custody of the Seal.
- 5.3 The Seal shall only be used by the Authority of the Management Committee, and every document to which the Seal is affixed shall be signed by two (2) members of the Management Committee one of whom shall be the President.

## SECTION B

### Composition, Membership, Affiliation, Management

#### 1 - COMPOSITION / MEMBERSHIP

- 1.1 The composition of the Club shall consist of the following members - its Officers, Active, Reserve Active, Long Service, Life, Associate, Award, Past Active, Honorary, Cadet, Junior Activity (Nipper) and Probationary Members, and membership shall be unlimited.
- 1.2 A Register of these members shall be prepared at the commencement of each year, and shall be updated from time to time as required.
- 1.3 All applications for membership shall be made on the approved Association Form and all members shall be bound by this Constitution, the By-Laws, the Appendices Resolutions and the Manuals of the Association and the Constitution and regulations of the Association, and a prescribed fee for each category of membership shall be such sum, payable at such time and in such manner as the Management Committee shall from time to time at any General Meeting so determine. Members must renew their membership annually.
- 1.4 A financial member at any material time is a member who is not then indebted to the Club in respect of any annual subscription or levy or other payment whatsoever.
- 1.5 Only those members who are financial members at the time shall be entitled, subject to the lawful procedure of the meeting, to speak or vote upon any motion at any general meeting of the Club.

#### 2 - RESTRICTION

- 2.1 All applications for membership of the Club shall be made annually on the approved Association Form, and shall be available to males and females provided that active membership shall be limited to proficient SLSA Bronze Medallion holders.
- 2.2 A member of a Life Saving Organisation affiliated with International Life Saving may be accepted as a member of the Club provided that the member complies with all the conditions for membership of this Association and its Manuals.
- 2.3 Separate accommodation and amenities for male and female members, which are satisfactory to the Branch and the State Centre may be provided.
- 2.4 An unfinancial, suspended or expelled member of the Club shall not knowingly apply to join another Club, nor shall a Club knowingly admit to membership nor retain in membership any past or present member of the Club who is indebted in any way to or has been suspended or expelled.
- 2.5 The Club shall immediately provide their respective Branch and State Centre with the names and addresses of members who have had their membership cancelled or suspended and such information, including the period of suspension/cancellation of membership shall be set out in a register provided for that purpose.
- 2.6 Should a bona fide member of more than one Club be completely suspended or expelled by the Club he shall not be allowed to compete in any competitions conducted by any Club of which he is a member or by the Association.
- 2.7 In cases in dispute, an appeal may be lodged with the Branch or SLSQ as the case may be.



- 2.8 All members and elected officers of Club, Branch and State Centre, shall have reciprocal rights within the facilities of clubs throughout Queensland, and the conditions of entry upon and use of any club facilities are at the discretion of the host club.

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### 3 - CATEGORIES OF MEMBERSHIP

In relation to membership categories, each Club shall provide for the following types of membership and the following minimum qualifications shall be adhered to –

- a) Probationary Member shall be the designation of any person for the time period between applying for membership and the gaining of an award and/or the granting of a formal category membership by the appropriate Club committee.

Note: Probationary members are not Individual Members for the purposes of the Articles of Association of SLSA.

- b) Junior Activity Member (Nipper) shall be a minimum age of 5 years up to a maximum age of 14 years on a seasonal basis (age for a season is determined as at midnight on the 30 September at the commencement of that season), and such person shall be required to gain the relevant Junior Activity Certificate for that person's age group.
- c) Cadet Member shall be subject to the age qualification as defined in the Association's Manuals and has obtained the Surf Rescue Certificate in that season or passed an annual proficiency test.
- d) Active Members shall be Bronze Medallion holders and shall fulfil the full patrol and Club obligations, as provided by the Association and the Club Constitution and By-Laws, and shall qualify in an annual proficiency test each season, unless the member has obtained his Bronze Medallion in that Season.

- e) Reserve Active Membership -

- i) may be granted by a Club to Active Members who have satisfactorily completed (from the gaining of the Bronze Medallion) at least eight (8) years of patrol and Club obligations as provided by the Association and Club Constitution and By-Laws. Reserve Active Membership shall not be automatic, but shall be granted by resolution of the appropriate Club body;
- ii) members shall perform a minimum of patrols in each club where they hold Reserve Active membership, as required by SLSA, and further patrol duties at the discretion of the Club management;
- iii) members shall complete the Annual Proficiency Test.

Note: Notwithstanding (i) above Reserve Active Membership may be granted under exceptional circumstances to Active Members irrespective of years of service.

- f) Long Service Membership -

- i) may be granted by a Club to members who have completed ten (10) years active service or to members who have completed eight (8) years active service plus four (4) years reserve active service;
- ii) members shall be exempted from all patrol obligations and may be granted other special privileges of membership as provided in the Club Constitutions and By-Laws;
- iii) should such members join another affiliated club the receiving club shall determine if such member's Long Service shall be recognised by that club.

- g) Award Membership -

- i) may be granted by a Club to persons who are proficient holders of an SLSA Award of one or more of the following qualifications - Surf Rescue Certificate (over 15 years of age), Radio Award(s), Resuscitation Certificate, Advanced Resuscitation Certificate or First Aid Award(s) (or equivalent);

- ii) members may be called upon to perform patrols and/or other Club obligations commensurate with their qualifications, and provided they so do, shall then be eligible for voting rights as approved and minuted by the Club.
- h) Associate Membership -
  - i) may be granted by a Club to a person who may or may not be the holder of an Association award;
  - ii) does not entitle such member to voting rights unless elected to office or a position which is provided with voting rights by the Club Constitution or By-Laws;
  - iii) shall have a joining and/or annual membership fee substantially greater than fees for other categories of Club membership.
- i) Honorary Membership may be granted annually by a club to persons who may or may not hold an SLSA award. and is not entitled to voting rights.
- j) Life Membership may be granted by Clubs and/or Branches to members who have rendered distinguished or special service as provided for in the Club/Branch Constitution or By-Laws, and is relevant to that Club/Branch only. Refer By-Law 1.3
- k) Past Active Membership -
  - i) may be granted by a Club to persons who hold an SLSA Bronze Medallion, and been an active patrol member for a minimum of 3 years.
  - ii) may have voting rights at the discretion of the Club.

#### **4. - DUAL MEMBERSHIP**

In relation to dual or multi-Club membership the following shall apply:

- a) Any member of a Club may be admitted as a member of another Club or Clubs, providing such member has a "clearance" as provided for in "Clearances" (Refer to the By-Laws).
- b) Any competing member shall not participate in any Inter-Club competition as a representative of more than one Club during any one competition season unless and until their "competitive rights" have been transferred as provided for in "Competitive Rights Transfer" (Refer to the By-Laws).
- c) Any competing member who is a member of more than one club shall be entitled to compete in Club events of all such Clubs.

#### **5 - ADMISSION AND REJECTION OF MEMBERS**

- 5.1 At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Management Committee, who shall thereupon determine upon the admission or rejection of the applicant.
- 5.2 Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
- 5.3 Upon the acceptance or rejection of an application for any class of membership the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

## 6 - TERMINATION OF MEMBERSHIP

6.1 A member may resign from the Club at any time by giving notice in writing to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

6.2 If a member -

- a) is convicted of an indictable offence; or
- b) fails to comply with any of the provisions of the Rules; or
- c) has membership fees in arrears for a period of thirty (30) days or more; or
- d) conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Club,

the Management Committee shall consider, within a reasonable time, whether his membership shall be terminated.

6.3 The member concerned shall be given a **full** and fair opportunity of presenting his case and if the Management Committee resolves to terminate his membership it shall instruct the Secretary to advise the member in writing accordingly.

## 7 - APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

7.1 A person whose application for membership has been rejected or whose membership has been terminated may within one month of receiving written notification thereof, lodge with the Secretary written notice of his intention to appeal against the decision of the Management Committee.

7.2 Upon receipt of a notification of intention to appeal against rejection or termination of membership the Secretary shall convene, within a month of the date of receipt by him of such notice, a Judiciary Committee meeting to determine the appeal. At any such meeting the applicant shall be given the reason(s) for the rejection or termination of his membership, and be given the opportunity to fully present his case and the Management Committee subsequently shall likewise have the opportunity of presenting its case. The appeal shall be determined by the vote of the members present.

7.3 Any member whose membership is rejected or terminated, and appeal dismissed by the Judiciary Committee shall have the right to lodge an appeal (within 14 days) to the Club Council. Such appeal shall be dealt with by the Council within 3 months of lodgement. (Refer By-Laws).

7.4 Where a person whose application is rejected or terminated, does not appeal against the decision of the Judiciary Committee within the time prescribed by these Rules or so appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fee paid.

7.5 If the appeal is unsuccessful the person shall have the right to appeal to the next highest authority. (Refer By-Laws).

## 8 - DISCIPLINARY MEASURES

8.1 Disciplinary action may result should a member assert pressure on any other member to obtain any form of grace or favour on the grounds of any difference or otherwise in gender.

8.2 Disciplinary action may result should a member place any other member under any moral obligation or infringe any other member's moral standing for whatever purpose.

- 8.3 Any member suspected of any breaches of club rules may be required to attend a Management Committee meeting to show cause as to why disciplinary action should not be taken as provided in the Constitution and By-Laws, or of a moral or criminal nature is to be referred to the Police for their investigation.
- 8.4 Notwithstanding the foregoing, members may be required to attend Judiciary Committee meetings should they be the subject of an alleged breach of conduct.
- 8.5 Any member suspected of any breaches of Club rules may, in the appropriate case, be suspended forthwith by the President or Club Captain, pending a hearing of the matter pursuant to Clauses 8.3 and 8.4.
- 8.6 Where any member is suspected of any breaches of Club rules, whether or not he is placed under immediate suspension pursuant to Clause 8.5, the Management Committee or the Judiciary Committee, as the case may be, shall convene within a reasonable time, not being more than 28 days from the date of the alleged incident, in order to hear the matter pursuant to Clauses 8.3 and 8.4.
- 8.7 Failure of the Management Committee or Judiciary Committee, as the case may be, to convene within 28 days pursuant to Clause 8.6, shall mean that any suspension of the suspected member shall be lifted until such time as a hearing of the matter is convened.
- 8.8 Judiciary and appeal procedures to be followed are set out in the By-Laws and Appendix A.

## **9 - AFFILIATIONS**

- 9.1 The Club shall apply annually for affiliation to the Branch, and such application shall be made prior to the Branch Annual General Meeting.
- 9.2 The Club may authorise the formation of Auxiliary Organisations to function for such purposes and for such periods as may be determined from time to time by the Club.
- 9.3 Auxiliary Organisations shall subscribe to the Constitution, Rules, etc., of the Association and the Club, and shall be registered under the relevant Government Act.
- 9.4 Changes or amendments to the Constitution, Rules, etc., of affiliated and/or auxiliary organisations must not conflict with the Constitution, By-Laws, policies or rules of the Branch or the State Centre.
- 9.5 The Club:
- (a) is bound by this Constitution and By-laws and submits to the authority of the Branch or State Centre in relation to the conduct, promotion and administration of surf life saving within the boundary of the Club;
  - (b) must not do or permit any act or thing which, in the opinion of the Branch or State Centre, might adversely affect or derogate from the standards, quality and reputation of surf life saving;
  - (c) may request the appointment of an administrator from the Branch or State Centre if experiencing difficulties.
- 9.6 The Club accepts the Branch or State Centre may at any time appoint one or more people to administer the Club or its assets if, in the Branch's and State Centre's reasonable opinion:
- (a) the Club is experiencing serious administrative, operational or financial difficulties, such as:

unable to, or not, upholding the reputation or objects of the Association,  
having difficulty, or not, fulfilling its lifesaving or administrative obligations and/or responsibilities,  
experiencing financial difficulties,  
has an unfavourable Auditor's report,  
being subject to an investigation by a Government agency eg Police, Australian Tax Office, etc,  
having unsatisfactory (non-approved) insurances,  
being unable or unwilling to satisfy its debts to the State Centre,  
failing to comply with SLSA and/or State Centre and/or Branch polices, rules etc;  
and,  
experiencing internal management conflicts eg factional problems.

- (b) it is in the best interests of surf life saving, the Club or its members that all or some of the operations, affairs, conduct or management of the Club be investigated, reviewed or externally administered or assisted, or
- (c) the Club has acted or proposes to act contrary to law.

9.7 The Club must:

- (a) promptly provide to administrators all documents, records and assistance (including the execution of documents or instruments) reasonably requested by the administrator from time to time; and
- (b) indemnify the administrator, the appointing body against all liabilities incurred by the Administrator in the exercise or purported exercise of his or her powers.

9.8 An administrator appointed to the Club or its assets:-

- (a) is an agent of the Club which alone shall be responsible for the administrator's acts and defaults;
- (b) notwithstanding this, must act in the interests of the Branch or the State Centre and surf life saving;
- (c) subject to the terms of the administrator's appointment, may exercise all of the powers of the Club and has power to do all things necessary or convenient to be done for or in connection with, or incidental to, the attainment of the objectives for which the administrator was appointed.
- (d) must report to the appointing body about the affairs of the Club and the administrator's activities when required by the appointing body to do so;
- (e) may make recommendations to the Club or the appointing body about the affairs of the Club or the matters subject of the administrator's appointment;
- (f) may be removed from office at any time by the appointing body;

9.9 Where the Branch or State Centre consider or is advised that a Club has allegedly:

- (a) breached, failed, refused or neglected to comply with a provision of the Constitution or By-laws or any resolution of the Branch or State Centre;
- (b) acted in a manner prejudicial to the objects and interests of the Branch or State Centre or surf life saving;
- (c) brought the Branch or State Centre or surf life saving into disrepute;
- (d) refused without lawful excuse to implement any or all directions or recommendations made by an administrator appointed by the Branch or State Centre.

The appointing body may, in addition to its other rights or powers at law or under the Constitution and By-Laws after allowing the Club the reasonable opportunity to explain, adjudicate and if necessary impose upon the Club such penalty as the Branch or State Centre considers appropriate.

## 10 - MANAGEMENT

The Management of the Club shall be provided in the following manner:

### 10.1 The Club Council

- (a) The overall responsibility for the affairs of the Club shall be vested in the Council which shall consist of the Club President (Chairperson), the Deputy President, elected Officers and voting members. (E/3/3.1 and B/1/1.2)
- (b) The primary functions of the Council are to govern and provide leadership to the Club and its auxiliary organisations in accordance with the aims and objects of the Club, the law and this Constitution.
- (c) The Council shall also set strategic direction through the endorsement of strategic and business plans, adopt an annual budget, set major policies, approve constitutional changes, ensure that internal control systems are in place, monitor the performance, progress and results associated with these functions.

### 10.2 The Management Committee

The business and operations of the Club shall be the responsibility of the Management Committee with the exception of matters relating to Policy, Constitutional Change, Incorporation Responsibilities and Authority, and major financial borrowings and strategic issues. Recommendations only shall be provided on such issues to the Council. The Management Committee shall consist of the elected Officers of the Club all of whom must be adults, namely:

### 10.3 The Executive Committee

The Executive Committee of the Club shall be the President, Deputy President, Secretary, Treasurer, Captain.

The Executive Committee may, with the approval of the Management Committee, deal with items requiring prompt or urgent attention between the meetings of the Management Committee.

### 10.4 Boards and Committees

Boards, Special Committees and Sub-Committees may be established to assist in the management of the Club, as provided for in the By-Laws, and shall report and make recommendations to the Management Committee and/or the Club Council.

### 10.5 Staff

Shall be as provided for in D/4 and may include:

- a) An Administrator/Office Manager whose duties shall be as provided for under the By-Laws and shall operate in close liaison with the Club Officers, and shall attend and act as Minute Secretary for Council, Management and Executive Committee Meetings.
- b) Other personnel as determined from time to time by the Management Committee.

### 10.6 Order of Authority

Whilst it is accepted that the foregoing represent and act for and on behalf of the Club, the order of priority in relation to authority is:-

The Council, the Management Committee, the Executive the President and the Secretary.

10.7

Branch Councillor

- a) The Councillor to the Branch shall be the Club President
- b) The Councillor shall hold office until the appointment of his successor, provided that he may resign or may be *removed* from the office by the Club Council, in which case the Club shall submit to the Branch the name of a replacement.
- c) An Alternate Councillor (proxy) shall be permitted.

