

CORPORATIONS LAW

COMPANY LIMITED BY GUARANTEE AND NOT HAVING A SHARE CAPITAL

CONSTITUTION

SWANSEA-BELMONT SURF LIFE SAVING CLUB LIMITED

PRELIMINARY

1 In this Constitution unless there be something in the subject or context inconsistent therewith:

"the Act" means the Corporations Act.

"the Association" means Surf Life Saving Australia Limited.

"Constitution" means those rules for the operation of the Club set forth in this Constitution and as amended, modified or supplemented from time to time.

"the Charities Act" means the Charitable Collections Act, 1934

"Bronze Medallion" includes its equivalent.

"By-Laws" means the By-Laws of the Club for the time being in force.

"the Club" or "the company" means Swansea-Belmont Surf Life Saving Club Limited.

"Club Assets" means all and any assets which are the property of the Club or are otherwise used by the Club.

"the Committee" and "the Executive Committee" means the members of the time being of the Board of Directors of the Club.

"Month" means calendar month.

"Notice Board" means the Board or Boards provided in the Club premises or at the office on which notices for the information of members are posted.

"the Office" means the Registered Office for the time being of the Club.

"Rule" means a provision of the Constitution.

"the Register" means the Register of Members kept pursuant to the Act.

"**Secretary**" means the Honorary Secretary as elected at the Annual General Meeting.

"Special Resolution" has the meaning ascribed to the words in the Act.

Words importing the masculine gender include the female gender and vice versa.

Words or expressions shall be interpreted in accordance with and have the meaning ascribed thereto respectively in the Interpretation Act, 1987.

- 2 The Constitution shall be read and construed subject to the provisions of the Surf Life Saving Australia Articles of Association.
- 3 The members for the time being of the Committee shall be and be deemed to be Directors of the Club within the meaning of the Act.
- 4 The Constitution and By-Laws shall be deemed to be the Rules of the club.
- 5 An employee of the Club shall not vote at any meeting of the Club or of the Committee or at any election of the Committee or hold office as a member of the Committee.
- 6 All profits (if any) and other income of the Club shall be applied to the promotion of the purposes of the Club and shall not be paid or distributed among the members of the

Club.

- 7 No payment or part payment of the remuneration of the Secretary or other servant of the Club shall be made by way of commission or allowances from or upon the receipts of the Club for liquor supplied.
- 8 No payment or part payment of the remuneration of the Secretary or other servant of the Club shall be made by way of commission or allowances from or upon the receipts of the Club for liquor supplied.
- 9 Liquor shall not be sold, supplied, or disposed of on the premises of the Club to any person other than a member except on the invitation and in the company of a member.
- 10 Liquor shall not be sold, supplied or disposed of on the premises of the Club to any person under the age of 18 years.
- 11 A person under the age of 18 years shall not use or operate poker machines on the premises of the Club.
- 12 A member of the Club whether or not he or she is a member of the Committee or of any other committee of the Club shall not be entitled to derive directly or indirectly any profit, benefit or advantage from the Club that is not offered equally to every Full member of the Club.
- 13 The Financial year of the Club will commence on 1 July and will end on 30 June.

MEMBERSHIP GENERALLY

- 14 A person under the age of eighteen years may be admitted to membership of the Club.
- 15 Such other persons as the Committee shall admit to membership in accordance with the Constitution shall be members of the Club.
- 16 A person shall not be admitted to membership of the Club except as an Ordinary member.

- 17 (a) **Ordinary members** who have attained the age of eighteen (18) years only shall be entitled to hold office (with the exception of the position of patron or patrons or the office of auditor or auditors or junior members holding designated junior positions) in the Club and to be elected or appointed to the Committee and to have the right to nominate any person for membership of the Club and to have the right to nominate any person to hold office or to become elected or appointed to the Committee as aforesaid and to vote on all matters at any meeting of the Club.
- (b) No member other than a Life member shall be entitled to vote at any general meeting or to be a member of the Committee if his or her annual subscription shall be unpaid.

ORDINARY MEMBERS

- 18 Ordinary Members of the Club **are members** in the following categories:-

- (a) Active;
- (b) Active Reserve;
- (c) Associate;
- (d) Honorary;
- (e) Life;
- (f) Long service;
- (g) Junior Activity;
- (h) ~~Junior Activity Family.~~
- (i) Distinguished Service.

- 19 **Cadet Membership:**

A Cadet Member shall be a Member of the age qualification as defined in the Surf Life Saving Association's Manuals, and who has obtained the Surf Life Saving Certificate in that season, or has passed an Annual Proficiency Test and shall be rostered for patrol duties.

- 20 **Active Membership:**

Active Members:

- (a) shall be holders of the Bronze Medallion of the Surf Life Saving Association of Australia and shall fulfil Club and patrol obligations as rostered, or at such other times as may be deemed necessary by the Director of Surf Lifesaving; and
- (b) Shall qualify in an Annual Proficiency Test each season, unless the Member has obtained his or her Bronze Medallion in that season.

21 **Active Reserve Membership:**

- (a) Active Reserve Membership may be granted to Active Members who have satisfactorily completed, from the time of gaining the Bronze Medallion, ten years of continual service with Swansea Belmont S.L.S.C. or any other club affiliated with the Surf Life Saving Association of Australia.
- (b) Persons applying for Active Reserve Membership must make application in writing to the Committee. All Active Members over 30 years of age are eligible to apply for Active Reserve Membership.
- (c) Active Reserved Members may be called upon to perform patrol duties at the discretion of the Director of Surf Lifesaving
- (d) Active Reserved Members must complete the Annual Proficiency test.