## SECTION C

### Election of Officers & Life Members

#### 1 - ELECTION OF OFFICERS

- 1.1 Officers shall be elected annually at the Annual General Meeting by secret ballot.
- 1.2 Nominations for Officers to be elected or appointed at the Annual General Meeting of the Council shall be in writing on the appropriate form, signed by the nominator and seconder, who shall be members of the Club, and bearing a certificate signed by the nominee expressing his willingness to accept the position for which he is nominated. Such nominations shall be in the hands of the Secretary at least fourteen (14) days prior to the date of the Annual General Meeting and shall be promulgated to the members at least seven (7) days before that date.
- 1.3 If there are no nominations received as aforesaid, nominations may be accepted at the Annual General Meeting provided the person nominated is present or has given a written consent to accept office. The election of Officers shall be by secret ballot, and if in the final ballot, should there be an equality of votes the following shall apply -
- a) If one of such nominees occupies the office, which is the subject of the ballot, such nominee shall be declared re-elected.
  - b) If none of the nominees occupies the office which is the subject of the ballot, the presiding Chairperson at the time of the ballot shall have a casting vote.
- 1.4 All Officers shall continue in office, subject to resignation or requirement, removal from office, illness, incapability or some other reason, until their successors are appointed. In the event of a vacancy occurring during the year, such vacancy may be filled at a Management Committee or Council Meeting, subject to the normal conditions of nomination. If the Management Committee appoints the person, then it shall require endorsement by the Council.
- 1.5 Any Officer who is absent from two (2) consecutive meetings of the Committee he is a member of without submitting a satisfactory reason in writing may be removed from office by the Council, and in such event, shall not be eligible for re-election during the current year.
- 1.6 Any Officer who is not satisfactorily carrying out his duties may be removed from office by the Council, and in such event, shall not be eligible for re-election during the current year; provided that no such action shall be taken unless notice of intention to move a motion to give effect hereto has been given in accordance with the provisions of E/6.
- 1.7 Appeal against removal from Office  
An Officer removed from Office in accordance with 1.5 and 1.6 above shall have the right to lodge an appeal against such removal to the Club provided that the appeal shall be lodged in writing to the Club within fourteen (14) days of the notification of the removal and shall set out clearly the grounds of the appeal. The appeal shall be placed before the Club Judiciary Committee, and shall be dealt with as per the By-Laws.



## **2 - ELECTION OF LIFE MEMBERS**

- 2.1 Life Members of the Club may be elected from the members who have rendered ten (10) years special service to the Club within the area of, or on behalf of, the Club within a period of fifteen (15) years.service
- 2.2 Prospective nominees' names shall be considered by the President, Captain and the Secretary at a special meeting of these Officers, and from such meeting the selected nominees shall be submitted to the Management Committee. There shall be no restriction on numbers for consideration and election at the Council Annual General Meeting, and a two-thirds (2/3) majority of those voting is required to confirm the award.

### **Election of Life Governors**

- 2.3 Life Governors may be elected to a maximum of two per year and a maximum of (10) at any one time. Persons eligible to be elected a Life Governor shall have been elected as a Life Member for a minimum of twelve months, and still be active in some area of club activities, and shall have given outstanding services to the Club. The position of Life Governor shall be for life and shall be an honorary position only, and the position shall not itself confer any particular rights or privileges on the holder.

## SECTION D

### Property, Finance, Budget, Staff & Gift Fund

#### **1 - PROPERTY**

- 1.1 The property of the Club shall be vested in the name of the Bribie Island Surf Life Saving Club Inc.

#### **2 - FINANCE**

- 2.1 An official receipt, in the form prescribed by the State Government, shall be issued for all monies received, and which shall be banked/deposited promptly after receipt thereof, in the name of the Club in such Bank as the Management Committee directs.
- 2.2 Payments shall be made only by government approved methods. Payments by cheque shall be crossed "not negotiable" and signed by any two (2) of the Executive Officers.
- 2.3 The assets and income of the Club shall be applied solely in furtherance of its abovementioned objectives and no portion shall be distributed directly or indirectly to the members of the Club except as bona fide compensation for services rendered or expenses incurred on behalf of the Club.
- 2.4 Where any affiliated Branch or Club of the Association, as the case may be, is unable to make any lawful appeal for support for that affiliated Branch or Club or for its objects, as distinct from an appeal for support for SLSQ or the objects of SLSQ, no moneys or property whatsoever shall be paid or transferred to the affiliated Branch or Club by SLSQ or any affiliated Branch or Club of the Association, as the case may be, or used for the purposes of the affiliated Branch or Club first mentioned.
- 2.5 Before payment, all accounts shall be ratified by the Treasurer and/or the Secretary, and later confirmed by a properly constituted meeting of the Council or the Management Committee and a record made in the Minutes.
- 2.6 The Treasurer shall ensure that the statement of receipts and expenditure are presented to the appropriate meeting for confirmation on a monthly basis.
- 2.7 The Treasurer shall maintain a record of the investments of the Club in a book to be kept for that purpose.
- 2.8 The books and accounts of the Club shall be kept and an annual audit conducted in the manner required under the legislation and to Australian accounting standards. Such audited report to be presented to the Annual General Meeting of the Club. (Refer to By-Laws).
- 2.9 As soon as practicable after the end of each financial year, the Treasurer shall cause to be prepared, a statement containing the particulars of:
- a) the income and expenditure for the financial year just ended; and
  - b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Club at the close of that year.

- 2.10 Government Subsidies/Grants:
- a) The Club shall submit returns as and when required in the form provided to the relevant Government Department or agency.
  - b) As soon as possible after the receipt of any Government subsidy a receipt for the monies received shall be forwarded to the Department.
- 2.11 The financial year of the Club shall be from the first day of May in any one year to the thirtieth day of April in the year next following.
- 2.12 Financial activities of all Committees of the Club shall be under the control of the Treasurer, who shall, in conjunction with the Club President and Chairperson of the Committee concerned, determine the method of financial operation most suited to that particular Committee, providing that at all times, the government and Australian Accounting Standards requirements are maintained.
- 2.13 Any member being in default of payment of liabilities to the Club for in excess of two (2) months from date of notification of default may have his membership deferred or may be penalised by the Management Committee, subject to endorsement of the Council; such penalty shall remain in force until the liability has been negotiated to the satisfaction of the Club.
- 2.14 The Council, through the Management Committee, shall provide for the safe custody all financial records of the Club.

### **3- BUDGETS**

- 3.1 The Treasurer shall prepare a budget by 1st April for the ensuing year, after consultation with all Officers of the Club, provided that the budget may be subjected to further consideration after the election of Officers at the Annual General Meeting.
- 3.2 The budget shall be endorsed and submitted by the Management Committee to the Council for consideration of the budget allocations, and once approved it shall be competent for each Officer and Committee to utilise the Club finances to the limit of its allocation, unless directed otherwise by the Management Committee.
- 3.3 Any unforeseen items in relation to finance that may arise shall first be considered by the Management Committee, which shall if it is considered important or necessary, recommend that the matter be considered by the Council.

### **4 - STAFF**

- 4.1 The Club may provide for the appointment of an Administrator and other employees as may be required from time to time in the conduct of its affairs.
- 4.2 Paid staff of the Club are not permitted to hold the position of "Officer" in the Club, provided that such paid staff may seek election as an Officer with the proviso that if elected they shall forthwith forfeit their paid position.
- 4.3 Salaries and employment conditions of staff members as provided for in B/10.5 shall be determined by the Management Committee.
- 4.4 The Management Committee shall endorse or reject the employment of other paid assistance as may be considered from time to time.

- 4.5 Pay structures of other paid assistance shall be determined by the President and Treasurer, following a recommendation submitted by the Secretary.

## **5 - GIFT FUND**

- 5.1 The Club shall maintain a fund (Gift Fund) for the 'principal purpose' of the Club, and:
- a) to which gifts of money or property for that purpose are to be made;
  - b) to which any money received by the Club because of those gifts is to be credited; and
  - c) that does not receive any other money or property.
- 5.2 The Club shall maintain a separate bank account for the Gift Fund.
- 5.3 The Club shall only use the Gift Fund (ie, gifts made to the Gift Fund and any money credited because of those gifts) for the 'principal purposes' of the Club.
- 5.4 Should the Gift Fund be wound up, or the endorsement of the Club as a 'Deductible Gift Recipient' is revoked, any surplus assets of the Gift Fund remaining after the payment of all liabilities attributable to it shall be transferred to Surf Life Saving Queensland or, should SLSQ not exist, another Surf Life Saving body to which income tax deductible gifts can be made.

## SECTION E

### Requirements and Procedures

#### 1- -BRANCH REPRESENTATION

- 1.1 The Club shall be represented on the Branch Council by the Club President who shall be a Branch Councillor.
- 1.2 The Club shall be represented on the Branch Board of Junior Activities by the Club Junior Activities Officer.
- 1.3 The Club shall be represented on the Branch Board of Youth and Membership Development by the Club CadeVYouth Development Officer.

#### 2 - MEETINGS

- 2.1 The business of the Club shall be transacted at the following classes of meetings -
  - a) The Annual General Meeting;
  - b) General Meetings;
  - c) Meetings of the Management Committee;
  - d) Special Meetings of the Club, the Management and/or the Executive;
  - e) Meetings of the Committees;
  - f) Special Meetings of Committees.
- 2.2 Management Committee Meetings shall be held at least once every two (2) calendar months or as directed by the Council and as required by the Chairperson of the Committee, having regard to business requirements and circumstances prevailing at that time.
- 2.3 In relation to Minutes of the aforementioned meetings, the following procedures shall apply:

The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Council, Management Committee and Executive Committee meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding meeting verifying their accuracy. Similarly, the minutes of every Annual General Meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding General meeting or Annual General Meeting.
- 2.4 Detailed requirements and procedures relative to the conduct of the aforementioned meetings are as provided for in the By-Laws.
- 2.5 Nothing contained in the Constitution shall prevent a meeting of a group of Officers or members of the Club, provided that any reports or recommendations resulting from such meeting shall be ineligible for consideration by any higher authority unless they are submitted to the Management Committee within a period of seven (7) days of that meeting.
- 2.6 Fourteen (14) clear days notice, in writing, shall be given for the Council Annual General Meeting and General Meetings, nine (9) clear days for any other Special Meetings.

- 2.7 Special Meetings shall be convened when directed by the President or the Management Committee, or not less than the number of voting members of the Club which equals double the number of members presently on the Management Committee, plus one. Such requisition shall clearly state the reasons why such Special Meeting is being convened and the nature of the business to be transacted thereat. Notice of meetings of Committees shall be at the discretion of the respective Chairperson.
- 2.8 Special Meetings of the Management Committee shall be convened by request of the President or by not less than one-third of the members of the Management Committee. Nine (9) clear days notice, in writing, shall be given for Special Council Meetings.

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### 3 - VOTING

- 3.1 Only financial Active, Reserve Active, Long Service, Life Members, and Officers shall be eligible to vote at Council Meetings, and shall be entitled to one vote each and in the case of an equality of votes the Chairperson shall have a second or casting vote, provided that no member shall be entitled to vote at any general meeting if his annual subscription is in arrears at the date of the meeting. Award & Past Active members may be given voting rights as approved and minuted by the Club.
- 3.2 All voting members of the Council (E/3.1) shall be entitled to one vote only at all meetings of the Council at which they are present, provided that the Chairperson shall have both a deliberative and casting vote excepting as provided for in C/1.3.
- 3.3 Members elected to a Committee are the only persons eligible to vote at meetings of their respective Committees, and the Committee Chairperson shall have both a deliberative and casting vote.
- 3.4 There shall be no allowance for proxies, with the exception of Officers of the Club as defined in the By-Laws.
- 3.5 Postal/Electronic Voting shall be subject to the following conditions:
- a) Any matter which may be dealt with by the Council other than a Notice of Motion to alter the Constitution, shall be eligible to be resolved by a Postal Ballot.
  - b) A Postal/electronic Ballot may be authorised by the Council or the Management Committee.
  - c) Procedural arrangement shall be:
    - (i) The Secretary shall deliver or send by post or facsimile or by other electronic means to each member who is entitled to vote, a clear statement of both sides of the question to be voted upon with a request that he return his vote thereon to the designated Returning Officer. (Such request shall state the date upon which voting shall close).
    - (ii) Eligible voters shall, upon receipt of the ballot paper and specified information, complete the ballot paper and shall forward it in the envelope provided or transmit by facsimile or by other electronic means to reach a designated Returning Officer by the closing date of the Postal Ballot.
    - (iii) All votes cast in the Ballot shall be delivered (where possible in an unopened condition) to the Returning Officer as soon as practicable.
    - (iv) As soon as practicable following the closing date for voting, the Returning Officer shall, in the presence of at least two (2) Executive Officers open the votes received by the closing date and shall tally the votes cast.
    - (v) The President's right of a casting as well as a deliberative vote shall apply in the case of a Postal/electronic Ballot.

- (vi) Within *seven (7)* days of the closing date of the Ballot, the Secretary shall advise all eligible voters of the result.
- (vii) All votes cast in the Ballot, including any which are for any reason considered by the Returning Officer to be informal, shall be retained for presentation, if necessary, to the next succeeding meeting of the authorising body.
- (viii) The result of the Postal Ballot shall take effect forthwith.

#### 4 - CHAIRPERSON

Except where otherwise provided the President or Deputy President shall be Chairperson of all meetings of the Council and the Management Committee, and in the absence of the President or Deputy President the meeting shall elect a Chairperson.

#### 5 - QUORUM

- 5.1 At the Annual General Meeting, General Meetings and Special General Meetings of the Club, the number necessary to form a quorum shall be double the number on the Management Committee plus one (1).
- 5.2 At Management Committee Meetings, the number of Officers to form a quorum shall be a simple majority of voting members.
- 5.3 At other Committee Meetings a simple majority of members shall form a quorum.
- 5.4 If a quorum as prescribed *above* is not present within one half hour after the advised commencement time, the following shall apply:
  - a) Annual General Meeting
    - (i) The meeting as advertised shall be deferred for one week to the same time and place, provided that a notice signifying the deferment shall be forwarded to each voting member, and a similar notice shall be placed in a prominent position at the Club.
    - (ii) Should a quorum not be present at the advertised commencement time of the deferred meeting the Chairperson may declare those present to be a quorum and the meeting shall be deemed to be properly constituted.
  - b) Council General Meeting  
The meeting shall lapse.
  - c) Special General Meeting  
The meeting shall lapse and the business to be transacted at that meeting shall be dealt with by the Management Committee.
  - d) Committee Meetings  
The meeting Chairperson shall decide future action on matters before the Board or Committee.

## 6 - NOTICE OF MOTION

- 6.1 Notices of any motion intended to be moved at an Annual General, General or Special Meeting of the Council, shall be given in writing signed by the mover and seconder thereof (who must be members of the meeting to which the Notice of Motion will be referred) to the Secretary at least twenty-eight (28) clear days prior to the date of such meeting and shall be included in the business paper on the notice calling such meeting.
- 6.2 A notice of motion desired to be moved or seconded by a Branch Councillor must be accompanied by the written endorsement of the Club.
- 6.3 The meeting may, by ordinary resolution, grant the mover and seconder leave to alter their motion, in a minor way without altering the intention of the motion. No amendment to the intention of the motion will be accepted.
- 6.4 A motion of which due notice has been given, if unsuccessful, cannot be resubmitted, nor may any other motion having a similar effect be moved at the next meeting of Council or within six (6) months from the date of its rejection, unless approved by the Management Committee.

## 7 - MOTIONS TO RESCIND

- 7.1 A motion to rescind any motion carried at a meeting of the Council, Management Committee or other Committee may be considered only at a subsequent meeting of those bodies.
- 7.2 Notice of Motion to rescind a resolution carried at a previous meeting shall be accepted only on the written resolution of not less than two (2) voting members of the Council or the Committee to which the rescission motion refers. In all other respects, the provisions of E/6 shall apply.

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## 8 - ALTERATIONS TO THE CONSTITUTION

- 8.1 The Club may alter its Constitution as regards local and domestic matters which do not conflict with the provisions of the Association's (SLSA's), and/or the State or Branch Constitutions, Regulations, By-laws or Policies as the case may be.
- 8.2 Subject to the provisions of the relevant Government legislation, the Club Constitution may be amended, rescinded or added to, from time to time by a special resolution carried at an Annual General Meeting or a Special General Meeting of the Council, called for that purpose, provided that no such amendment, rescission or addition shall be valid unless the same is submitted to and registered by the relevant Government Department following the meeting's endorsement.
- 8.3 Notice of the proposed alteration shall be given in the manner provided for Notices of Motion but shall specifically state that it is a notice of proposal to alter the Constitution, either by amending or repealing an existing provision thereof or by adding a new provision.
- 8.4 The notice of the proposed alteration shall be included in the Notice calling the Meeting (whether Annual, General or Special), in writing, at which it is to be submitted as a "Notice of Motion to alter the Constitution".
- 8.5 Provided that the aforesaid Notice be duly given, it shall be competent for the alteration of the Constitution to be considered and dealt with at the meeting of the Club Council.
- 8.6 A copy of the notices issued in accordance with E/8.3 shall be sent to the Branch and SLSQ, at the time of issue, for endorsement.



- 8.7 The Club shall lodge with the Branch and SLSQ, copies of its Constitutions and of all amendments and/or alterations thereto which have been adopted, from time to time.

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## 9 - MEMBERSHIP FEES

Member fees shall be:

- a) As decided from time to time by a General, Special General or Annual General Meeting of the Council.
- b) Paid by 30<sup>th</sup> September each year for the ensuing year.

## 10 - DOMESTIC RULES AND STANDING ORDERS

- 10.1 Provided that they do not conflict with the letter or the spirit of the rules incorporated in the Association Constitution and Manuals, the Club may create, alter and repeal Domestic Rules and Standing Orders for the conduct of its local and domestic affairs.
- 10.2 A bound book shall be provided to record such domestic rules and standing orders which shall be laid down from time to time by a Council Meeting. Such Rules or Standing Orders shall remain in force until revoked or altered by a further Council Meeting.

## 11 - MAKING AND ALTERATION OF BY-LAWS AND APPENDICES

- 11.1 Subject to the provisions of the relevant Government legislation, the Club By-Laws and Appendices may be amended, rescinded or added to from time to time by a special resolution carried at a General Meeting of the Council. Copies of any amendments shall be forwarded to the Branch and SLSQ for record purposes.
- 11.2 When By-Laws are made, altered or repealed, each affiliated body shall be informed promptly.

## 12 - LEGAL ACTION

No Officer, or group of Officers or Members, whether in Committee or alone, may institute legal action which purports to be upon behalf of the Club and if it carries legal and financial implications against the Club or against a Branch, SLSQ, the Australian Council or another Club affiliated to Surf Life Saving Australia Limited, unless by the following procedures:

- (i) The constitutional convening of a General Meeting of members of the Club, and a *vote* affirmative of such action by a two-thirds majority of members present and eligible to *vote*.
- (ii) Further, an invitation to such a General Meeting must be given to the higher authorities of that body, i.e. Branch, State Centre and SLSA .

## 13 - UNIQUE ITEMS

In the event of any question or item arising which is not specifically provided for in the Constitution, Regulations or Manuals of the Association or in the Constitution or By-Laws of the Club, it shall be competent for the Club to legislate thereon temporarily by resolution at any meeting of the Council or Management pending due alteration of the Constitution.

**14 - DISSOLUTION**

The Club shall be dissolved only with the consent of at least three-fourths of the Officers and voting members present at a Special Meeting called for that purpose, notice of which must be posted to Officers and members at least twenty-eight (28) days prior thereto, and advertised in the major regional newspaper in each centre under the control of the Branch, at least once in each of the two (2) consecutive weeks immediately preceding such meeting.

**15 - DISTRIBUTION OF SURPLUS ASSETS**

In the event of the Club being dissolved in accordance with the provisions of the relevant Government Act, and there remains, after satisfaction of all its debts and liabilities and property whatsoever, the same shall not be paid to or distributed among the members of the Club but shall be given or transferred to Surf Life Saving Queensland or if that Association has ceased to exist to another surf life saving body which has similar objects and which is approved by the Commissioner of Taxation as a public benevolent institution for the purposes of any Commonwealth Taxation Act, and which shall prohibit the distribution of its or their income and property among its or their members to the extent at least as great as is imposed on the Club under or by virtue of D/2.3 such body to be determined by the members of the Club.

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President

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Secretary

# **BRIBIE ISLAND SURF LIFESAVING CLUB BY-LAWS**

**10<sup>th</sup> July 2016**

**BRIBIE ISLAND SURF LIFE SAVING CLUB INC.**

**PART 2**

**THE BY-LAWS**

**SECTION 1**

**The Constituents**

**BY-LAW 1.1 - EXECUTIVE OFFICERS**

The following Executive Officers shall be elected at the Annual General Meeting as provided for in 1/C/1: President, Deputy President, Secretary, Treasurer, Captain.

**BY-LAW 1.2 - OTHER OFFICERS**

a) All or any of the following officers, may be elected at the Annual General Meeting viz.:

Patron, Deputy President, Vice Presidents, Chief Training Officer, Surf Boat Officer, IRB Officer, Board Ski Officer, Gear & Equipment Officer, First Aid Officer, Clubhouse Director, Registrar, Communication Officer, Cadet/ Officer, Team Manager, Vice Captains (M/F).

Nomination for Junior Activities Officer shall be subject to endorsement by the Junior Activities Committee, refer to By-Law 4.18.

b) Officers, as assistants may also be elected and eligible to attend Management Committee meetings without voting rights viz.:

Asst. Secretary, Asst. Treasurer, Surf Boat Vice-Captain, Asst. First Aid Officer, Asst. Chief Training Officer, Asst. Gear & Equipment Officer (These members so elected may act as proxies in the absence of the officer for whom they act as assistants.)

c) The Club shall appoint (by invitation) at its Annual General Meeting the Club Auditor and Club Solicitor.

**BY-LAW 1.3 - LIFE MEMBERS**

Life Members of the Club shall be entitled to attend Council Meetings and hold Office if elected 1/C/2. Life Members shall receive special recognition, for example, a Life Members' badge (Appendix G) and/or certificate and be afforded special privileges to acknowledged Life Member status.

**BY-LAW 1.4 - MEMBERS**

a) Membership may be granted to any applicant in any category, subject to the Constitution and By-laws of the Club and the Association and having completed the prescribed Association Form and submitted the required fee.

b) Membership shall be limited by category qualifications 1/B/1.1 and/or the adequacy of Clubhouse facilities to cope with the existing situation.

**BY-LAW 1.5 - BRANCH COUNCILLOR**

The Club President shall be the Branch Councillor and a member of the Branch Council, and an Alternate shall be appointed from the Executive Officers of the Club to act as proxy should the need arise.

**BY-LAW 1.6 - AUXILIARY ORGANISATIONS**

Auxiliary Organisations may be formed as Authorised in 1/N2.2 provided that the Constitution and activities of such organisations are subject to the approval of the Club and further provided that delegate representation to and from such organisation shall be as determined by the Club from time to time.

## SECTION 2

### Conditions Pertaining to Officers and Members

#### BY-LAW 2.1 - OFFICERS

- a) Officers of the Club shall be elected from the members of the Club.
- b) The Executive Officers of the Club shall be the President, Deputy President, Secretary, Treasurer, Captain, and nominees for these positions should first require an interview by a small panel of Life Members with respect to the applicable work role, the applicants ability and availability to carry out duties of the office for which the nomination is received.
- c) Only current proficient Surf Bronze Medallion awardees shall be eligible for election to the following positions; Club Captain, Chief Training Officer, Surf Boat Officer, Board & Ski Officer, IRB Officer and deputies to these positions.
- d) Officers of the Club shall be required to understand the needs of the Club and their legal responsibilities as Officers. Club Officers owe a fiduciary duty to the Club and shall exercise their rights and powers in good faith and for the benefit of the Club.
- e) Officers shall comply with the following principle statutory and common law duties:
  - (i) to act honestly and in good faith in the interests of the Club;
  - (ii) to exercise a degree of care, skill and diligence that a reasonable person in a like position would exercise in the Club's circumstances;
  - (iii) to exercise powers honestly and for the purposes for which they were conferred and not for collateral purposes;
  - (iv) to avoid any actual or potential conflict between their obligations owed to the Club and their personal interests and other duties;
  - (v) to keep confidential information obtained, and not to disclose advantage or business opportunities acquired, in the course of that office;
  - (vi) to prevent insolvent trading by the Club.
- (f) Interests  
:

An Officer shall not hold any place of profit or position of employment within the Club, or in any company or incorporated association in which the Club is a shareholder or otherwise interested, or from contracting with the Club either as a vendor, purchaser or otherwise except with the express resolution or approval of the Club Council. Any such contract or arrangement entered into by or on behalf of the Club in which an Officer is in any way interested will be voided for such reason.

- (g) Disclosure of interests:

The nature and interest of an Officer must be declared by such person at the meeting at which the contract or arrangement is first taken into consideration if the interest exists or in any other case at the first meeting of the Council after the acquisition of the interest. If an Officer becomes interested in a contract or arrangement after it is made or entered into, the declaration of the interest must be made at the first meeting of the Council or Management Committee held after the Officer becomes so interested.

(h) General Disclosure:

A general notice that an Officer is a member of any specified firm or company and is to be regarded as interested in all transactions with that firm or company is sufficient declaration. After such general notice it is not necessary for such Officers to give a special notice relating to any particular transaction with that firm or company.

(i) Recording Disclosures:

It is the duty of the Secretary to record in the Minutes any declarations made.

U) Conflicts:

An Officer notwithstanding an interest, may be counted in the quorum present at any meeting, but cannot vote in respect of any contract or arrangement in which the Officer is interested.

An Officer shall not sign a document where the Officer is interested in the contract or arrangement to which the document relates.

**BY-LAW 2.2 - VICE PRESIDENTS**

Vice Presidents may be proposed by any member of the Club and no limit shall exist. Such proposals shall be endorsed or rejected at the Annual General Meeting. A maximum of three of the proposed and endorsed Vice Presidents may be elected to the Management Committee at the Annual General Meeting.

**BY-LAW 2.3 - DUTIES AND PRIVILEGES OF MEMBERSHIP**

- a) All financial members shall have access to all Club facilities.
- b) All financial Active, Long Service, Active Reserve, Life Members and Officers shall have the right to attend and vote at the Annual General Meeting, General Meetings and Special General Meetings of the Council. Award and Past Active members may be given voting rights if approved and minuted by the Club. All other members may attend such meetings but have no voting rights.
- c) All Active and Cadet members may apply in writing for leave of absence from their duties, stating the reasons and time for such leave.
- d) All members shall abide by the Constitution, By-Laws and Rules of the Club and the Association.

**BY-LAW 2.4 - RENEWAL OF MEMBERSHIP**

- a) Members shall apply annually for renewal of membership by submission of the prescribed Association Form and payment of the prescribed fee.
- b) Should the application for renewal of membership be refused the member shall have the right of appeal, in writing through the Secretary.
- c) For a member to be eligible to vote at the Annual General Meeting he shall be required to be a current financial member.
- d) Any member who fails to renew his subscription by the required date shall lose all rights and privileges in the Club and shall cease to be a member. In these circumstances application for membership re-acceptance is permitted, provided the prescribed form is submitted, accompanied by the current fees, and further provided that the relevant Committee shall have the sole right to grant or refuse such application.

### **SECTION 3**

#### **Meetings**

(Refer to Appendix 'B')

#### **BY-LAW 3.1- ANNUAL GENERAL MEETING**

- a) The Annual General Meeting of the Club shall be held prior to the Annual General Meeting of the Branch on a date determined by the Council. The purpose of such a meeting shall be the presentation and adoption of the Annual Report and Financial Statement, the Election of Officers for the ensuing year, to deal with Notices of Motion correctly moved and to transact general business. The Annual General Meeting shall be held at least two weeks before the Branch Annual General Meeting.
- b) Written notice of the meeting shall be forwarded to each member at least 14 days prior to the meeting and the posting of such notice shall be deemed as notice received.

The order of business shall be:-

- Recording of attendance and apologies
  - Confirmation of the previous Annual General Meeting Minutes
  - Presentation and adoption of the Annual Report and Financial Statements
  - Election of Officers
  - Endorsement of Branch Councillor (Club President)
  - Endorse Junior Activities Committee
  - Endorse Finance, Building, House, Social or any other Committees
  - Election of Life Members (if any)
  - Notice of Motion
  - General Business
- c) All members may attend and participate as determined by the Chairman but voting rights are as provided for in 1/E/3.

#### **BY-LAW 3.2 - GENERAL MEETINGS**

General Meetings of the Club or Council are to be held as required for the benefit of the Club and the members. The meeting shall follow the Management Committee meeting format provided that all members, may ask questions and expect competent answers.

#### **BY-LAW 3.3 - SPECIAL GENERAL MEETINGS**

- a) A Special General Meeting of the Club or Council may be summoned by resolution carried at a Council or Management Committee Meeting, or by direction of the President, or a written requisition of not less than 1/3 of the members of the Council.
- b) Special General Meetings of the Club or Council shall be called as directed in 1/E/2.6 to deal with Special Business only as detailed in the Notice of the Meeting.
- c) Such meeting shall be held within 21 days of receipt of such request or directive and at least 9 clear days notice on the Club notice board shall be given stating the business to be discussed. The quorum and time limit for such a meeting shall be as detailed 1/E/2/3/4/5.

#### **BY-LAW 3.4 - MANAGEMENT COMMITTEE MEETINGS**

- a) The Management Committee shall comprise those Officers and members as listed in 1/B/10.2.



- b) The Committee shall meet at least once in every two calendar months and the Meeting dates shall be determined at the first Meeting of the Committee and placed on the notice board at least 9 days prior to each meeting.
- c) Should any member of the Committee absent himself without satisfactory reason for two (2) consecutive meetings, his office shall be declared vacant and the position filled in accordance with 1/C/1. Any appeal by the member against the Committees decision shall be in accordance with 1/C/1.7.

The order of Business shall be:-

- Apologies and Proxies
  - Confirmation of Previous Minutes
  - Business arising out of Minutes
  - Correspondence
  - Finance
  - Membership
  - Delegates' Sub-Committee's and other Reports
  - Notices of Motion
  - General Business
- d) The responsibility of the Management Committee shall be managing the day to day business of the Club, and the allotment of items to Boards, Committees and/or staff.
  - e) Issues relating to major policies, constitutional change, incorporation responsibilities and authority, or major financial borrowings and strategic issues shall be referred to the Club Council.

#### **BY-LAW 3.5 - OTHER COMMITTEE MEETINGS**

Other Committees shall meet and operate in the area for which they are specifically created at times and places as required or as decided by the Executive or Committee Chairman.

## SECTION 4

### Duties of Officers and Others

BY-LAW 4.1 - THE PRESIDENT shall -

- a) be the nominal head of the Club and shall be a member ex-officio of all Committees;
- b) be chairperson of the Council, Management and Executive Committee meetings;
- c) preside at all meetings of the Club and shall exercise his authority by generally supervising the affairs of the Club in conjunction with the Executive and Management Committees;
- d) when presiding at a meeting, have a deliberative and a casting vote;
- e) have unlimited authority on every question of order, only to what is equitable and just in the circumstances;
- f) be the Club representative on the Branch.

BY-LAW 4.2 - THE DEPUTY PRESIDENT shall -

- a) Assist the President and shall deputise for him in his absence, and shall carry out special assignments as directed by the President or the Executive Committee.

BY-LAW 4.3 - THE CAPTAIN shall -

- a) be chairperson of the Lifesaving Committee;
- b) be responsible for the conduct and discipline of all Active Members in all Club matters, and the general education of Members in Surf Life Saving;
- c) arrange patrols and conferences with Patrol Captains during the season to discuss suggestions and observations made by him or them regarding the general efficiency of the Club in Surf Life Saving, refer to Appendix C;
- d) have the power to refuse the use of Club gear or property to any person;
- e) call upon any members to perform such duties as he deems necessary in the interests of the Club;
- f) be an ex-officio member of Sub-Committees associated with his duties.

BY-LAW 4.4 - THE SECRETARY shall -

- a) be chairperson of the Planning & Administration Committee;
- b) keep a register of all Members and an up-to-date record of their addresses, and shall file all Application Forms whether or not the nominees have been accepted;
- c) forward notices of all meetings and the business to be transacted thereat to Members in accordance with the By-Laws;

- d) record and keep Minutes of all Annual General, General, Special General, Management Committee, and Executive Committee Meetings;
- e) conduct the correspondence of the Club and be responsible for the custody of all documents and instruments of Incorporation belonging to the Club and for the disposition thereof;
- f) be responsible for the drafting of the Annual report to be submitted to the Management Committee for approval before printing and circulation to all Members at least seven (7) days prior to the Annual General Meeting;
- g) carry out all duties arising from decisions of Annual, Special, General and/or Committee Meetings

**BY-LAW 4.5 - THE TREASURER shall -**

- a) be chairperson of the Finance & Property Committee;
- b) receive all monies on behalf of the Club and shall issue receipts for same, and shall be responsible to the Management Committee for such monies. **All** monies received on behalf of the Club shall be banked within four (4) days of receipt thereof and all payments over \$100 shall be made by cheque;
- c) keep the necessary records as required by the relevant Government Act, viz., a receipt book to acknowledge collections, a cheque book issued by the Club's bankers for the purposes of payments, and a Ledger to record income and expenditure. Details of cheque payments are to be recorded by the Treasurer, and duly presented to a meeting as set out in 1/D/2/5. The Treasurer shall ensure that the annual audited statement, applicable statements and returns are submitted to SLSQ and/or the relevant Government Department, as and when required.
- d) at each Management Committee Meeting, present a report relating to the Club's finances, showing details of receipts and expenditure since the presentation of the previous report and shall produce the Bank statement together with a reconciliation statement, showing the balance as the debit or credit of the Club's finances.