22 **Associate Membership:**

- (a) No Member shall be eligible as an Associate under the age of 30 years unless incapacitated or for some other reason satisfactory to the Committee. An Associate Member shall be elected by a two-thirds majority of the Committee present.
- (b) An Associate Member shall, upon acceptance of his or her application, be entitled to all Club privileges, but shall not be entitled to compete **unless he or she is** the holder of a Surf Bronze Medallion. He or she shall subject to all rules and regulations of the Club and be eligible for election to any official position, with the exception of Director of Surf Lifesaving and Assistant Director of Surf Life Saving and Training Officer/ Chief Instructor.

- (c) Associate Members shall be such persons who are considered from time to time by the Committee to be genuinely interested in the advancement of all or any of the objects of the Club and who are approved by the Committee.

23 Honorary Membership:

A General Meeting may, at its discretion, appoint Honorary Members of the Club.

24 Long Service Membership:

Long service Members may be appointed in accordance with the requirements of the Surf Life Saving Association of Australia from among Active Members or Active Reserve Members who have completed twelve years of satisfactory patrol and/or Club obligations with Swansea Belmont S.L.S.C. or any other club affiliated with the Surf Life Saving Association of Australia. Long Service Members shall be exempted from all patrol obligations. Long Service Members shall be subject to all rules and regulations of the Club. Upon written application of a Senior Active Member or a Reserve Active Member, the appointment to Long service Membership may be made by a two-thirds majority of the committee present.

25 Junior Activity Membership:

A Junior Activity Member shall be a Member aged between five years and fourteen years.

26 ~~Junior Activity Family Membership:~~

~~Junior Activity Family Membership is available to cover families involved in Junior Activities. It is provided to make Membership available to one or both parents and one or more Members under the age of fourteen years.~~

LIFE MEMBERSHIP

- 27A** (a) Life Membership may be conferred upon Members who are holders of the Bronze Medallion and who have rendered outstanding service to the club.

They shall be elected only at Annual Meetings, and the vote by secret ballot, must be carried by two-thirds majority of the Members present and entitled to vote.

- (b) Nominations **for Life Membership must be** duly purposed and seconded by financial Members who are holders of the Bronze Medallion **but and**, must be submitted in writing to the Secretary who will forward same to the Life Membership Committee for consideration. The Secretary will advise the Management Committee at the meeting immediately preceding the Annual General Meeting that nominations have been received. The nominations submitted are then to be examined on their respective merits by a committee consisting of five(5) Life Members of the club, The Life Membership Committee will examine each nomination for Life Membership of the club and decide whether the nomination has sufficient merit to warrant presentation to the Annual General Meeting.
- (c) Nominations for presentation to the Annual Meeting must be limited to a maximum of 2 Members in any one year.
- (d) A life Membership Badge shall be presented to each **Life Member** of the club.
- (e) A Life Member shall be relieved of the payment of the annual subscription payable in accordance with the Constitution.

DISTINGUISHED SERVICE

- 27(B) (a) Distinguished Service Membership may be conferred upon Members who do not hold the Bronze Medallion who have rendered outstanding services to the club, they shall be elected only at Annual Elections. The vote shall be by secret ballot and must be passed by two-thirds majority of the Members present and entitled to vote.
- (b) Nomination for Distinguished Service Membership duly proposed and seconded by financial Members must be submitted in writing to the Secretary who will forward same to the Life Membership Committee for consideration.

The Secretary will advise the Management Committee at the meeting immediately preceding the Annual General Meeting that nominations have been received. The nominations submitted are to be examined on their respective merits by a Committee consisting of five (5) Life Members of the club. The Life Membership Committee will examine each nomination for Distinguished Service Membership of the Club and decide whether the nomination has sufficient merit to warrant presentation to the Annual General Meeting.

- (c) Nominations for presentation to the Annual Meeting must be limited to a maximum of 2 Members in any one year.
- (d) A Distinguished Service Membership Badge shall be presented to each **Distinguished Service Member** of the Club.
- (e) A Distinguished Service Member shall be relieved of the payment of the annual subscription payable in accordance with the Constitution.

PATRONS

- 28 Patrons may be appointed from time to time by the Full Members in general meeting and they shall be deemed to be Honorary Members for the period for which they are appointed.

HONORARY MEMBERS

- 29 A person shall not be admitted as an Honorary Member of the Club unless he or she is admitted in accordance with the provisions of the Constitution and he or she has the qualifications, as specified in the Constitution, for Honorary Membership.
- 30 In addition to the Patron or Patrons of the Club, Honorary Membership of the Club may be granted by the Committee to prominent citizens and local dignitaries and other persons who in the opinion of the Committee have rendered exemplary service to the Club.

- 31 (a) Except as provided herein Honorary Members shall be entitled to exercised all the privileges of the Club.
- (d) Honorary Members shall not be entitled to vote at any meeting of the Club or to be elected to the Committee.
- (e) An Honorary Member shall be relieved of the payment of the annual subscription payable in accordance with these Articles.
- (f) Honorary Members shall be subject to such conditions as may be imposed by the Constitution or by any By-laws made by the Committee.

ELECTION OF MEMBERS

- 32 Every applicant for Ordinary Membership of the Club shall be proposed by one and seconded by another **Ordinary Member** of the Club, both of whom shall be at least eighteen (18) years of age. The application for membership shall be made in writing signed by the applicant and his or her proposer and seconder and shall be in or to the effect of such form as the Committee from time to time prescribes provided that any such form shall contain such particulars as are from time to time required by the Surf Life Saving Association of Australia and shall be accompanied by the appropriate membership fee.
- 33 Every application for membership shall be dealt with at a meeting of the Committee duly convened and a record shall be kept by the Secretary/Registrar of the names of the members present and voting at such meeting. The Committee may reject any application for membership without assigning any reason for such rejection. If an application for membership is rejected, the membership fee paid shall be refunded to the applicant.
- 34 Every person elected to membership shall be deemed to agree to pay the entrance fee (if any) and annual subscription and other fees and charges as prescribed in the Constitution and By-laws of the Club, and to be bound by the Constitution and the By-

laws of the Club from time to time in force and the payment of the said entrance fee (if any) or the said subscription shall be conclusive evidence of such agreement.