**BY-LAW 4.6 - THE SURF SPORTS OFFICER shall -**

- a) be the Chairperson of the Surf Sports Committee;
- b) be the Chairperson of the Surf Sports Selection Committee;
- c) be responsible for overseeing and co-ordinating all programs and activities relating to surf sports.

**BY-LAW 4.7 - THE CHIEF TRAINING OFFICER shall -**

- a) arrange classes of Instruction and prepare all Probationary Members for award examinations;
- b) arrange a drill roster and deputise other qualified and trainee-Training Officers to assist in the preparation of such Probationary Members;
- c) arrange for the training and preparation of all Members for inter and intra Club competition as per the Competition Manual;
- d) maintain an up-to-date knowledge of the latest methods of Surf Life Saving and the Training Manuals and impart such knowledge to all qualified Club Training Officers.
- e) Chief Training Officer shall hold a current Training Officer's Certificate.

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**BY-LAW 4.8 - THE SURFBOAT OFFICER shall**

- a) be responsible for the care, maintenance and housing of the surf boat(s) and all gear appertaining thereto, refer to Appendix E/2;
- b) at all times be subject to the direction of the Club Captain;
- c) be responsible for the training and supervision of all surf boat crews in consultation with the Captain.

**BY-LAW 4.9 - THE IRB OFFICER shall**

- a) be a qualified IRS Driver;
- b) at all times be subject to the direction of the Club Captain;
- c) be responsible for the care, maintenance and housing of Club IRS refer to Appendix E/3;
- d) be responsible for the training, rostering and supervision of all IRB Drivers and Crew in consultation with the Club Captain.

**BY-LAW 4.10 - THE BOARD & SKI OFFICER shall -**

- a) be responsible for all the Club's boards & skis and its orderly housing;
- b) be responsible for the housing of boards & skis belonging to members, refer to Appendix E/1;
- c) in consultation with the Captain permit or prohibit the use of any Club craft or Association gear;
- d) assist in the selection and the supervision of the training of individuals and or teams board & ski competitors;
- e) in consultation with the Boat Officer be responsible for the transport to and from carnivals of Club boards & skis;
- f) maintain Club boards & skis in a serviceable condition.

**BY-LAW 4.11 - THE COMMUNICATIONS OFFICER shall -**

- a) be a qualified Radio Officer;
- b) at all times be subject to the directions of the Club Captain;
- c) be responsible for the care, maintenance and availability of serviceable radio equipment;
- d) be responsible for training and rostering of members and the radio communications requirements of the Club.

**BY-LAW 4.12 - THE GEAR & EQUIPMENT OFFICER shall -**

- a) be responsible for all the lifesaving gear (with the exception of boards & skis, surf boat or its gear) belonging to the Club, refer to Appendix E;
- b) keep all such gear in good repair and condition, and report to the Club Captain any damage which he is unable to repair. Any expense shall require the approval of the Management Committee;

- c) at the request of the Captain, prepare gear, other than Boats and Craft, required for carnivals and competitions of all kinds and be responsible for its transport to and from such carnival or competitions;
- d) for the purpose of implementation of such duties and with the approval of the Captain, have power to call on the services of any member.

**BY-LAW 4.13 - THE FIRST AID OFFICER shall -**

- a) possess a current SLSA First Aid Award and be responsible for fostering high standards for first aid treatment and liaise with other accredited First Aid organisations eg St. John and Red Cross.
- b) maintain adequate stocks of approved first aid material and equipment provided that he must first obtain the approval of the Committee for the purchase of materials;
- c) maintain the first aid room in a clean and orderly condition and for the purpose, may, with the approval of the Captain, call on the services of any member;
- d) organise and arrange instruction for First Aid Awards in conjunction with the Association;
- e) keep a record of names and addresses of patients treated for major first aid and also a record of the number of patients treated for minor first aid;

**BY-LAW 4.14- THE CLUBHOUSE DIRECTOR shall -**

- a) be chairperson of the Clubhouse Committee;
- b) be responsible for the general conduct of Members in accordance with the Clubhouse Rules, the Club By-Laws and Appendix D;
- c) call a meeting of the Clubhouse Committee when necessary to review the over-all position of the Clubhouse, catering and accommodation.

**BY-LAW 4.15 - THE REGISTRAR shall -**

- a) keep a register of all Members, and make any necessary notation thereon from time to time;
- b) keep a register of all examinations and inter and intra-club competition results, together with a register of all patrol activities, including rescues effected and patients treated for first-aid.

**BY-LAW 4.16 - THE TEAM MANAGER shall -**

- a) prepare and present to the Management Committee a budget covering all financial matters associated with Club Teams;
- b) be responsible for any outfitting and funding in excess of provision made by the Club Management Committee;
- c) submit progress reports regularly to the Management Committee;
- d) be responsible for the assembly (after selection), transport, accommodation and general behaviour of the team;

- e) in the case of large financial commitment submit a statement with receipts and invoices within thirty (30) days after the completion of the events;
- f) assist with any displays or demonstrations required, where the Club is involved ;
- g) himself or his appointed proxy attend all official briefings at events where the Club is represented.

**BY-LAW 4.17 - THE JUNIOR ACTIVITIES OFFICER shall -**

- a) be chairperson of the Junior Activities Committee;
- b) be responsible for the conduct and co-ordination of all matters relating to Junior Activities, refer to Appendix F;
- c) in conjunction with the Club Captain and Chief Training Officer provide for Junior Members, an education experience in a wide range of subjects and skills within the aquatic/marine environment;
- d) prepare junior members (Nippers) for their eventual transition to the marine and patrol environment of Surf Life Saving;
- e) participate in all such activities;
- f) be a member of the Club Management Committee;

Note: Where the Club appoints a Committee to manage Junior Activities act as its Chairman and shall be responsible for the conduct of that Committee and it's activities refer to Appendix F.

**BY-LAW 4.18 - BRANCH COUNCILLOR (OR ALTERNATE)**

- a) The Branch Councillor shall be the Club President and shall:
  - (i) attend all Branch Council Meetings as the elected Club representative on that body.
  - (ii) act as liaison between the Branch and the Club and fully and regularly report to the Club in writing or in person on the Branch activities.
  - (iii) Appoint an Executive Officer as proxy as and when required.

**BY-LAW 4.19 - THE YOUTH DEVELOPMENT OFFICER shall:**

- (a) be responsible for promoting and delivering development programs, mentoring programs and other activities for youth members (generally 15 years to 20 years);
- (b) oversee youth recruitment and retention programs/activities within the Club;
- (c) promote youth members' participation in development camps and leadership programs and camps;
- (d) pursue any issues of benefit to the safety and enjoyment of youth members;
- (e) work with and assist the Cadet Officer to enhance recruitment and retention and transition through the various age levels;
- (f) be subject to the direction of the Club Management Committee.



## SECTION 5

### Staff & Employees

#### BY-LAW 5.1 - STAFF APPOINTMENTS

The Management Committee, pursuant to 1/0/4 may appoint an Administrator and/or other paid employees for specific assignments.

#### BY-LAW 5.2 - THE ADMINISTRATOR

The Administrator is a paid Officer position and subject to the provisions of the Constitution 1/B/3.6(a) and to the directions from time to time of the Council, Management Committee and Executive, he/she shall:

- a) carry out and implement all decisions of the Council Meetings, the Management Committee and the Executive and within the scope of such decisions use his best endeavours to further the policies of the Club and the advancement of Surf Life Saving;
- b) co-ordinate the activities of the Club Officers and assist wherever possible or as directed;
- c) attend meetings and act as Minute Secretary for all Council General or Special Meetings as well as the Executive and Management Committee Meetings;
- d) be responsible to the President on matters of day to day routine business;
- e) be available at all reasonable times for consultation with and assistance in matters which are within the jurisdiction of the Club to the Officers and members;
- f) maintain close contact with Branch and the State levels of the Association including regular visits provided that he shall inform the Committee of proposed visits;
- g) approach and develop Club donors and sponsors with the assistance of the Executive Officers, and oversee all fund raising activities as directed by the Management Committee;
- h) in all aspects of his activities observe and comply with existing procedures of the Club as regards correspondence and communications;
- i) prepare and issue notices and agendas for General Meetings of the Council, the Management Committee and the Executive;
- j) attend to the preparation and presentation of the Annual Report, or any other prepared matter for Club distribution.



## SECTION 6

### Committees

#### **BY-LAW 6.1 - GENERAL**

- a) Composition and membership shall be as prescribed in the respective By-Laws.
- b) Membership may be drawn from members of the Club.
- c) A member appointed to a Committee shall retain his appointment only whilst he retains his membership of the Club: provided that the Council may, at its discretion, remove any member from membership of a Committee.
- d) In the event of the absence of the Chairman from any meeting the meeting shall appoint one of its members to act during such absence.
- e) It shall be the duty of the Club Secretary to refer for consideration and recommendation all matters as properly relate to the jurisdiction of each Committee.
- f) In the event of any matter coming within the jurisdiction of two or more Committees, the President may direct such Committees to jointly consider and report and/or recommend to the Management Committee thereon.
- g) Unless specified otherwise in these By-laws, a quorum for a meeting of a Committee shall be a simple majority of the members thereof.
- h) A Committee may, at its discretion, co-opt the services of any member of the Club or other person to assist in its deliberations, but such co-opted member or person shall have no voting rights, except as may be determined by the Committee.
- i) Reports and recommendations of the Committees shall be presented in writing to the Secretary or appointing body.

#### **BY-LAW 6.2 - LIFESAVING COMMITTEE**

- a) The Lifesaving Committee shall comprise the Club Captain (Chairman), Vice-Captain, Chief Training Officer, Patrol Captains and other officers as determined by the Management Committee.
- b) It shall be responsible for -
  - (i) maintaining and improving lifesaving patrols and services;
  - (ii) conducting training, instructional and proficiency programs for members;
  - (iii) disseminating lifesaving information;
  - (iv) dealing with matters referred to it from the Management Committee or Council;
  - (v) making recommendations relating to lifesaving to the Management Committee.

#### **BY-LAW 6.3 - SURF SPORTS COMMITTEE**

- a) The Surf Sports Committee shall comprise Club Coaches, Team Manager(s) and other Officers as determined by the Management Committee.
- b) It shall be responsible for -
  - (i) promoting involvement in surf sports activities;
  - (ii) conducting training and coaching programs for members
  - (iii) dealing with matters referred to it from the Management Committee or Council
  - (iv) making recommendations related to surf sports to the Management Committee.

#### **BY-LAW 6.4 - JUNIOR ACTIVITIES COMMITTEE**

- a) Comprise those members interested in:-
  - (i) The conduct and co-ordination of all matters relating to Junior Activities.
  - (ii) Providing for Junior members an educational experience in a wide range of subject and skills within the aquatic/marine environment.
  - (iii) Preparing Junior members for their eventual transition to the marine and patrol environment of the Senior movement.
  - (iv) Participating in such activities.
- b) Be represented on the Club Management Committee by the Director Junior Activities.
- c) Operate as provided for in Appendix F.

#### **BY-LAW 6.5 - LIFESAVING SELECTION COMMITTEE**

The Life Saving Selection Committee shall consist of Captain, Vice Captains (M/F), Chief Training Officer and shall select Patrol Captains and Patrol Vice Captains and teams for all patrol, intra and inter Club competitions and shall notify members of all selections by placing same on the Club Notice Board. Such selections shall be final and binding.

#### **BY-LAW 6.6 - SURF SPORTS SELECTION COMMITTEE**

- a) The Surf Sports Selection Committee shall comprise the Surf Sports Officer, Team Manager plus two (2) other members elected by the Club Council.
- b) The Committee shall be responsible for selecting individuals and/or teams for surf sports competitions.
- c) The Committee's selections shall be subject to the approval of the Management Committee.

#### **BY-LAW 6.7 - CLUBHOUSE COMMITTEE**

The Clubhouse Committee shall consist of the Clubhouse Director and two elected members. It shall be responsible for accommodation and the purchase, preparation and presentation of meals and may roster members for assistance where and when required.

It shall be responsible to the Management Committee for all functions conducted within the Clubhouse and the care and maintenance of the building.

**BY-LAW 6.8 - FINANCE & PROPERTY COMMITTEE**

The Finance & Property Committee shall comprise the President, Treasurer, Secretary and two other elected members. This committee shall be responsible for the financial well being of the Club its assets and property.

**BY-LAW 6.9 - BUILDING COMMITTEE**

The Building Committee shall comprise the Deputy President and four other elected members who shall act on and investigate matters relative to the Club's buildings and surrounds when so directed by the Club Management Committee.

**BY-LAW 6.10 - SOCIAL COMMITTEE**

A Social Committee shall organise and account for all social activities of the Club and its members may be drawn from within the Club or from outside supporters. Care should be taken over the use of other than Club members and adequate Club Insurance cover.

**BY-LAW 6.11 - MEMBERSHIP COMMITTEE**

The Membership Committee shall comprise the Deputy President, Vice Captains and two (2) other members. This Committee shall also have the power to investigate and penalise, if necessary, patrol defaulters and those accused of misdemeanors provided that such penalties may be the subject of an appeal 1/C/1.7.

**BY-LAW 6.12 - JUDICIARY COMMITTEE**

The Judiciary Committee shall be appointed by the Council at a General Meeting following a recommendation of persons submitted by the Management Committee and shall comprise a Chairman, a Secretary (who shall keep records of findings and decisions) and three Association members. It shall function in accordance with the Rules of Procedure attached to the By-Laws as Appendix "A" and act on matters referred to it under By-Law 11.

Note: Executive Officers cannot be members of the Judiciary Committee.

**BY-LAW 6.13 - OTHER COMMITTEES**

- a) The Club Management Committee may appoint other Committees, Sub-Committees, panels or groups to deal with particular items or projects from time to time;
- b) In such circumstances, the Management Committee shall clearly define the composition, responsibilities, and terms of reference of such Committees, panels, groups etc.
- c) The award of Distinguished Member(s) be considered by the direction of the Club Management Committee as in By-Laws 6.13, paragraph a)

**DISTINGUISHED MEMBERS**

- a) Club members who have given outstanding service to the club, be considered for recognition of their contribution
- b) A committee shall be formed as required under By-Laws 6.13 –OTHER COMMITTEE.
- c) The membership for this award shall be 50% of Active Membership Fee

## SECTION 7

### Procedures and Rules

#### BY-LAW 7.1- ASSOCIATION POLICIES, RULES, REGULATIONS

- a) Association policies, rules and regulations, as issued from time-to-time by SLSA, SLSQ and/or the Branch are accepted as By-Laws of the Club.
- b) Without limiting the current and future scope of SLSA and SLSQ Policies, Rules and Regulations, the Club acknowledges and accepts the following SLSA and/or SLSQ Policies, Rules and Regulations:
  - (i) Surf Life Saving Training Manual
  - (ii) Competition Manual
  - (iii) Capital Expenditure
  - (iv) Business Development
  - (v) Member Protection
  - (vi) Competitive Rights, Obligations and Qualifications
  - (vii) Trophies, Prizes and Eligibility
  - (viii) Team Management
  - (ix) Membership Categories and Restrictions
  - (x) Membership Clearances
  - (xi) Competitive Rights and Transfers
  - (xii) Intellectual Property
  - (xiii) Sponsorship
  - (xiv) Visits and Tours

#### BY-LAW 7.2 - AUXILIARY ORGANISATIONS

- a) The Club may authorise the formation and/or affiliation of auxiliary organisations, e.g. -Old Boys Club, Supporters Club, etc with the approval of the State Centre.
- b) Each organisation's formation and function shall be reviewed annually and shall be compatible with the provisions contained in 1/A/3 of the Constitution.
- c) The Constitution of any such organisation and any amendments thereto shall at all times be subject to the endorsement of the Council.
- d) The Club may be represented on any such organisation by an Officer or member of the Club appointed annually for the purpose; and such organisation may by special invitation likewise be represented on the Club.
- e) Such organisations shall be registered incorporated bodies subject to 1/A/2.2.

#### BY-LAW 7.3- CORRESPONDENCE

- a) All correspondence from the State Centre to the Club, or from the Club to the State Centre, shall in the first place be transmitted through the Branch and no such correspondence shall be considered and/or attended to by the State Centre unless and until it has been so transmitted; provided that the provisions of this By-Law shall not apply to correspondence which has been copied by the State Centre to the Branch and Club for attention and/or action on the following subject matters:-
  - (i) Government subsidy and/or subsidy returns;
  - (ii) State or Local Government matters;
  - (iii) Workcover, Public Risk and general Insurance matters;
  - (iv) Large financial investments or borrowings;
  - (v) Clubhouse buildings, extensions or alterations;

- (vi) Cancellation or suspension of membership;
- (vii) Purchasing orders;
- (viii) Hire of State Centre/Branch gear, equipment or premises;
- (ix) Constitutional matters;
- (x) Response to Circulars;
- (xi) Any other matter which the State Centre or Branch may, from time to time, direct be exempted from this By-Law as a matter of expediency.

- b) Upon receipt of any correspondence from a Club, which is required to be transmitted through a Branch, the State Chief Executive Officer shall, at his discretion, either forward such letter to the Branch concerned for appropriate action or return it to the Club concerned for transmission through the Branch.

#### **BY-LAW 7.4 - AUDITS**

- a) The books and accounts of the Club and any affiliated auxiliary organisations shall be audited at such intervals as may be required by law and/or the appropriate State Government Department or SLSO. Such audits shall be carried out by an auditor approved to operate in the State of Queensland.
- b) Auditors shall be appointed annually.
- c) To ensure the independence of the audit and therefore the integrity of the accounts, the following rules govern the appointment of an individual as an auditor:

##### The Auditor -

- (i) must be formally qualified;
- (ii) must be a member of a recognised professional accounting body;
- (iii) must not be a past or present employee of the entity being audited;
- (iv) must not be related to the Club Treasurer or President of the entity being audited;
- (v) must not be related to any person employed as the Administrator or Accountant of the entity being audited;
- (vi) must declare if they are a past or present member of the entity being audited, and such declaration must be included in the minutes of the meeting at which the auditor was appointed.

#### **BY-LAW 7.5 - COLLECTION SANCTION**

- a) The Club or Auxiliary Organisation shall comply with the provisions of the relevant Government Acts and any subsequent amendments gazetted from time to time.
- b) The Club shall make application to the relevant Government Department for entitlement under the "Collection Sanction". When Registration is approved and a "number" issued, all relevant requirements to maintain Registration shall be complied with in every detail.

#### BY-LAW 7.6 - FUND RAISING

- a) The Club and any affiliated auxiliary organisation shall comply with the law with respect to fundraising.
- b) Fundraising authority is vested in the Management Committee which may allocate portions of its responsibilities pertaining to specific projects to the Finance, Social, and/or other special Committees to maintain, direct and/or develop these projects.
- c) The Club is authorised to solicit monetary donation, sell art union ticket by door to door, canvass to any company, firm, newspaper or other business operation or trading or any person within the area of the Club as defined. Similar fund raising shall be permitted outside these areas after prior negotiation and with approval of the State Centre.
- d) The area of the Club referred to in (c) above is all that area designated by the Branch.
- e) The Branch shall determine, from time to time, areas from within the area prescribed in (b) above, which shall be referred to as "Club" Fund Raising Areas" and it shall be incumbent upon the Club to adhere to this area in relation to fund raising activities within the Branch area.
- f) In the event of any breach of the foregoing provisions of this By-Law, it shall be a condition of continuance of affiliation and/or membership that the Club, member or group of members concerned shall forthwith surrender to the Branch all such monies, and their right thereto, obtained as a result of such breach and the Branch shall thereupon, at its discretion, determine how, and in what proportions (if any) such monies shall be applied. A right of appeal against any decision shall lie with the Branch.

#### BY-LAW 7.7 - INSURANCE

- a) General  
It is mandatory that the Club and auxiliary organisations hold insurances approved by the State Centre. In cases where State Centre has appointed one or more Insurance Brokers and the Club does not insure through such Brokers, the Club shall submit such policies to State Centre for approval.
- b) Personal Accident Insurance
  - i) Paid Staff and Employees -  
A Workcover policy shall be effected by the Club. With Workcover Queensland to cover all paid staff of the Club.
  - ii) Members -  
Personal Accident Insurance is granted under the State Centre's Workcover policy for all registered members of Surf Life Saving Queensland (except Junior Activity (Nipper) members aged 7 to 14 years – ie non BM holders) whilst engaged in Surf Life Saving activities.
  - iii) Cover/benefits -  
  
The benefits and conditions applying under the policy are described in the relevant Government Act and/or contracts of insurance.  
  
An application for compensation is valid and enforceable only if the application is lodged in accordance with policy requirements.

- iv) Junior Activity Members (5-14 years)  
A Personal Accident Policy shall be effected by State Centre to cover all financial Junior Activity members (non-BM holders). The benefits cover exceptional items (refer Insurance Manual), e.g. Death, Liability, Medical (restricted), Dental, Ambulance.
- v) Volunteer Workers  
A Personal Accident Policy shall be arranged by SLSQ to cover all persons engaged in voluntary work for the Club, and/or who are not eligible for workers' compensation. The benefits cover exceptional items (refer Insurance Manual), e.g. death, liability, medical (restricted), dental, ambulance. A register of workers shall be established for each relevant activity which should be signed by all volunteer workers prior to commencement of work.
- c) Public Liability Insurance
  - i) A Public Liability policy shall be negotiated by the State Centre to cover the Club and Auxiliary Organisations against legal action instigated by a member of the public during activities approved by the State Centre.
  - ii) Whilst the cover can apply to normal Surf Life Saving Association activities, a separate cover may need to be taken out by the Club or Auxiliary Organisations entering into some activity away from the Club facilities or beach, such as a display or fundraising activity where the public are involved. The Insurance Brokers should be consulted in these situations.
- d) Insurance on Property
  - i) State Centre shall negotiate on behalf of the Club insurance policies to cover loss or damage to its own property, or upon goods in transit destined for one of its affiliated bodies.
  - ii) It is mandatory for the Club to hold property insurances to be held with a reputable Insurance Company approved by the State Centre, and it is a requirement that such policies, if not managed by State Centre's brokers, be submitted to the State Centre for its endorsement to ensure that the protection provided is adequate and serves the interest of the Association.
  - iii) Branches, Clubs and Auxiliary Organisations shall be responsible for the cost of their own insurance and shall be well advised to reassess values at least every second year.
- e) Directors and Officers Insurance
  - i) A Directors & Officers policy shall be negotiated by the State Centre to cover officers of the State Centre and its affiliated Branches and Clubs and auxiliary organisations against claims made against an officer during the policy period for a wrongful act.
  - ii) It is noted that this is a "claims made" policy, e.g. no claim can be made against the policy once it has expired or has been cancelled. Also, if a case exists where a claim may be possible, immediate notification must be given to the State Centre's Insurance Broker.
- f) Professional Indemnity Insurance
  - i) A Professional Indemnity policy shall be negotiated by the State Centre to cover members whilst engaged in authorised Association activities.
  - ii) The indemnity covers claims the insured is legally liable to pay for, e.g. breach of professional duty or by reason of any negligent act, error or omission.

#### **BY-LAW 7.8 - FEES AND CHARGES**

Fees may be payable annually for affiliation, examination, registration, carnival entry and other general lifesaving costs for the Club, and shall be determined by the Branch from time to time.

#### **BY-LAW 7.9 - AFFILIATION**

The Club and its affiliates agree -

- a) that they are bound by this Constitution and By-Laws and that this Constitution and By-Laws operate to create a single, uniform entity through and by which the objects of the Club and surf life saving are to be conducted, promoted and administered;
- b) in all other respects the provisions of the Club Constitution, Part 1, Section B/9 shall apply.

#### **BY-LAW 7.10 - HONORARIUMS**

An Honorarium may be granted to an Officer on the decision of the Management Committee. Any such Honorarium paid would be subject to Income Tax.

#### **BY-LAW 7.11 - DISSOLUTION OF AFFILIATED BODIES**

- a) The Constitution of every affiliated body shall contain a dissolution clause similar to that set out in 1/E/15 and should any affiliated body fail to make any such specific provision 1/E/15 of this Constitution is deemed to be included in the Constitution of such affiliated body.
- b) In the event of any affiliated body becoming inactive, going into recess or having its affiliation terminated, the Club is empowered to require such body to implement the requirements of 1/E/15 regarding dissolution. Should there be no remaining responsible Officers of such affiliated body capable of carrying out the required procedures for dissolution, the Club is empowered by its Constitution to take any necessary action in this regard.
- c) Upon the dissolution of an affiliated body in terms of the preceding Clauses, the books, accounts and assets of the affiliated body shall be handed over to or taken possession of by the Club to deal with as it may, in its absolute discretion, see fit.

#### **BY-LAW 7.12 - CAPITAL EXPENDITURE -**

- (a) The Club shall notify the State Centre of any proposed capital expenditure over \$100 000.00.
- (b) Capital expenditure includes alterations, additions or improvements to existing facilities, acquisition of any land, buildings or other property, the building of any new facilities, the building or refurbishment of any other facilities either singularly or in partnership.
- (c) Capital expenditure also includes capital expenditure to purchase or invest in any business venture, community project, or other project using Club (including affiliated Supporters Club) funds or borrowings.
- (d) Such notification is to include -
  - (i) a brief outline of the proposed expenditure clearly stating the intended purpose;
  - (ii) details of architectural plans (where necessary)
  - (iii) cost estimates with recommendation and justification (3 quotes);
  - (iv) details of recommendation of the above proposal in General Meeting Minutes;
  - (v) latest financial information (Profit & Loss & Balance Sheet ) prepared in accordance with accrual accounting requirements;
  - (vi) confirmation that appropriate insurance cover is in place; and
  - (vii) any other information considered relevant.
- (e) Where financing is required to support the capital expenditure, the Club must provide details of the proposed financing arrangements, and appropriate financial data supporting the capacity to service the proposed debt.
- (f) In the situation where future anticipated income (eg future distributions from Supporters



Clubs including gaming, meals and bar revenue) is being relied upon to service the debt, an independent professionally prepared financial analysis will also be required, including the following -

- (i) a detailed business plan;
- (ii) cash flow projections for at least five (5) years;
- (iii) market survey/sensitivity analysis confirming the feasibility of the proposal;
- (iv) funding arrangements.

(g) Such proposals shall be dealt with in the following manner -

- (i) proposals shall be assessed by the State Centre Board of Finance and Property upon receipt of all relevant information. The Board may seek external advice.

Any such approval (which may be granted or withheld conditionally or unconditionally at the State Centre discretion) forms part of the State Centre Policy of encouraging responsible financial and asset management, but should not be construed as express or implied advice, or any guarantee, that the proposal is technically, financially or otherwise feasible or responsible.

- (ii) If the State Centre declines to issue and Approval to Proceed it may give reasons for doing so. However, in determining whether to take further action which might result in a subsequent approval by the State Centre (for example following State Centre's recommendation or conditions of approval), if the applicant must undertake any professional advice. Should the applicant proceed with the expenditure based on any recommendations or conditions made by the State Centre, the risk that this might not be appropriate for your circumstances is accepted by the applicant.

h) Failure to comply with this policy shall result in a "policy breach notice" being issued and the non-complying entity shall be required to show cause to the SLSQ Executive to explain why disciplinary action should not be taken.

#### **BY-LAW 7.13 - BUSINESS DEVELOPMENT VENTURE -**

(a) In order to protect and enhance the Association's objective, Clubs (including Supporters Clubs and related entities) shall inform and consult with State Centre about any developments or redevelopments, or any developments or commercial or non-commercial venture - on existing property or elsewhere - which involve expenditures over \$100 000.00.

(b) Examples of such developments or ventures where the State Centre needs to be consulted include:

- (i) major development or re-development of a clubhouse;
- (ii) development or re-development of any property;
- (iii) land and/or property acquisition (Freehold or lease);
- (iv) negotiation and/or renewal of leases;
- (v) a commercial or non-commercial venture on either side (eg at the Clubhouse) or off-site, either singularly or in partnership.

(c) The Club shall notify the State Centre immediately when considering any development or venture outside the existing scope of operations of a Surf Life Saving Club.

(d) State Centre may request further information such as plans, contractual arrangements, Insurance cover, financial and feasibility studies ( as per the Capital Expenditure Policy) etc to ensure the project/venture is in keeping with the aims and objects of the Association, and is financially sound.

(e) State Centre shall review all such information (with external expert advice if necessary) and if considered appropriate issue an Approval to Proceed (as per the existing Capital Expenditure Policy)

- (f) No development or venture shall proceed until the State Centre has issued an Authority to proceed.
- (g) State Centre shall be kept informed on a regular basis where such developments/ventures have been given approval to proceed.
- (h) State Centre shall respect and comply with any commercial in confidence issues.
- (i) Failure to comply with this policy shall result in a "policy breach notice" being issued and the non-complying entity shall be required to show cause to the SLSQ Executive to explain why disciplinary action should not be taken.

**BY-LAW 7.14-INTELLECTUAL PROPERTY -**

- (a) The Policy and Procedures for the use of "red and yellow" Surf Life Saving imagery and property shall be as determined by SLSA.
- (b) No one shall be permitted to inappropriately exploit Surf Life Saving imagery such as the red and yellow cap, flags, patrol uniforms, logos/trademarks etc.
- (c) The following procedures shall apply where a Club wishes to use red and yellow imagery/property –
  - (i) The Club shall obtain the State Centre's approval to use, or allow someone else to use images or pictures of lifesavers wearing red and yellow patrol caps, or patrol uniforms, or patrol flags:
  - (ii) The State Centre has the authority to approve the use of such red and yellow imagery if the promotion is restricted to the Clubs/Branch's local area;
  - (iii) State Centre has the authority to approve the use of the red and yellow imagery in advertisements/promotions that go beyond a club/Branch area if the use of the imagery is in good taste, not conflicting with a State or National sponsor. There may be a license fee attached.
  - (iv) The Club has every right to use its own Club caps, uniforms and imagery in Queensland.

## SECTION 8

### Membership

#### BY-LAW 8.1-MEMBER PROTECTION

- (a) The Club is committed to the health, safety and well being of all members, and shall use its best endeavours to ensure a safe environment exists for all members participating in surf life saving activities.
- (b) The Club shall not condone any form of discrimination, harassment or abuse of, or by, members.
- (c) All members shall abide by the relevant SLSA policies with respect to Member Protection, Equity and Harassment, and the Codes of Conduct as determined from time to time.
- (d) All members involved, either directly or indirectly in leading, chaperoning, coaching, instructing, examining, or supervising (or the like) youth members shall be screened in accordance with legislative and Association requirements as determined from time to time.
- (e) All members shall immediately report any suspected breaches of the SLSA Membership Protection or Equity Policies or Codes of Conduct to the appropriate authority with their Club or Branch, or to the State Centre Chief Executive Officer. The Chief Executive Officer shall, in accordance with Association policies and procedures, determine the most appropriate method of dealing with such reports.

#### BY-LAW 8.2 - CODES OF CONDUCT -

All members, Officers and staff shall comply with the following Codes of Conduct -

- (a) Individual members shall -
  - (i) Respect the rights, dignity and worth of others
  - (ii) Be fair, equitable, considerate and honest in all dealings with others;
  - (iii) Be aware of, and maintain an uncompromising adherence to, SLSA standards, rules, regulations and policies;
  - (iv) Be professional in, and accept responsibility for actions;
  - (v) Make a commitment to providing quality service;
  - (vi) Use facilities and equipment for their proper purposes, and care for and maintain such facilities and equipment correctly.
  - (vii) Refrain from anything which may abuse, intimidate or harass others;
  - (viii) Preserve and protect the standing and reputation of the Association;
  - (ix) Understand the consequences of any breach of SLSA's Member Protection Policy or Codes of Conduct.
- (b) Team Managers/Age Managers/Chaperones shall -
  - (i) Abide by the "Code of Conduct" for Members;
  - (ii) Be responsible for the overall welfare and well-being of team members and officials when travelling with a team;
  - (iii) Maintain a duty of care towards team members and an accountability for the management of the team;
  - (iv) Have a sound knowledge of SLSA policies, responsibilities (and competition rules where necessary), and ensure that the conduct of the team is in accordance with these policies and guidelines;
  - (v) Foster a collaborative approach to the management of the team.
- (c) Coaches/Officials shall -
  - (i) Abide by the Code of Conduct for members;

- (ii) Be responsible for matters concerning the coaching, training, development and competition of surf lifesavers;
  - (iii) Maintain a duty of care towards others and an accountability for matters relating to training and competition;
  - (iv) Have a sound working knowledge of SLSA policies, rules and regulations, officiating and coaching techniques;
  - (v) Ensure that any physical contact with others is:-
    - (a) appropriate to the situation
    - (b) necessary for the person 's development
  - (vi) Provide a safe environment for training and competition.
  - (vii) Be a positive role model for surf lifesavers and SLSA.
- (d) Administrators/Directors/Officers shall -
- (i) Abide by the Code of Conduct for members;
  - (ii) Be fair, considerate and honest with others;
  - (iii) Operate within the rule of SLSA;
  - (iv) Be professional in all actions. Language, presentation, manner and punctuality should reflect high standards;
  - (v) Resolve conflicts fairly and promptly through established procedures;
  - (vi) Maintain strict impartiality;
  - (vii) Maintain a safe environment for others;
  - (viii) Show concern and caution towards others;
  - (ix) Be a positive role model.
- (e) Youth Leaders shall -
- (i) Abide by the Code of Conduct for members;
  - (ii) Recognise the importance of, and encourage the development of members, encompassing camaraderie and team work;
  - (iii) Treat members with respect and accept the duty of care for the welfare, safety health and happiness of members and conduct themselves responsibly;
  - (iv) Be a role model to all members and conduct themselves in a manner befitting a leader with Surf Lifesaving;
  - (v) Adhere to all Association Policies and ensure that the duty of care to all members is met in these areas;
  - (vi) Accept that adults in Surf Lifesaving do not involve themselves in unobserved activities with individual youth members;
  - (vii) Realise that physical or verbal abuse, neglect or any other type of abuse, is unacceptable conduct by any member of the Association;
  - (viii) Allow members the opportunity and access to gain valuable leadership qualities and skills through lifesaving and surf sports activities;
  - (ix) Provide the best possible lifesaving and sporting activities for members with the view to encouraging and promoting long term active participation;
  - (x) Be reasonable in demands on members time, energy, enthusiasm and commitment;
  - (xi) Ensure young members are involved in planning, leadership, evaluation and decision making processes at various levels within the Association;
  - (xii) Ensure that equal opportunities for participation in lifesaving are made available to all members regardless of ability, race, colour, religion or sex.