ENTRANCE FEES AND SUBSCRIPTIONS

- 35 All fees payable by members of the Club shall be such as the Committee shall from time to time prescribe and provided further that the annual subscription shall at no time be less than the minimum annual subscription prescribed by this Constitution and By-Laws of the Club.
- 36 All annual subscriptions shall become due and payable in advance on the thirtieth day of September in every year.
- 37 If any member shall fail to pay his or her subscription within one (1) month after it becomes due the Committee shall cause notice to be given of such failure to such member and if payment is not made within one month after such notice shall have been given the member concerned by reason of such failure shall be excluded from membership and thereupon such member shall cease to be a member of the Club, in addition shall return any equipment in his or her possession which belongs to the Club.
- 38 (a) A member may at any time by giving notice in writing to the Secretary resign his or her membership of the Club but shall remain liable for any annual subscription, and all arrears, due and unpaid at the date of his or her resignation and for all other moneys due by him or her to the Club and in addition shall return any equipment in his or her possession which belongs to the Club.
- (b) The date of resignation of a member resigning in accordance with the provisions of this Rule shall be the date on which the notice of resignation is received by the Secretary and the provisions of this Constitution regarding the giving of notices shall apply as if the notice of resignation was a notice to the member.
- 39 Every person ceasing to be a member of the Club shall thereupon forfeit all rights as a member of the Club.

DISCIPLINE AND PENALTIES

- 40** Any person having any complaint against a member of the Club has the right to refer such complaint to the Committee and which reference will be made in accordance with such procedure as the Committee made from time to time require. Where the Committee is of the view that if such complaint is proved the Member may be guilty of failing to comply with the provisions of the Constitution or By-Laws or the Club or otherwise be guilty of any conduct which is unbecoming of a Member or prejudicial to the interest of the Club the Committee may refer the complaint to the Judiciary Committee for Hearing.
- 41** Procedure for the Hearing before the Judiciary Committee:
- (a) At least seven (7) clear days notice in writing will be given to the Member of the dated for the Hearing by the Judiciary Committee of the complaint. The notice shall include details of the complaint made. The Member shall at the Judiciary Committee Meeting have the opportunity of given an oral or written explanation or defence. The Judiciary Committee will otherwise be entitled to inform its self in any manner it considers appropriate of any matters surrounding the complaint.
- (b) After hearing the complaint the Judiciary Committee shall have the power to reprimand, fine, suspend, or impose such other penalty which the Judiciary Committee deems appropriate in the circumstances, or expel such Member from the Club, or dismiss the complaint.
- 42** Any two Members of the Committee may reprimand or suspend and if necessary effect the removal of any Member who, in the opinion of the Committee members has rendered himself or herself liable to be dealt with under the previous Rule, pending the meeting of the Judiciary Committee referred to in that Rule.
- 43** If a Member is expelled pursuant to the provisions of the Constitution he or she shall thereupon cease to be a member of the Club, his or her name shall be removed from the Register of Members and he or she shall not be eligible for re-election to

membership of the Club for a period of five (5) years from the date of expulsion and in addition shall return any equipment in his or her possession which belongs to the Club.

- 44 A decision of the Judiciary Committee will be final and binding and no appeal whatsoever shall lie from such decision. No Member who has been reprimanded, fined, suspended or expelled, **or had any other penalty as the Judiciary Committee deems appropriate imposed**, shall have any right of action whether at Law or in equity or any other remedy whatsoever against the Club or the Judiciary Committee or any Member thereof by reason of such reprimand, fine, suspension or expulsion, or by reason of any act done or notice given prior to or consequent on or incidental to the same

GENERAL MEETINGS

- 45 An annual general meeting of the Club shall be held in accordance with the provisions of the Act. All general meetings other than the annual general meeting shall be called extraordinary general meetings.
- 46 The Committee may whenever it thinks fit convene an extraordinary general meeting and an extraordinary general meeting may also be convened on requisition as provided for by the Act or in default by the requisitions in accordance with the Act.
- 47 Subject to the provisions of the Act relating to special resolutions fourteen (14) days notice specifying the place, day and hour of the meeting and in case of special business the general nature of that business shall be given in the manner hereinafter provided to all members entitled to attend and vote at General Meetings of the Club but the meeting shall not be invalidated by reason only of the accidental omission to give notice of the meeting to or the non-receipt of the notice of the meeting by any member unless the Court on the application of the member concerned, a member entitled to attend the meeting or the Commission declared proceedings at the meeting invalid.
- 48 All business shall be special that is transacted at an extraordinary meeting and also all that is transacted at an annual general meeting, with the exception of the consideration

of the accounts, balance sheets and the report of the Committee and auditors, the election of officers and other members of the Committee in the place of those retiring and the appointment and fixing of the remuneration of the auditors.

PROCEEDINGS AT GENERAL MEETINGS

- 49 No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business. Save as herein otherwise provided, twenty (20) ~~Full~~ **Ordinary** Members entitled to vote present in person shall be a quorum.
- 50 If within thirty (30) minutes from the time appointed for the meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; in any other case, it shall stand adjourned to the same day in the next week at the same time and place or to such other day as the Committee may determine provided the length of any adjournment shall not exceed twenty one (21) days. If at the adjourned meeting a quorum is not present within fifteen (15) minutes from the time appointed for the meeting, the eligible members present (being not less than three (3)) shall be a quorum.
- 51 The President shall preside as Chairman at every general meeting of the Club. Should the President not be present within fifteen (15) minutes after the time appointed for the holding of the meeting or is unwilling to act, then the Vice-President shall act as Chairman. If the Vice-President is not present within fifteen (15) minutes after the time appointed for holding the meeting or is unwilling to act, then the members present and entitled to vote shall elect one of their number to be Chairman of the meeting.
- 52 The Chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at any adjourned meeting.

- 53 (a) At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded:-
- (i) by the Chairman; or
 - (ii) by at least three (3) Full **Ordinary** Members entitled to vote present in person.
- (b) Unless a poll is demanded as aforesaid, a declaration by the Chairman that a resolution has on a show of hands been carried or carried unanimously, or by a particular majority, or lost, and an entry to that effect in the book containing the minutes of the proceedings of the Club is conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.
- (c) A demand for a poll may be withdrawn.
- 54 If a poll is duly demanded, it shall be taken in such manner and either at once or after an interval or adjournment or otherwise as the Chairman directs and the result of the poll shall be the resolution of the meeting at which the poll was demanded. A poll demanded on the election of the Chairman or a question of adjournment shall be taken forthwith.
- 55 In the case of an equality of votes, whether on a show of hands or on a poll, the Chairman of the meeting at which the show of hands takes place or at which the poll is demanded shall be entitled to a second or casting vote.
- 56 (a) Each Full **Ordinary** Member who has attained the age of eighteen (18) years shall have one vote on a show of hands and one vote on the taking of a poll. Each Member entitled to vote may vote in person or by proxy.
- (b) An instrument appointing a proxy shall be in writing under the hand of the appointer. The instrument appointing a proxy must be delivered to the

- (b) Any such objection shall be referred to the Chairman of the meeting, whose decision is final.
- (c) A vote not disallowed pursuant to such an objection is valid for all purposes.

COMMITTEE

- 58 The Committee of the Club shall consist of the President, Vice President, Secretary, Treasurer, and ~~four (4)~~ **Five (5)** other Directors being Director of Surf Sports, Director of Surf Life Saving, Director of Club House Activities ~~and~~ Director of Junior Activities **and Director of Promotions and Marketing.**
- 59 At the annual general meeting of the Club in each year the members of the Committee shall be elected from among the ~~Full~~ **Ordinary** Members of the Club who have attained the age of eighteen (18) years and such members of the Committee shall hold office until the next annual general meeting when they shall retire but they shall be eligible for re-election.
- 60 The election of the members of the Committee shall take place in the following manner:
- (a) No later than four (4) weeks before the date of the Meeting at which the election is to take place the Secretary shall cause to be displayed on the Notice Board and also at the Office a list showing the offices to be filled at the next annual general meeting.
 - (b) Any two ~~Full~~ **Ordinary** Members of the Club who have attained the age of eighteen (18) years shall be at liberty to nominate any other ~~Full~~ **Ordinary** Member who has attained that age to serve as a member of the particular Committee in one of the offices specified in Rule 58. The nomination which shall be in writing and signed by the member and his or her proposer and seconder shall be lodged with the Secretary at least ten (10) days before the meeting at which the election is to take place.

- (c) A member may nominate for but not hold more than one (1) office.
- (d) A list of such nominations, with the proposers' and seconders' names shall be posted on the Notice Board or at the Office for at least seven (7) days immediately preceding the meeting at which the election is to take place.
- (e) In case there shall not be a sufficient number of candidates nominated, nominations may be made orally with the consent of the nominee, at the meeting at which the election is to take place.
- (f) If there be only the requisite number nominated the Chairman shall declare those nominated duly elected.
- (g) If there are more candidates than vacancies to be filled the election shall be by ballot of the ~~Full~~ **Ordinary** Members conducted in the following manner:
 - (i) The order in which the names of nominees are to appear on the ballot paper shall be determined by lot conducted by the Secretary in such manner as the Secretary shall determine as soon as practicable after nominations close.
 - (ii) The Secretary shall cause a ballot paper to be given to each ~~Full~~ **Ordinary** Member at the annual general meeting. The ballot paper shall contain a statement of the positions to be filled and, where appropriate, the names of the duly nominated candidates shall appear thereon in the order determined under the previous paragraph.
 - (iii) The non-receipt of any member of such voting paper shall not invalidate the ballot.
 - (iv) The voter shall mark his or her voting paper by making a cross opposite the name of each candidate for whom he or she wishes to vote and he or she shall return the ballot paper to the Secretary. Each person

voting shall vote for the full number of candidates required to be elected to fill each office and neither more nor less.

- (v) All formal voting papers received by the Secretary shall be counted in the ballot.
- (vi) The result of the ballot shall be determined by the Secretary assisted by two (2) scrutineers appointed by the Committee.
- (vii) The Secretary and the scrutineers shall report in writing the result of the ballot to the Chairman of the annual general meeting.
- (viii) The candidates to the number required to fill each office receiving the greatest number of votes shall be deemed elected .
- (ix) In the event of an equality of votes in favour of two or more candidates and it being necessary that one should have a majority over any other candidate or candidates to secure election, the question shall be resolved by lot conducted by the Chairman of the annual general meeting at the meeting in such manner as the Chairman may determine.
- (x) A declaration as to the result of such election, including the number of votes received for each candidate, shall be made.
- (xi) Any voting paper upon which the votes are not recorded for the exact number of candidates to be elected or which is not completed and received as provided in this Article shall be rejected as informal.
- (xii) The Secretary will destroy the ballot papers at any time after the expiration of one (1) month after the date of declaration of the election.

61 The Club may from time to time by ordinary resolution passed at a general meeting increase or reduce the number of members of the Committee.