## SECTION 9

### Club Colours/Badges, Competitive Conditions

#### BY-LAW 9.1 - COLOURS AND BADGES

- a) The existing Club's colours, badges and competition cap design shall not be altered without re-endorsement of the State Centre and the approval of the Association.

#### BY-LAW 9.2 - COMPETITIONS

- a) The SLSQ shall have power to regulate all competitions between Club, Branches and/or directly affiliated Clubs within its boundaries.
- b) The Branch shall have power to regulate competitions between Clubs affiliated with the Branch.
- c) The Club shall only participate in competitions endorsed by the Branch, State Centre or SLSA.
- d) No Inter-Club competition within the Branch shall be held without the approval of the Branch.
- e) Wagering and/or gambling by persons competing or participating (eg as a competitor, coach, official, manager, organiser etc) in events conducted by the Association is not permitted. Such members proven to have gambled on an Association competition event in which they are involved, will be liable to appropriate disciplinary action.

#### BY-LAW 9.3 - COMPETITIVE RIGHTS, OBLIGATIONS AND QUALIFICATIONS

Members and competitors acknowledge and agree that competing in lifesaving events, contests, carnivals and competitions attracts certain rights and obligations, and requires certain qualifications. In relation to rights, obligations and qualifications the following shall apply:

- a) Inherent in membership of SLSA, but subject always to gaining the appropriate qualification as prescribed by SLSA and complying with the competition rules issued by SLSA, is the right to enter, participate in events, contests, carnivals and competitions conducted by SLSA.
- b) Members are obliged to ensure they obtain and maintain the appropriate qualifications, including but not limited to, awards, age limits, patrols, proficiency tests, equipment and limiting disabilities, to enable them to enter and participate in Association events, contests, carnivals and competitions.
- c) Members acknowledge and agree that should they participate in, and/or use any SLSA equipment in any event, contest, carnival and competition, which has not been licensed, sanctioned or otherwise authorised by SLSA that they will attract disciplinary action under the Regulations which may result in forfeiture of their competitive rights set out in By-Law 9.3 (a) *above*.

#### BY-LAW 9.4 - CLUB CHAMPIONSHIPS

- a) The Club Championships shall be conducted annually on a date determined by the Club at its Annual General Meeting.
- b) The list of events to be conducted at the Championships shall also be decided at the Annual General Meeting.

#### **BY-LAW 9.5 - TROPHIES, PRIZES AND ELIGIBILITY**

In relation to trophies, prizes whether cash or kind and the eligibility of Individual Member/s representing a section of the Association to compete for or accept such trophies or prizes the following shall apply:

- a) The Association shall reserve unto itself the authority to determine, from time to time, conditions relative to the acceptability of trophies or prizes, reimbursement of accommodation, travel and other expenses, and eligibility to compete for trophies or prizes.
- b) wagering or gambling on any competition conducted by the Association, State, Branch or Club is not permitted.
- c) The Association shall be the authority to approve competitions involving "cash prizes" and therefore any Affiliated Club or other section of the Association wishing to allocate any "cash prizes" for competition events shall seek the approval of their respective Branch, State Centre or in the case of events involving international or interstate competitors, the Association.
- d) "Cash prizes" shall not be awarded for any event at an Association, State or Branch championship carnival.
- e) "Cash prizes" shall not be made available from Affiliate Club general funds, however, sponsor income may be distributed utilising the club banking account.
- f) Notwithstanding the foregoing, sponsors should be strongly encouraged to provide items of lifesaving gear as prizes rather than cash but where "cash prizes" are presented they shall be portrayed as coming direct from the sponsors.

#### **BY-LAW 9.6 - TEAM MANAGEMENT**

- a) The Club when participating in any carnival or similar function shall appoint a Manager of its competitors and other members of the Club selected to represent and/or assist the Club at such carnival.
- b) Every Manager so appointed shall be responsible for the proper conduct of himself and of the members under his control, and attend all briefings.
- c) A Manager shall, as far as practicable, remain with the party under his control during the entire period of his managership. In the event of the party under his control separating into sections the Manager shall be responsible for appointing a member of each and every section to act as his Manager of the section.
- d) In the case of mixed gender teams including minors, a chaperone or chaperones shall also be appointed.
- e) In the case of a carnival or similar function conducted under the control of the Branch, the name of the Manager so appointed shall be notified to the Branch with the Carnival entries, or, at the latest, before the commencement of the carnival.
- f) The Manager shall remain in attendance with his team during the course of such carnival or similar function and shall take action to ensure that competitors under his control report to the Check Marshal immediately they are called upon to do so.
- g) The Manager shall report to the Carnival Referee or other nominated official whenever called upon to do so by the Carnival Announcer or other authorised official and shall comply with the directions then given him.

## SECTION 10

### Visits and Tours

In relation to visits and tours by Club members or teams who shall include all persons who travel with or under the arrangements made by the Club, the following directions shall be mandatory requirements.

#### BY-LAW 10.1 - INTER-CLUB/INTERSTATE VISITS

In relation to the Club or a member or members of the Club wishing to visit other Clubs within Australia, the following shall apply:

- a) Visits within a State, Territory or Branch shall be subject to the control of that Centre or Branch providing any such control provides for the appointment of a Manager in all circumstances.
- b)
- c) With the exception of national surf carnivals, interstate visits shall be subject to advice to SLSQ and Branch by the intending touring party at least twenty-one (21) days prior to such visits.
- d) Such advice shall detail the proposed destination and dates of the visit, method of travel, the number intending to travel and the name and address and contact details of the Team Manager's who shall be deemed responsible in the event of necessity for future reference.
- e) Providing there are no grounds for objection, the State Centre of the intending touring party shall forthwith advise the relevant State Centre/s of the proposed visit to their region.

#### BY-LAW 10.2 - INTERNATIONAL TOURS POLICY

When individuals or teams are identifiable as Club or Association members by uniform or insignia or the purpose of the tour is to compete in events using Association type equipment or attend Association conferences or matters identifiable with Association activities, then the following policies and conditions apply:

- a) At least six months notice of the proposed departure date shall be given by the Club before permission to tour shall be granted, unless under special circumstances as approved by SLSA.
- b) SLSQ shall not, in any way, be responsible financially for any part of the expenses attributable to any tour by the Club.
- c) Appointment of officials, size and composition of the team and selection policies shall be a matter for the Club, however, the Association strongly recommends the inclusion of Educational Officers in any team to tour overseas.
- d) The Club shall not knowingly select in an overseas touring team any member who is under any form of suspension or is financially indebted to any Club, Branch or SLSQ.
- e) The Association shall reserve the right to set special conditions under which permission will be granted to the Club to tour overseas countries in the same season that an Australian Representative Team shall be visiting those same countries.
- f) At least one month prior to the departure of the Club team, SLSQ and Australian Council shall be supplied with a copy of the final itinerary, points of contact, full details of the composition of the team, names and addresses of team members and the team manager.
- g) The Club team to tour overseas shall have an appointed Team Manager who will be responsible for all matters concerning the team. In the event of any incident, complaint or otherwise adverse reaction to the team as a whole, or members individually, the manager shall be automatically responsible to the Association and may be called before the Branch, State or Australian Council to face judiciary inquiry and possible disciplinary action.
- h) Comprehensive reports and recommendations (if any) on any tour (together with a team photograph wherever possible) must be supplied to SLSQ within ten (10) weeks of the completion of the tour.

- i) Adequate insurance policies shall be negotiated in respect of personal accident to and/or sickness of every member of the touring team, loss or damage to the personal effects of team members and to such special lifesaving and/or display equipment as shall be provided for use on the tour.

#### **BY-LAW 10.3- INTERNATIONAL TOURS - WITHOUT INVITATION**

The Club seeking to tour overseas without having received a specific invitation shall -

- a) make application to the Branch for permission to conduct a tour which shall include the following;
  - (i) proposed itinerary;
  - (ii) duration of the tour;
  - (iii) proposed composition of the team ( a detailed composition of team members, names, capacities, etc., should be supplied as soon as it is completed);
  - (iv) details of how the tour will be financed including any proposals of sponsorship;
  - (v) aims and objectives of the tour, having regard to surf life saving;
  - (vi) an undertaking that the Branch, SLSQ or Association will not in any way be financially responsible for the tour;
  - (vii) the method of selection to be used.
- b) If the application by the Club is endorsed at Branch level, the Branch shall then forward the application to SLSQ requesting endorsement of same and onforwarding to Australian Council, and in the case of an application to tour by a Club affiliated directly to SLSQ, SLSQ shall, if it endorses the application, forward same to Australian Council.
- c) The Australian Council upon receipt of the application, and if satisfied all conditions have been met, may then seek from the overseas country, district or Club concerned, permission for the tour to take place and *give* the Club, Branch or SLSQ permission to correspond direct with the overseas body.

#### **BY-LAW 10.4 INTERNATIONAL TOURS - WITH INVITATION**

The Club seeking to tour overseas after having received a specific invitation shall -

- a) if the invitation is accepted, make application for permission to conduct the tour, to its Branch, SLSQ and the Australian Council setting out all details as required by the Association's Regulations 7.10.1(c) and 7.10.3(a) accompanied by full details and a copy of the invitation received;
- b) if the Branch and SLSQ endorse the application, it shall be forwarded to the Australian Council seeking final approval for the tour to be conducted;
- c) the Australian Council, upon receipt of the application and having satisfied itself all conditions have been met, may grant permission for the tour to take place and give the Club, Branch or SLSQ permission to correspond direct with the overseas body. Before granting this permission, the Australian Council will ascertain from the national overseas body that the invitation has been endorsed by them;

#### **BY-LAW 10.5 - TOURS TO AUSTRALIA**

In relation to tours by overseas Life Saving organisations to the Club the following conditions shall apply:

- a) If the Club wishes to issue an invitation to any overseas lifesaving body to tour in Australia, it must firstly make an application to the Australian Council through its Branch/SLSQ. Such application shall include all details of the proposed tour including accommodation, financial obligations of the host body, proposed itinerary and details of any appointed Liaison Officer/s.
- b) Branches and/or State Centres receiving such applications shall, before endorsing the application, consider the following -
  - i) the ability of the Club and/or Branch to host such a tour having in mind the membership and financial situation of the hosting Club and/or Branch;
  - ii) that the proposed *visit* will not seriously disrupt any programming of the Club, Branch or SLSQ;



- iii) that qualifications of the host body's liaison officer/s are satisfactory to properly carry out the required duties;
- iv) such tours may be referred to as "domestic tours" and once authority has been given by the applicable Branch, SLSQ and Australian Council these authorities shall not bear any responsibility, financial or otherwise, in connection with the tour.
- c) The Australian Council upon receipt of the endorsed application, and provided that all the necessary conditions have been met, will consider the application, and if approved, the Australian Council shall notify the overseas Association concerned. However, the tour should not be considered confirmed until the overseas Association has advised the Australian Council of the invitation's acceptance.
- d) Within eight (8) weeks of the completion of any tour by an overseas body, the Club shall supply the Australian Council with a comprehensive report detailing the activities and achievements of the tour.
- e) Despite a tour being classified as a "domestic tour" it is anticipated that the Club will take such opportunities to invite the Branch, SLSQ and the Australian Council representatives to be present at receptions and to be given the opportunity of having discussions with overseas visitors.

## SECTION 11

### Discipline, Penalties and Appeals (Refer Appendix A)

#### BY-LAW 11.1 - JURISDICTION

- a) The penalising authority for the Club shall be vested in the following -
- n The Council
  - n The Management Committee
  - n The Judiciary Committee
  - n The President
  - n The Captain
- b) Should the Club decide the alleged offence is beyond the responsibility of the Club, the matter may be referred to the Branch for determination.

#### BY-LAW 11.2 - DISCIPLINE

- a) General
- i) The Club may penalise or refer to the Judiciary Committee, a member of any Auxiliary Organisation within its jurisdiction or any member of such who, in the opinion of the Club has practised or counselled any unbecoming conduct or conduct which reflects upon the good name of the Club, the Association or any or all of its Officers, whether at any competition, meeting, function or other activity, or at any other time.
  - ii) Penalty decisions shall be promptly conveyed in writing to the body or member concerned and it shall be incumbent on the Club to give immediate effect to such decision, and to notify the Branch and the State Centre.

#### BY-LAW 11.3 - PENALTIES

- a) Without limiting the scope of penalties that may be imposed, the form a penalty may take includes -
- i) Reprimand - with the offence being recorded in the books of the penalising body;
  - ii) Suspension - may be applied as a complete or partial suspension of a member's privilege for a definite period of time or until a definite pre-set goal is reached, and partial suspension could well require the member to carry out all or part of his duties in the Club without being able to avail himself of the normal facilities and privileges of a member. The extent or limit of the penalty must be set by the penalising authority imposing the said penalty, provided that a period of suspension shall not be longer than 5 calendar years from the date of the order.
  - iii) Termination - Club membership may be terminated because of the prevailing circumstances, and when the extreme action of expulsion is not warranted;  
  
A member whose membership is terminated may re-apply for membership of the Association at some later time.
  - iv) Expulsion - from "Club Membership" would be applied only as a response to a very serious offence against the Club, the Association or their principles or ideals.
  - v) Fines - imposed in such amounts as the penalising authority thinks fit.
  - vi) Such combination of any of the above as the penalising authority thinks fit.
  - vii) Such other penalty or penalties as the penalising body thinks fit.

- b) Where an individual Club member is suspended by the Club, he shall forfeit either completely or partially, as may be decided, all privileges as a member of an affiliated Club during the period of his suspension. In the case of complete suspension, a member shall forfeit all rights during the currency of his suspension. Partial suspension shall limit such member's participation in inter-Club or Association activities but shall not interfere with his rights as a Club member.

**BY-LAW 11.4 - APPEALS**

- a) Any member penalised by a penalising authority for the Club shall have the right to lodge an appeal against such penalty to the next highest penalising authority within the Club provided that the appeal shall be lodged in writing to the Club within fourteen (14) days of the notification of the penalty and shall set out clearly the grounds of the appeal. The appeal shall be placed before the next highest penalising authority within the Club, and shall be dealt with in the following manner -
  - l:l dismissed and the penalty upheld;
  - l:l dismissed and a heavier penalty imposed;
  - l:l upheld and a lighter penalty imposed;
  - l:l upheld and the appellant exonerated;
- b) Any member penalised by the Club shall have the right to appeal to the Branch against the penalty, provided that -
  - i) Such an appeal shall be allowed only after the party concerned has properly availed himself of the rights of appeal to the Club as contained in the Constitution and By-Laws of the Club;
  - ii) the appeal shall be made within fourteen (14) days of the imposition of the penalty, or if the party concerned has exercised its right of appeal to the Club within fourteen (14) days of the notification of the decision of such appeal;
  - iii) the appeal shall be made through the Club who shall forthwith refer the appeal to the Branch, provided that the Club may at the same time submit any representations on the appeal which it may wish to make;
  - iv) upon the setting of an appeal hearing, the Branch shall either itself or by its Judiciary Committee or by a Committee appointed for the purpose, hear the appeal and communicate its decision in writing to the appellant.
  - v) pending an appeal hearing by the Branch or by the Branch Judiciary Committee or by a Branch Committee appointed for the purpose, the President of the Branch, after written application by the appellant and only after good cause is shown, may suspend the operation of the penalty until the appeal is heard by the Branch.