- 62 The Committee shall have power at any time and from time to time, to appoint any eligible person to the Committee to fill a casual vacancy. Any person so appointed shall hold office only until the next following annual general meeting and shall be eligible for re-election.
- 63 Subject to the provisions of the Constitution, the members in general meeting may by ordinary resolution of which special notice has been given remove any member or members of the Committee whomsoever or the whole of any Committee before the expiration of his, her or their period of office and may at the same meeting by ordinary resolution of which special notice has been given appoint another person or persons in his or her or their stead. Any person so appointed shall hold office during such time only as the person in whose place he or she is appointed would have held the same if he or she had not been so removed.
- 64 The office of a member of the Committee shall become vacant, such vacancy being a casual vacancy for the purpose of these Constitution, if the member:-
- (a) ceases to be a member of the Committee by virtue of the Act; or,
 - (b) becomes bankrupt or makes any arrangement or composition with his or her creditors generally; or,
 - (c) becomes prohibited from being a director of a company by reason of any order made under the Act; or,
 - (d) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or,
 - (e) resigns his or her office by notice in writing to the Club; or,
 - (f) for more than three (3) months is absent without permission of the Committee held during that period; or,
 - (g) holds any office for profit under the Club; or,

- (h) ceases to be a member of the Club; or,
- (i) fails to declare the nature of his or her interest in a contract or office or property required by the Act; or,
- (j) becomes or remains directly or indirectly interested in any contract or proposed contract with the Club;

65 Except as otherwise provided in the Constitution, an officer shall be disqualified from contracting with the Club either as Vendor or Purchaser or otherwise. Nothing herein contained shall preclude an officer making loans to the Club carrying interest at a rate no greater than the rate of interest for the time being which is or would be charged by the Club's Bankers on similar loans to the Club nor from leasing premises to the Club at a reasonable or proper rental nor from purchasing from the Club liquor and other goods as a member of the Club. It shall be the duty of the officer to declare the nature of his or her interest in any contract or proposed contract at a meeting of the Committee of the Club and it shall be the duty of the Secretary to record such declaration in the Minutes of the Meeting. In the case of a proposed contract such declaration shall be made at the meeting of the Committee at which the question of entering into the contract is first taken into consideration if the officer was not at the date of that meeting interested in the proposed contract at the next meeting of the Committee held after he or she becomes so interested that a company or firm shall be sufficient declaration of interest in relation to any contract so made. An Officer so interested shall be counted in a quorum but shall not vote on any such contract or arrangements. An Officer shall not be deemed to be interested or to have been at any time interested in any contract or proposed contract relating to any loan of monies to the Club merely by reason of the fact that he or she has guaranteed or joined in guaranteeing repayment of such loan or any part of such loan or any part of such loan. The Secretary shall cause particulars of any declaration made to be exhibited on the Club Notice Board .

POWERS AND DUTIES OF THE COMMITTEE

66 The Committee shall be responsible for the management of the business and affairs of the Club.

67 The Committee may pay all expenses incurred in promoting and registering the Club and shall have full control of the property of the Club and absolute authority subject to the Constitution regarding its disposition and in the conduct and administration of all the affairs and business of the Club, including the rights, privileges and obligations of members in respect of the Club, except in so far as is otherwise expressly provided by the Constitution. In particular, but without derogating from the general powers hereinbefore conferred the Committee shall have power from time to time:

- (a) to delegate any of its powers to committees consisting of such member or members of its body and/or such Full Members of the Club as it may from time to time think fit and may from time to time revoke such delegation. Any committee so formed shall in the exercise of the powers so delegated conform to any regulation or restriction that may from time to time be imposed upon it by the Committee. The President shall be ex officio a member of all such committees. A committee may meet and adjourn as it thinks proper. Questions arising at any meeting of a committee shall be determined by a majority of votes of the members present and in the case of an equality of votes the Chairman shall have a second and casting vote. The meetings and proceedings of any committee consisting of two or more members shall be governed by the provisions herein contained for regulating the meetings and proceedings of the Committee so far as the same are applicable thereto and are not superseded by this Clause or by any regulation made by the Committee pursuant to this clause;
- (b) to make such By-laws not inconsistent with the Constitution of the Club as in the opinion of the Committee are necessary or desirable for the proper control administration and management of the Club's finances, affairs, interests, effects and property and for the convenience, comfort and well-being of the Members of the Club and to amend or rescind from time to time any such By-laws (except when any such By-Law by its terms may only be varied by the Club in general meeting) and without limiting the generality hereof particularly for:
 - (i) such matters as the Committee is specifically by the Constitution empowered to regulate by By-Law;

- (ii) the general management control and trading activities of the Club;
 - (iii) the control and management of the Club premises and all other amenities of the Club;
 - (iv) the control and management of all competitions;
 - (v) the conduct of members;
 - (vi) the relationship between members and Club employees;
 - (vii) and generally all such matters as are commonly the subject matter of Club Rules or By-Laws or which by the Constitution are not reserved for decision by the Club in general meeting.
- (c) to appoint any delegate or delegates to represent the Club for any purpose with such powers as may be thought fit;
- (d) to engage, appoint, control, remove, discharge, suspend and dismiss managers, secretaries, officers, representatives, agents and servants or other employees in respect to permanent temporary or special services as it may from time to time think fit and to determine the duties, pay, salary, emoluments or other remuneration of persons so appointed;
- (e) to purchase or otherwise acquire for the Club any property rights or privileges which the Club is authorised to acquire at such price and generally on such terms and conditions as it shall think fit;
- (f) to secure the fulfilment of any contracts or engagements entered into by the Club by mortgaging or charging all or any of the property of the Club as may be thought fit;
- (g) to institute, conduct, defend, compound or abandon any legal proceedings by or against the Club or, so far as the Act permits, its officers or otherwise concerning the affairs of the Club and also to compound or allow time for

payment and satisfaction of any debts due to and any claims or demands by or against the Club and to refer any claims or demands by or against the Club to arbitration and to observe and perform the award;

- (h) to determine who shall be entitled to sign or endorse on the Club's behalf contracts, reports, acceptances, cheques, bills of exchange, promissory notes and other documents or instruments;
- (i) to invest and deal with any of the moneys of the Club not immediately required for the purposes of the Club upon such securities and in such manner as the Committee may think fit and from time to time to vary or realise such investments;
- (j) from time to time at its discretion to borrow or secure the payment of any sum or sums of money for the purposes of the Club and to raise or secure the payment of such sum or sums in such manner and upon such terms and conditions in all respects as it shall think fit and in particular by the issue of debentures or debenture stock, perpetual or otherwise and either charged upon all or any of the Club's property both present and future or not so charged or by any mortgage charge or other security upon or over all or any part of the Club's property both present and future. Any debentures or other securities may be issued with any special rights and privileges which the Committee may think proper to confer on the holders;
- (k) to sell, exchange or otherwise dispose of any furniture, fittings, equipment, plant or other goods or chattels but not including land and buildings belonging to the Club and to lease any property of the Club and, with the sanction of a general meeting of the Club, to exchange or sell all or any of the lands and buildings or other property or rights to which the Club may be entitled from time to time;
- (l) (i) to create sections and committees for the conduct, management and control of all or any activity, competition or game in which the Club from time to time is engaged or interested and to define the limit the persons (being members of the Club) eligible for membership of all or any such

sections and to fix or approve any supplemental subscription or any charge (whether annual or special) for membership of such sections or any of them and from time to time to prepare or approve and amend rules and By-laws for the control and regulation of such sections or committees and the conduct and activities thereof and also to terminate and dissolve any such section or committee or to reconstitute the same on a similar or different basis;

- (ii) for the purpose of this clause to permit any such section to adopt a name distinctive of such section (provided it be described as a section of the Club) and to become affiliated with the body controlling the activity, competition or game in the Commonwealth of Australia in the State of New South Wales or in any part of Australia on such terms and conditions (not inconsistent with this Constitution) as any such controlling body may from time to time require and to pay on behalf of the Club capitation fees to any such controlling body or as required by such body;
- (iii) the Committee may empower each such section to open and operate a Bank Account in the name of the section in such bank or financial institution as the Committee may from time to time approve provided that the persons eligible to operate upon any such account shall be approved by the Committee which from time to time may remove and replace such persons or any of them;
- (iv) subject to the general control and supervision of the Committee, each such section shall manage its own affairs but shall make regular reports to the Committee (or otherwise as may be required from time to time **by** the Committee). The Minutes and records of the section shall also be produced regularly and promptly for inspection by or on behalf of the Committee;
- (v) subject as hereinafter provided the constitutions and rules or By-laws of each such section may be amended from time to time by a majority of the members for the time being of such section at a general meeting of

such members either annually or at a meeting convened specifically for such purpose, provided that no amendment proposed to and approved by the meeting of members of the section shall have effect unless and until it shall have been approved by resolution of the Committee;

- (vi) any disciplinary action by the section in respect of any member of such section shall at once be reported to the Committee, together with the reasons therefor and with a recommendation as to further action (if any) to be taken by the Committee; and
- (vii) the Constitutions, Rules and By-Laws of each such section shall not be **inconsistent** with this Constitution or with the By-Laws of the Club.

68 Any By-law made under this Constitution or any alterations to or repeal of any such By-law shall come into force and have full effect and authority and be binding upon members of the Club after notice thereof has been posted in a conspicuous place in the Club's premises for seven days.

69 The Committee shall cause minutes to be made:-

- (a) of all appointments of officers and servants;
- (b) of the names of members of the Committee present at all meetings of the Club and of the Committee; and
- (c) of all resolutions and proceedings at all meetings of the Club and of the Committee.

Such minutes shall be signed by the Chairman of the meeting at which the proceedings were held or by the Chairman of the next succeeding meeting.

PROCEEDINGS OF THE COMMITTEE

- 70 The Committee may meet together for the dispatch of business, adjourn and otherwise regulate its meetings as it thinks fit provided that it shall hold a meeting at least once in each month of the year.
- 71 The President may at any time and the Secretary shall on the request of a member of the Committee summon a meeting of the Committee which shall be held within seven (7) days of the request.
- 72 The President shall act as Chairman of the meetings of the Committee and if he or she is not present at a meeting or is present but unwilling to act as Chairman, a Vice-President shall act as Chairman of the meeting. If no Vice-President is present or if any Vice-President present is unwilling to act as Chairman then the members present shall elect one of their number to act as Chairman of the meeting.
- 73 Subject to this Constitution, questions arising at any meeting of the Committee shall be decided by a majority of votes and a determination by a majority of the members of the Committee shall for all purposes be deemed a determination of the Committee. In case of an equality of votes the Chairman of the meeting shall have a second or casting vote.
- 74 A member of the Committee shall not vote in respect of any contract or proposed contract with the Club in which he or she is interested, or any matter arising thereout, and if he or she does so vote his or her vote shall not be counted.
- 75 The quorum necessary for the transaction of the business of the Committee shall be **five (5) members** present in person.
- 76 The continuing members of the Committee may act notwithstanding any vacancy in the Committee, but if and so long as their number is reduced below the number fixed by or pursuant to these Articles as the necessary quorum of the Committee, the continuing member or members may act for the purpose of increasing the number of members of the Committee to that number or of summoning a general meeting of the Club, but for no other purpose.