**BY-LAW 11.5 - REFERENCES**

- a) In addition to the matters set out in By-Law 11.1- 11.4 which are of a disciplinary nature, any interested party may submit a Reference or Grievance to the Club upon any matter touching the affairs of the Club, the Association and its members.
- b) Every Reference or Grievance shall be in writing setting out clearly the matters sought to be investigated by the Club, and the Executive shall then decide where such Reference shall be directed.
- c) The hearing of a Reference or Grievance shall proceed in accordance with Appendix "A" to these By-laws.
- d) The hearing of any appeal from a decision on a Reference or Grievance shall proceed in accordance with Appendix "A" to these By-Laws. (Refer to Appendix "A").

**APPENDIX "A"**

**JUDICIARY COMMITTEE**

**Rules of Procedure**

**1. DEFINITIONS**

In these Rules -

- 1.1 "The Committee" means the Judiciary Committee.
- 1.2 "Secretary" means the Secretary for the time being of the Judiciary Committee.
- 1.3 "Member" for the purposes of these rules of procedure means a member of the Association, and includes a Club, subject to the jurisdiction of State Centre or Branch by which the Committee shall have been appointed.
- 1.4 "Reference" includes any complaint against a member of the Club brought by any person, and any dispute under the Club's Constitution and/or rules. The term also includes Grievances brought by a member of the Association against another member.

**2. JURISDICTION**

- 2.1 The Committee primarily has jurisdiction to hear a Reference of a disciplinary nature referred to it pursuant to By-Law 11.2.
- 2.2 The Committee may also hear References directed to it by the Club Executive or Management Committees pursuant to By-Law 11.5.
- 2.3 Every reference directed to the Judiciary Committee shall be dealt with by that Committee or it may refer the conduct of the Reference to the Branch or State Centre-
  - a) in whose area the matter for Reference arises, or
  - b) having the most direct interest in the matters raised by the reference

If the Reference is referred to a Branch or State Centre, that Branch or State Centre shall appoint its Judiciary Committee to hear the Reference and proceed in the terms of Rule 3 set out hereunder.

- 2.4 Every person bringing a reference shall have a right to be heard by the Committee provided that-
  - a) he has an interest in the subject matter of the reference;
  - b) his reference is in clear and unambiguous terms.
- 2.5 In every case the committee is required to proceed in accordance with the rules of natural justice.

### 3. PROCEDURE

The following procedures shall be followed by the Judiciary Committee:

- 3.1 Upon receipt of a reference, the Chairman of the Committee or his Delegate may appoint an independent person to act as investigator upon the reference. Such appointment shall be in writing, enclosing a copy of the reference and instructing the investigator to make all relevant enquiries and prepare to assist the Committee within fourteen (14) days.
- 3.2 The investigator, if appointed, shall make all relevant enquiries and shall appear at the time and place appointed for the hearing by the Secretary of the Committee.
- 3.3 Upon receipt of a reference the Secretary shall forthwith appoint the time and place for the hearing suitable to the members of the Committee. He shall give at least seven (7) days notice of the hearing to all interested parties and such notice shall be in or to the effect of the following form -

#### *BRIBIE ISLAND SURFLIFE SAVING CLUB*

To: .....

*Dear Sir,*

*You are hereby notified that a meeting of the Judiciary Committee of this Club will be held at ..... on ..... 19. at .....a.m./p.m. to enquire into the following matter, referred to the Committee by the Club.*

*You are required to be (present) (represented) at that time and place together with such witnesses as you may desire to call.*

*(Mr/Ms ..... has been appointed pursuant to the Club Constitution as an independent investigator to make all relevant enquiries and to appear to assist the Committee at the hearing.)  
- Optional*

*The Secretary will, upon receipt of your request in writing, at least five (5) days before the day appointed for the investigation setting out the names and addresses of members of the Association who you desire to call as witnesses, require such members to be present at the investigation. If the time and place appointed are not suitable to you, you may apply for an adjournment by application in writing, to be in my hands at least three (3) days before the time appointed.*

*In any event, you are required to advise the committee of your intention to attend or not to attend as the case may be, 3 days before the hearing is due to commence.*

*You are not entitled to legal representation as of right but you may apply at the commencement of the enquiry for such representation, and the Committee may grant or refuse such application as it thinks fit. The same provisions shall apply where representation other than legal representation is required.*

*Yours faithfully,*

*Secretary  
Judiciary Committee*

- 3.4 The Committee shall have power to require the attendance of any member at any hearing by the Committee. The Secretary shall give reasonable notice to a member informing him of the time and place of the hearing, and that he is required to attend.
- 3.5 In the case of a complaint against a member of the Club who has been suspended, he shall remain under suspension until the decision of the Committee, unless the Chairman of the Committee decides otherwise.

- 3.6 The independent investigator if appointed by the Chairman of the Committee shall make enquiries within a reasonable time.
- 3.7 The Committee shall likewise conduct the enquiry within a reasonable time, subject to any reasonable application for an adjournment in writing and received by the Secretary at least three days before the time fixed for the enquiry.
- 3.8 No interested party shall be entitled to legal representation as of right at the Committee hearing provided always that an application may be made at the commencement of the hearing for such representation. The Committee may grant or refuse such an application as it sees fit. The same provisions shall apply where an application is made for representation other than legal representation, provided that where a minor (U18) member is charged it shall be mandatory for a parent/s or guardian, or an adult approved by the parent(s) or guardian to be invited to attend at all material times, and every effort should be made to encourage these persons to be in attendance in the interests of the minor (U18) member.
- 3.9 Any notice required by the Rules to be given by the Secretary shall be given in writing delivered personally or sent by prepaid post addressed to the member concerned. A notice given by post shall be deemed to have been given on the day following that on which it shall be posted.
- 3.10 Any member who fails without reasonable excuse to comply with the requirements of any notice addressed to him by the Secretary shall be subject to such action as the Executive of the Club, shall, on the report of the Committee think fit.

#### **4. AT THE HEARING**

- 4.1 All interested parties shall be present at the hearing, provided that a hearing may proceed in the absence of an interested party only where the committee is satisfied by evidence that the party had due notice of the meeting and has chosen to be absent from the hearing, or the Committee agrees that it is in the best interest of the party not to be present.
- 4.2 A quorum of the Committee shall be three (3) members.
- 4.3 In the case of a complaint against a member, all witnesses other than the member concerned must remain out of the hearing until called upon to give evidence.
- 4.4 The independent investigator, if appointed, shall be present to assist the Committee.
- 4.5 The reference to the Committee shall be read by the Chairman.
- 4.6 The independent investigator, if appointed, shall present relevant evidence, including the calling of witnesses. Any submissions by the investigator, or documentary evidence submitted by him, shall be given whatever weight the Committee thinks fit, subject always to the consideration that oral evidence from a witness may be of more weight than other forms of evidence.  
  
If the independent investigator is not appointed, the Committee itself shall receive the evidence relevant to the reference.
- 4.7 The person who is the subject of the reference shall then present relevant evidence on his own behalf.

- 4.8 In all cases where witnesses are called they shall be examined by the party (if any) on whose behalf they have been called, and then cross-examined by the other interested parties to the reference. The party calling the witness shall have the right to re-examine the witness. The Committee members may ask questions of the witness, but no other examination or cross-examination of that witness shall be allowed except by leave of the Chairman.

Such cross-examination may be conducted through the Chairman and/or by telephone or other multi-media as determined by the Committee.

- 4.9 The Committee may, in its discretion, refuse to admit evidence which is irrelevant or of so little weight as to be properly excluded.
- 4.10 At the conclusion of all the evidence, each interested party and the investigator, if appointed, may make submissions to the Committee in such speaking order as the Chairman may direct. Right of reply by any party shall be at the discretion of the Chairman.

#### **5. AT THE CONCLUSION OF THE HEARING**

- 5.1 The Committee shall meet in camera after the hearing has been completed and formulate its findings.
- 5.2 The findings of the Committee and the order or penalty agreed upon may be by the majority, with the Chairman having a casting vote in the event of a tied decision. The minority may furnish separate findings, but the majority findings and order or penalty shall be deemed to be the decision of the Committee.

#### **6. DETERMINATION OF ANY PENALTY**

- 6.1 The Chairperson or other member of the Committee shall deliver the Committee's findings in the presence of such interested parties who wish to attend.
- 6.2 If an adverse finding is delivered, the party against whom the finding has been made, shall be invited to make submissions on penalty.
- 6.3 The Committee shall make any determinations of penalty as may be required and it sees fit. If necessary, the Committee may meet again in camera to consider a penalty.

#### **7. NOTIFICATION**

- 7.1 The Secretary of the Committee shall forthwith give notice of the decision of the Committee to all interested parties, together with notice of any made order or penalty imposed, which upon being confirmed by the appointing authority shall become effective forthwith.
- 7.2 The Committee shall furnish its report at the first meeting of the appointing authority after the hearing is completed. That authority shall either confirm the decision of the Committee or proceed according to the next succeeding paragraph.
- 7.3 The decision of the Committee cannot be altered by the appointing authority, but a two-thirds majority of those present and voting at the meeting may return the reference to the Committee for further consideration or the hearing of additional evidence. The grounds of such return of the reference shall be clearly stated.
- 7.4 A person exonerated by the Committee may start under protest at any Carnival or Association event held before the meeting of the appointing authority at which the Committee's decision is presented for confirmation or return as the case may be.

#### **8. APPEALS**

- 8.1 Any person aggrieved by a decision of the Committee upon a Reference has a right to appeal to the next highest authority from that which appointed the committee which conducted the hearing within twenty-eight (28) days of being notified of a decision in writing.





## APPENDIX "B"

### RULES OF DEBATE

#### 1. GENERAL

- 1.1 The undermentioned Rules shall apply to the conduct of all meetings of the Council, and Committees.
- 1.2 For the purpose of these Rules, the word "member" shall refer to members of the Club.

#### 2. CHAIRMAN'S AUTHORITY

- 2.1 Whenever the Chairman rises during debate, the member then speaking shall be silent and resume his seat.
- 2.2 In the case of any remark considered by the Chairman to be offensive or imputing improper motives, the Chairman may call upon a speaker to withdraw and apologise.
- 2.3 The Chairman may call a member to order. If such member persists in being disorderly, he may call upon such member to withdraw from the meeting.
- 2.4 It shall not be permissible to dispute the Chairman's rulings, or move a motion of dissent from his ruling, on matters of procedure and points of order.

#### 3. DEBATE

- 3.1 Any member desiring to speak shall stand up and address the Chairman.
  - 3.2 If two or more members rise to speak at the one time, the Chairman shall decide which is entitled to priority.
  - 3.3 The meeting may decide that a particular person shall or shall not be heard, provided that a motion of this nature shall not be debated.
  - 3.4 No member shall interrupt another while speaking except to raise to a point of order.
  - 3.5 No speaker shall digress from the subject under discussion.
  - 3.6 No member shall use offensive or unbecoming words.
  - 3.7 During the debate, a member may raise a point of order whereupon the member then speaking shall resume his seat until the point of order has been decided.
  - 3.8 It shall be competent for any member to move a motion of dissent from the Chairman's ruling other than on matters of procedure and points of order. The mover of a motion of dissent shall concisely state his point. The seconder and Chairman only may then speak to the motion;
    - a) At any time during the debate, a member may move "that the question be now put" provided the Chairman is satisfied that reasonable time for debate of the original motion has been allowed. The motion shall be put without debate - it need not be seconded. This motion may be applied to an amendment, in which case it is the amendment which is immediately put to the vote. It shall not be competent for the mover, seconder or any person who has spoken to the original motion or amendment to move "that the question be now put".
    - b) If carried, the original motion shall be put to the vote without further debate except that the mover thereof shall have the right of reply; if lost, the debate may proceed.
-

- c) A member may *move* the adjournment of the debate to a subsequent meeting. If the motion for adjournment is lost, the *mover* thereof shall not be allowed to speak again on the question under debate. If carried, the *mover* shall have the right of resuming the debate at the ensuing meeting and the *mover* of the original motion shall have the right of reply.

#### **4. MOTIONS AND AMENDMENTS**

- 4.1 Any member proposing a motion or an amendment shall state its nature before addressing the meeting thereon.
- 4.2 The *mover* of a motion shall not occupy more than ten minutes nor any other speaker more than five minutes; provided that the meeting may, by resolution, without debate, grant an extension of time to any speaker.
- 4.3 No member may speak more than once to a motion except with the Chairman's permission, in explanation or reply, or to ask a question provided that he may speak again on any amendment to the motion.
- 4.4 The *mover* of a motion's right of reply shall be exercisable at the end of the debate.
- 4.5 The mover of an original motion must get the consent of his seconder, and the approval of the meeting, before making any alteration to the wording of his motion.
- 4.6 Any member (other than as provided in Rule 4.7 herein) may move an amendment to a motion, provided it is not a direct negative of the motion proposed.
- 4.7 The *mover* or seconder of a motion may not *move* or second an amendment to it but may speak on any such amendment and *vote* in favour of it.
- 4.8 A particular member may *move* or second one amendment only to each motion, but may speak on amendments *moved* by others.
- 4.9 An amendment having been *moved*, it shall not be competent to *move* any further amendment, provided that notice may be given of intention to *move* a further amendment when the previous amendment has been determined. Only one amendment can be considered at the one time.
- 4.10 If there is an indication of more than one amendment to be brought forward, the *mover* of the original motion may elect to reply at the end of the debate on the first amendment.
- 4.11 The *mover* of an amendment has no right of reply.
- 4.12 A member who formally seconds a motion or amendment without speaking may speak in support at a subsequent stage of the debate.
- 4.13 Amendments shall be put to the meeting before the motion is put, and shall be committed to the meeting in the order in which they are received.
- 4.14 When an amendment is carried the motion as amended becomes the motion before the meeting.
- 4.15 Motions and amendments can be withdrawn only when a majority of those present at the meeting consent. A motion for withdrawal is open to debate, which however must be confined to the matter of withdrawal.
- 4.16 If, after a motion has been determined, it is considered in the general interest that the matter should be re-opened for discussion before the termination of the same meeting, the meeting may, by unanimous *vote*, order its recommittal.

**5. VOTING**

- 5.1 Voting shall be by the voices, or at the discretion of the Chairman or at the request of any member, by show of hands or by secret ballot.
- 5.2 Any member, supported by not less than three others, may call for a division, in which case members shall move to the right or left of the Chairman, as directed by him.
- 5.3 In the event of a division any member declining to vote shall elect to retire behind the Chairman or have his vote counted in the negative.
- 5.4 The Chairman may appoint tellers to assist him in counting a vote.

## APPENDIX "C"

### Patrol Rules

The patrol season shall be as decided by the Branch, annually. The method of patrol duties shall be determined by the Management Committee prior to the commencement of each Season.

1. Active Members shall attend patrols as rostered or appointed provided that:-
    - a) Active Cadet Member shall be eligible for duties only commensurate with their qualifications;
    - b) A member desirous of transferring from one Patrol to another shall do so only with the consent of the Captain of the Club;
    - c) It shall be permissible to appoint a substitute, when unable to attend, the member appointing such substitute to be responsible in the event of the substitute not attending;
    - d) Representation at any Carnival as a Selected Competitor or Carnival Official or at any demonstration or meeting of the Association does not constitute attendance and it shall be the responsibility of the individual to arrange substitution in these instances;
    - e) Exemption for patrol duty may be granted by the Captain in special circumstances but for extended periods of exemption written application shall be made to the Committee who shall decide the issue;
    - f) At each Meeting of the Management Committee a report, taken from the Patrol Register, shall be tabled by the Club Captain or his deputy indicating any breaches that require investigation as provided for in By-Law 6/6.8.
  2. The first Patrol on duty shall see that all lifesaving gear including operational IRB is placed in position on the beach and the last Patrol on duty shall return such gear to the clubhouse or gear room.
  3. The Patrol shall assemble in the Club Room five (5) minutes before the appointed hour to commence duty unless it is the first patrol of the day, in which case it shall assemble 15 minutes before the appointed hour.
  4. A member who is late for Patrol duty or who misses a Patrol without notifying his Patrol Captain or the Club Captain may be allotted a Penalty Patrol or other duties at the discretion of the Club Captain. Failure to attend penalty patrol incurs automatic suspension until the next Club Meeting.
  5. Patrol members shall wear Association Caps and other dress as directed by the Association.
  6. Before the Patrol commences duty, the Patrol Captain shall detail the position each man is to take in the event of rescues, allocate qualified IRB personnel to the IRB, and shall detail a member to tower or lookout duty.
  7. In the absence of the Patrol Captain the Patrol Vice-Captain shall have like power and authority.
  8. Members of Patrol and activities of the patrol are under the control and direction of the Patrol Captain, and members are not allowed to leave the patrolled area unless extenuating circumstances arise and then must first obtain permission from their Patrol Captain.
  9. In the event of the Patrol having finished its term of duty, and the succeeding Patrol failing to relieve it, the Patrol Captain shall ensure that an adequate Patrol is maintained, whilst he reports to the Club Captain.
-

10. Patrol Captains are held responsible for the efficiency of their Patrols, and are required to record in the Patrol Register the names of absentees from their Patrols, and any irregularity such as being late, leaving early or not being in the regulation dress.
11. Patrol Captains shall regularly test their Patrol on their ability and knowledge of the resuscitation methods and rescue procedures utilising the gear on patrol.
12. A member shall obey his Patrol Captains, either in the actual work of lifesaving, or any other duty associated with the activities of the Patrol within the Club.
13. Clubs are reminded of requirements as per the Association's Memorandum of Association, Articles of Association and Rules & Regulations -

Patrol Exemption Policy

In relation to patrol duties the following shall apply:-

- a) Members, Clubs and the Association generally, must recognise the obligation of all members to perform patrol duties and/or other duties within the Surf Life Saving structure.
  - b) Exemptions from patrol, or other duties, may only be granted in the most exceptional of circumstances.
  - c) Clubs may provide exemptions for senior Club Officers and persons whose Club duties are such that exemption is provided in the Club Constitution and By-Laws or, by special resolution of a General Meeting of the Club.
  - d) The Association may provide exemption from all - or part - of Club patrol duties for members of the Board of Surf Life Saving, senior Association Officers or, members of Association patrols or rescue services.
  - e) Under no circumstances shall competitors be granted patrol, or Club duty exemptions, solely upon competition reasons.
  - f) Any patrol, or duty exemption, granted by a Club - unless those provided for in (c) and (d) above must be immediately submitted for ratification to the Association (Branch or State) stating names and reasons for exemption.
14. Patrol Captains are required to ensure that the Patrol, Radio and IRB logs are completed.
  15. Patrol Captains are to ensure that motorised equipment is driven only by members with the appropriate licences.