- 77 All acts done by any meeting of the Committee or of a sub-committee or by any person acting as a member of the Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Committee or person acting as aforesaid, or that the members of the Committee or any of them were disqualified to be a member of the Committee.
- 78 A resolution in writing signed by all the members of the Committee for the time being entitled to receive notice of a meeting of the Committee, shall be as valid and effectual as if it had been passed at a meeting of the Committee duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more members of the Committee.

ACCOUNTS

- 79 The Committee shall cause proper accounts and records to be kept with respect to all monetary and all other transactions of the Club in accordance with Provisions of the Act and shall display accounts as required.
- 80 The books of account shall be kept at the Registered Office of the Club or at such other place as the Committee thinks fit and shall at any time be available for the inspection of members of the Committee in pursuance of any resolution in that behalf by the Committee.
- 81 The Committee shall once in every calendar year lay before the Club in General Meeting a Balance Sheet as at the end of the Club's financial year and an Income and Expenditure Account made up to the end of the financial year. Such Balance Sheet and Income and Expenditure Account shall be accompanied by all documents required by law to be annexed thereto. The report of the Committee in addition to the Statutory requirements shall include the following:
- (a) the number of members of each class registered in the Register of Members at the date of preparation of the report;
 - (b) the names of the members of the Committee.

A copy of the Balance Sheet and Income and Expenditure Account accompanied by all documents required to be annexed thereto shall be posted to every member at least **seven (7) clear days** before the date of the annual general meeting at which the said Balance Sheet and Income and Expenditure Accounts are to be presented.

- 82 The financial year of the Club shall commence on the first day of July and end on the last day of June in each year.
- 83 Auditors shall be appointed and their duties regulated in accordance with the Act and their remuneration shall be approved by the Committee.
- 84 The Committee may from time to time determine at what times and places and under what conditions or regulations the accounting and other records of the Club shall be open to the inspection of members not being members of the Committee, and no member (not being a member of the Committee) shall have any right of inspecting any account or book or paper of the Club except as conferred by statute or authorised by the Committee or by the Club in general meeting.

NOTICES

- 85 (a) A notice may be given by the Club to any member either personally, by facsimile transmission, by email, or by sending it by post to him or her **to the address** supplied to the Club for the giving of Notices to the Member, being as the case may be a postal address, facsimile number or email address.
- (b) Where a notice is sent by post service of the notice shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the notice and to have been effected, in the case of a notice of a meeting, on the day after the date of its posting, and in any other case at the time at which the letter would be delivered in the ordinary course of post.
- (c) Where a notice is sent by facsimile transmission the notice will be deemed to have been given and received if the transmission report states that it was sent in full and without error, and no objection is received from the recipient, on the

day of transmission if that report that the transmission was completed before 5pm on a business day, otherwise on the next business day.

- (d) A notice sent ~~my~~ **by** electronic mail will be deemed to have been given and received at the time of transmission.
- 86 (a) Notice of every general meeting shall be given in any manner hereinbefore authorised to"-
- (i) Every ~~Full~~ **Ordinary** Member except those members who have not supplied to the Club an address within the State of New South Wales for the giving of notices to them; and
- (ii) The Auditor and Auditors for the time being of the Club.
- (b) No other person shall be entitled to receive notices of general meetings.
- 87 Every member of the Committee, Auditor, Secretary and other officer for the time being of the Club shall be indemnified out of the assets of the Club against any liability incurred by him in his or her capacity as Committee member, Auditor, Secretary or officer in defending any proceedings, whether civil or criminal, arising out of his or her office with the Club, in which judgment is given in his or her favour or in which he or she is acquitted or in connection with any application in relation to any such proceedings in which relief is under the Act granted to him by the Court.

REGISTERS

- 88 The Club shall keep such register or registers concerning the Members or guests of Members, as required by the By-Laws from time to time.

CLUB COLOURS AND UNIFORM

- 89 (a) The Club colours shall be green, cream and gold.

- (b) The Club Blazer and/or jacket shall be green with the badge of the Club on the left upper side and or as otherwise approved by the Committee from time to time.
- (c) the Club swimming costumes shall be in club colour(s) of a design as deemed appropriate by the Committee from time to time.
- (d) The Club Honour Blazer shall be the same as (b) above except that the Club badge shall be surrounded by a laurel wreath. Permission to wear such blazer must first be obtained from the Committee.

SUPPORTERS CLUB

- 90 **The Management Committee may form a Supporters Club or such other clubs as the Management Committee may determine with such Constitution and Rules as the Management Committee shall initially prescribe.**

THE CHARITIES ACT

- 91 Subject to the provisions, of the Constitution shall be read and construed subject to the provisions of the Charities Act and to the extent that any of the provisions of the Articles are inconsistent therewith and might prevent the Club being or remaining registered under the provisions of the Charities Act they shall be inoperative and have no effect.
- 92 The Club shall comply with such of the provisions of the Charities Act and the Regulations thereunder as are applicable to the Club.

CLUB ASSETS

- 93 **As from the date of this Constitution,** Club Assets shall not be named after a present or past member except in that members capacity as a major sponsor.

94 **OFFICERS OF THE CLUB**

- (a) The Officers of the club shall consist of President, Vice President, Secretary, Treasurer, Director of Surf Sports, Director of Club House Activities, Director of

Surf Life Saving, Director of Junior Activities, **Director of Promotions and Marketing**, Licensee, Assistant to Director of Surf Life Saving, Chief Instructor, Publicity Officer, Assistant Secretary, Registrar, Boat Captain, Ski Captain, Board Captain, Swimming Captain, Beach Captain, Team Manager, Board Riding Captain, Junior Life Saving Advisor, Social Secretary, Sports Secretary, 2 x Sports Co-ordinators Two Delegates, one Junior Activities Representatives, I.R.B. Captain, Mobile Vehicle Officer, Gym Manager, Occupational Health and Safety Officer, Gear Steward, Member Protection Information (Grievance Officer) Child Protection Officer, Historian **and First Aid Officer**. All of the foregoing officers are to be elected at the Annual General Meeting, other than the Grievance Officer, Child Protection Officer, Historian and the Two Delegates (one Branch Delegate and one Beach Liaison Delegate) who will be appointed at the first Committee Meeting held after the Annual General Meeting in each year.

- (b) The Management committee may appoint assistant officers to any of the above positions as deemed necessary. Persons so appointed may attend Management Committee Meetings.
- (c) Any Member accepting nomination for the position of Club , Director of Surf Life Saving, Assistant Director of Surf Life Saving Junior Captain, Chief Instructor, I.R.B Captain, Mobile Officer, Boat Captain, Boat-Vice-Captain, Swimming Captain, Board Captain, Board Riding Captain, Ski Captain or Beach Captain shall be the holder of the Bronze Medallion of the Surf life Saving Association of Australia and voting for these positions shall be restricted to financial Members who are holders of the said Bronze Medallion.
- (d) The positions of Patrons and/or Patronesses, Vice President, Hon. Solicitor, Hon. Auditor, Hon. Doctor shall be elected at the Annual General Meeting or subsequent Management Committee Meeting.
- (e) **Any Ordinary Member ~~officer~~ of the Club not being a Director is entitled to attend any Committee Meeting but cannot vote at such Meeting.**

95 SUB-COMMITTEES OF THE CLUB

The **Sub-Committees** of the Club shall be:

- (a) Management Committee;

- (b) Judiciary Committee;
- (c) Constitution Committee;
- (d) Life Membership Committee;
- (e) Standing Committees.

96 **Management Committee:**

The Management Committee is the Committee of the Club as defined in the Constitution and has the powers and duties as set out in the Constitution. All Officers of the Club may attend meetings of the Management Committee but only Directors have the right to vote.

97 **Judiciary Committee:**

- (a) The Committee may appoint a Judiciary Committee to hear disciplinary matters relating to Members as referred to in Rule 39 of the Constitution.
- (b) The Judiciary Committee shall consist of one (1) Director who shall act as Chairperson and two (2) other Members (preferably Life Members) who in the opinion of the Committee are independent of the subject matter of or Members involved in the complaint.
- (c) Legal Representation will not be permitted and the proceedings of the Judiciary Committee will be held in CAMERA.
- (d) The Judiciary Committee will report to the Committee with its decision and penalty as soon as practicable after the hearing of the complaint.

98 **Constitution Committee:**

- (a) A Constitution Committee of five (5) Members shall be elected at the Annual General Meeting and shall deal with all matters relating to the Constitution and By-Laws, and such other matters, as shall be referred to it by the Committee. Three (3) members shall form a quorum.
- (b) Amendment of Rules - Recommendations to alter the Rules or objects may only be passed by a three-quarters majority of voting Members present or by

proxy at a Special General Meeting or Annual General Meeting of the club, of which not less than 21 days written notice specifying the intention to propose the resolution as a special resolution was given.

- (c) Subject to provision of paragraph (b) any such alteration(s) shall take effect when made and be promulgated and incorporated in the Rules.
- (d) Any decision of the Constitution Committee as to the manner in which the Constitution or By-Laws of the Club or of any Sub Committee of the Club will be final and binding and no right of appeal ~~will lie~~ **lies** from such decision.

99 **Life Membership Committee:**

A Life Membership Committee of five (5) shall be elected, from Life Members of the Club, at the Annual General Meeting. Four shall form a quorum. The Life Membership Committee shall examine each nomination for Life Membership of the Club and decide whether the nomination has sufficient merit to warrant presentation to the Annual General Meeting. The procedure for meetings of the Life Membership Committee will be such as the said Committee shall from time to time determine.

100 **Standing Committees:**

- (a) Standing Committees shall meet as required and shall furnish a full and comprehensive report of their deliberations and recommendations to the subsequent Management Committee monthly meeting.
- (b) Any Member of Standing Committees being absent from two consecutive meetings without reasonable excuse shall forfeit his or her seat on such Committee.
- (c) Vacancies shall be filled by the Management Committee.
- (d) Each Committee shall elect a Chairperson, who shall be the convenor and a Secretary, except where otherwise provided, from the elected Members at the first meeting held in each season. The Club President or his or her nominee shall occupy the Chair on such occasion.

- (e) The President and Secretary shall be Members, ex-officio, of each Committee.

The Standing Committees shall include the following:

(i) **Selection Committee:**

Club Selection Committees shall comprise Members in accordance with policy determined by the Director of Surf Sports and which policy will be referred to and reviewed by the Management Committee from time to time.

(ii) **Club House Activities Committee:**

The Club House Activities Committee shall consist of five (5) elected Members who shall be the Director of Club House Activities, the Occupational Health and Safety Officer, the Caretaker, the Gear Steward, the Gym Manager, Social Secretary, and Licensee. These Members, will be appointed at the first Management Committee Meeting following the Annual General Meeting. The Club House Activities Committee shall be responsible for all matters affecting the Club House, fixtures and fittings including building and development matters and shall organise and conduct social functions held by or affecting the Club.

(iii) **Finance Committee:**

The Finance Committee shall consist of five (5) elected Members. These Members, one of whom shall be the Treasurer, will be appointed by and at the first Management committee Meeting following the annual General Meeting. The Finance Committee shall be responsible for all matters concerning the finance of the Club, including being responsible for receiving and overseeing Budgets presented by all sections of the Club. Any proposed expenditure which exceeds \$5,000.00 shall be referred to the Finance Committee with a recommendation to the Committee.

(iv) **Junior Activities Committee:**

The Junior