NOTE: Providing the spirit of these Rules are not minimised in any manner, Clubs may see fit to provide for their own problems in relation to patrols.

## APPENDIX "D"

### Clubhouse Rules

#### **GENERAL**

1. The benefits of Club privileges shall be permitted only to members of the Club and such Association visitors as are approved by the Captain and Clubhouse Director and/or written approval of the Secretary.
2. Preference in allocation of accommodation shall be determined on the following basis: - Active Members, Active Reserve Members, Cadet Members, Qualified Associates, and visiting Association Members.
3. Junior Active members shall be permitted to stay in the clubhouse on weekends during the season providing, there are two or more, and a Senior Active Member or Senior Committee member is present. Junior Active Members shall not be permitted to stay in the clubhouse on weekends during the winter season unless a Senior Active Member or Senior Committee Member is present.
4. Any member who is desiring to stay at the clubhouse other than weekends and Public Holidays shall make written application to the Secretary providing at least ten (10) days notice is given and providing that any such privilege shall not be extended beyond three (3) consecutive weeks.
5. Unseemly conduct likely to interfere with the comfort of other members of the Club shall not be tolerated and members are requested to assist in preventing such conduct.
6. Damage occasioned to clubhouse facilities shall be subject to investigation and decision of liability by the Membership Committee.
7. Members shall use their individual efforts in preserving the cleanliness of the Club's quarters.
8. A roster of weekend duties shall be placed on the Notice Board by the Clubhouse Director.
9. Any refusal of clubhouse duties shall be dealt with by the Membership Committee.
10. Bad language shall not be tolerated in the clubhouse.
11. Pets shall not be allowed in the clubhouse.
12. Clubhouse keys shall be in the control of the Club Captain, Clubhouse Director, Secretary and President.
13. Wet costumes shall not be permitted into the sleeping quarters or kitchen nor allowed to remain in the dressing room.
14. Foodstuffs shall not be brought onto Club premises or stored or consumed therein except in the kitchen or such other areas as may be designated from time to time by the Committee.
15. All kitchen and cleaning duties shall be completed as soon as possible after completion of meals and shall be done to the satisfaction of the Clubhouse Director.
16. Liquor may only be consumed in the clubhouse at an organised function arranged by the Committee.
17. The First Aid Officer, his assistants and patients are the only persons permitted in the First Aid Room. First Aid equipment shall be used for first aid purposes only.

18. Junior (Nippers) members shall be permitted the use of the "Club Room" whilst under the supervision of a Club Official.

#### **BUNK ROOMS**

1. The use of clean sheets or sleeping bag and clean pillowcase shall be compulsory and members who do not provide themselves with a pillowcase, sheets or sleeping bag shall be denied the use of the clubhouse premises.
2. Noise, likely to interfere with the sleeping members will not be tolerated.
3. Main lights in sleeping quarters must be extinguished by 12 midnight.
4. All members shall vacate their bunks by 7 am.
5. Quarters shall be swept, beds made, private clothing and belongings left in an orderly manner by 9 am.
6. All lockers shall be cleared of clothing each weekend. Locker inspections shall be carried out by the Clubhouse Director and/or Club Captain.

## **APPENDIX "E"**

### **Gear Rules**

#### **1. BOARD & SKI**

- 1.1 Board & Ski owned by the Club or its members shall be stored under the control of the Board & Ski Officer.
- 1.2 Members shall not use other members' Board & Ski without prior approval of the owner.
- 1.3 Members shall not use Club gear without prior approval of the Board & Ski Officer, Gear Steward, Club Captain or Chief Training Officer.
- 1.4 The Skis and Boards shall never be launched or brought in near the marked surf bathing area or buffer area, nor where bathers are likely to be encountered.

#### **2. SURF BOAT**

- 2.1 The Surf Boat shall not be used for any other purpose than Surf Life Saving and the practice thereof, and the instruction in rowing, except with the permission of the Executive committee.
- 2.2 No members of the Club shall use the boat unless it is in charge of the Boat Officer, Boat Vice Captain or Club Captain or Vice Captain, except that if these Officers are unavailable, one of them may grant permission to a member of the Club (who in his opinion is qualified to do so) to take charge of a Boat and such member shall be responsible to the Committee for the conduct of the crew and the manner in which the boat is used while it is under his control and for each breach of the Surf Boat By-Laws.
- 2.3 Save in the case of rescues, no person other than Club members, shall be allowed in a Boat, except with the approval of the Boat Captain or his Deputies.
- 2.4 The Boat shall not be taken away from the area patrolled by the Club without the special permission of the Executive Committee except for the express purpose of rescuing persons in danger in the vicinity of that area or for training purposes or for Carnivals.
- 2.5 The Boat and gear shall be housed in the Boat shed provided for that purpose and securely locked up, or a designated storage place approved by the Executive Committee. The Officer last in charge of the Boat each day shall be responsible for its return to the shed/storage place and shall report the Committee in writing any damage to or loss of gear that may have occurred.
- 2.6 Members, except those on patrol, may be called upon to assist in getting the Boat in and out of the water, and a refusal to do so will be a matter for report to the Committee for action thereon.
- 2.7 No more than a boat crew of five (5) or less than that number shall be taken in a Boat unless under special circumstances.
- 2.8 The Boat shall never be launched or brought in near the marked surf bathing area or buffer area, nor where bathers are likely to be encountered.



**3. POWER BOAT RESCUE CRAFT**

The IRB Officer shall:-

- 3.1 be responsible for the general maintenance and up-keep of all powered surf rescue craft and equipment.
- 3.2 at all times ensure that the IRB is ready for patrols and adequate fuel is on hand.
- 3.3 in consultation with Club Captain, be in charge of all powered surf rescue craft operations.
- 3.4 have an IRB in attendance at all examinations where directed by the Club Captain.
- 3.5 have an IRB in attendance at the buoys on all occasions that surf events or tests are being held.

## APPENDIX "F"

### Junior (Nipper) Activities Committee Rules

#### **1. APPOINTMENT, OBJECTS, COMPETITION, MEETINGS AND PROCEDURES.**

##### 1.1 Appointment

The Club, at its Annual General Meeting shall endorse the appointment of a Junior Activities Committee (hereinafter referred to as the JAC), as provided for in By-Law 6.2 of current financial members of the Club who are interested in the objects and duties of the JAC.

##### 1.2 The Objects and Duties of the JAC shall be:

- a) The responsibility for the conduct and co-ordination of all matters relating to Junior Activities.
- b) To provide for Junior (Nipper) members an educational experience in a wide range of subjects and skills within the aquatic/marine environment.
- c) To prepare Junior (Nipper) members for their eventual transition to the marine and patrol environment of the Senior section of the Movement
- d) To provide for the instruction and the conduct of examinations of Junior (Nipper) members willing to gain the Junior Age Awards.
- e) To organise, in conjunction with the Club, the instruction and/or examination of Junior (Nipper) members willing to gain the Resuscitation Certificate, and/or the Surf Rescue Certificate of the SLSA of A.
- f) To provide rules and regulations for the conduct of Junior Activities for Junior (Nipper) members who have attained the age of five (5) but who have not attained the age of fourteen (14) years at the common birth date. (Constitution clause B.3.2)
- g) To endeavour to raise finance to provide for the foregoing objects.

##### 1.3 Management and Composition

- a) The JAC shall be responsible for the management of Junior Activities and shall be comprised of current financial members who have applied to the Executive Committee for membership of the JAC and been endorsed. Group applications are also acceptable.
- b) The Chairman of the JAC shall be an Executive Officer of the Club and shall be elected at the AGM of the Club following an endorsed nomination from the Annual Meeting of the JAC.
- c) The JAC shall elect all or any of the following officers to conduct the activities of the JAC – Deputy Chairman, Secretary, Financial officer, Register, Education Officer, Carnival Nomination Officer, Clothing Co-ordinator, Awards Officer, Team Manager, Gear Steward, Chief Water Safety Officer, Publicity Officer, Canteen Co-ordinator and Age Group Managers, or any other officer provided such officers have the approval of the Club.
- d) The JAC decisions shall be subject to ratification of the club and the general rules of Committee control as provided for in By-Law 6.1.

- e) An Executive shall be responsible for JAC decisions between JAC meetings, and shall be comprised of the Chairman, the Deputy Chairman, the Secretary, the Financial Officer, the Registrar, the Awards Officer and the Team Manager.

#### 1.4 Meetings of the JAC

- a) The Annual Meeting of the JAC shall be held prior to the Club Annual General Meeting with the following agenda:
- Attendances
  - Apologies
  - Annual Report of Activities
  - Endorsement of Junior Activities Officer Nomination(s)
  - Election of Officers
  - Meeting dates
- b) JAC meetings which shall be held at the discretion of the Chairman of the JAC with the following agenda-
- Attendances
  - Apologies
  - Confirmation of Minutes of previous Meeting
  - Business Arising
  - Correspondence
  - Reports
  - General Business
- c) Executive Meetings may be held as required to deal with urgent matters providing decisions are subject to ratification by a JAG meeting, and if necessary the Club.
- d) Special Meetings with a specific agenda may be held at the discretion of the Chairman or the JAC
- e) A quorum shall be as provided for in the Club Constitution.
- f) Voting at meetings of the JAG shall be limited to currently endorsed members of the JAC

#### 1.5 Elections

- a) Nominations for the Election of Officers shall be in writing and signed by the nominee signifying his willingness to stand for election, and lodged with the JA Secretary three (3) weeks prior to the Annual Meeting of the JAC.
- b) If the number of candidates for any one office exceeds one, a decision shall be determined by secret ballot of the members present, and voting at the meeting.
- c) If no written nominations are received prior to the Annual Meeting nominations may be taken from the floor during the annual meeting.

#### 1.6 Finance

- a) The Club Treasurer, and where convenient assisted by the Financial Officer, shall receive all monies, issue receipts and bank such monies to the account of the Club to be used for Club endorsed Junior Activities.
- b) Payment of accounts shall be effected by the Club Treasurer, following checking of the accounts by the Financial Officer.

- c) Credit and Debit ledgers shall be established and maintained by the JAC to determine the financial standing of the JAC in relation to the Club.
- d) The finance of the JAC shall be supported by means approved by the Club which shall include a Club budget allowance, donations, capitation levies, carnivals, socials and other functions.

1.7 Competition

- a) The JAC shall have power to regulate all Intra-Club competitions providing such competition has been approved by the Club.
- e) No Inter-Club contest or competition shall be held without the approval of the Club and the Branch.
- d) All Junior competitors shall wear protective clothing approved by the Association in all water activities as directed by the Branch.
- f) A Sub-Committee, as nominated by the JAC chairman, shall select the competitors and teams for all inter/intra Club competitions and carnivals and may alter such selections at its discretion, and its decision shall be final.

1.8 Discipline

The conduct of members who participate in Junior Activities shall be subject to the control of the JAC in the first instance, provided that any disciplinary actions are subject to review by the Club.

**2. OFFICERS AND THEIR DUTIES**

The JAC for the time being shall appoint officers in accordance with the positions described below . However, the JAC may modify the descriptions of these positions or shall be able to create positions and approve officers as needed to promulgate the effective running of Junior Activities. All such alterations shall have the approval of the Club.

- 2.1 The Junior Activities Officer: Shall chair all meetings of the Committee at which he is present and shall exercise a general supervision over the affairs of the JAC. He shall be an Executive Officer of the Club and shall represent the JAC on the Branch JAB. The Chairman shall, when presiding at a meeting, have a deliberative and a casting vote. He shall submit an Annual Report of the JAC to the Club and submit regular reports to Club management.
- 2.2 The Junior Activities Deputy Chairman: In the absence of the Chairman, the Deputy Chairman shall perform all the duties usually undertaken by the Chairman.
- 2.3 The Junior Activities Secretary: Shall attend to all the correspondence, attend all meetings, record the minutes of the meetings in a Minute Book and assist in the preparation of the Reports. He shall issue notices of meetings and any circulars of matters of interest to the JAC in conjunction with the Club Secretary.
- 2.4 The Junior Activities Financial Officer. Shall be responsible for the overall supervision of any financial commitments of the JAC and shall submit reports to the JAC. He shall submit budget of income and expenditure and shall maintain Credit and Debit ledger of the JAC financial dealings with a view to establishing the standing of the JAC. He shall provide and seek co-operation of the Club Treasurer.

- 2.5 The Junior Activities Registrar: Shall be responsible for keeping a true and correct record of the birth dates of all Juniors (nippers), compiling the registration of all competitors for annual submission to the Registrar of the Branch, and provide other relevant information as required.

- 2.6 The Junior Activities Awards Officer: Shall be responsible for the training and examination arrangements for the Junior Age Awards. He shall be responsible to and work in conjunction with the Club Chief Training Officer.
- 2.7 The Junior Activities Team Manager: Shall be responsible for the control and conduct of the competitors and shall submit a team report following each major carnival. He or the Age Managers shall record the attendance of the competitors at Carnivals. He shall be responsible for preparing the age competitors and teams as selected by the Selection Committee for their respective events and ensure the competitors are at the marshalling area at the prescribed time for such events. He shall be responsible for lodging all protests as per the Association Handbook. He shall be assisted by an assistant JA Team Manager and the JA Age Group Managers.
- 2.8 The Junior Activities Gear Steward: Shall be responsible for all the JAG equipment, making sure such equipment is in good condition and repair and properly housed and co-ordinate beach setup for training.
- 2.9 The Junior Activities Chief Water Safety Officer: Shall be responsible for water safety at JAG training days.
- 2.10 The Junior Activities Education Officer: Shall be responsible for organising specific educational programs and events to further the education of the JAG membership.
- 2.11 The Junior Activities Carnival Nomination Officer: Shall be responsible for Carnival nominations in conjunction with the JA Age Managers and JA Team Manager.
- 2.12 The Junior Activities Clothing Co-Ordinator: Shall be responsible for obtaining and marketing costumes and clothing following decisions by the JAG.
- 2.13 The Junior Activities Publicity Officer: Shall be responsible for the publicity of the Committee, to publish the results of the Committee Activities and Carnivals from time to time as well as points of interest from the Committee Meetings. He shall also work in conjunction with the Club's Publicity Officer.
- 2.14 The Junior Activities Canteen Co-ordinator (or Committee): Shall be responsible for provisioning the canteen and subsequent marketing activities.
- 2.15 The Junior Activities Age Managers: Shall prepare programs and work in conjunction with the JA Awards Officer in his duties and act as an assistant to the JA Team Manager during the performance of his duties.

### 3. **MEMBERSHIP**

- 3.1 To participate in Junior Activities at Bribie Island SLSC all shall be members of the Bribie Island SLSC.
- 3.2 All applicants for membership of Bribie Island SLSC shall be required to complete the prescribed SLSC form and pay the required fee as determined by the Management Committee.
- 3.3 The parent or guardian of any Junior member who undertakes any activities within the Club shall first apply for membership of some type depending on their qualifications ie. Associate, Award, Active Reserve, etc., provided that one parent or guardian is acceptable for more than one Nipper in the same family.

**APPENDIX "G"**

**THE COMMON SEAL**

CLUB BADGE

LIFE MEMBERSHIP BADGE

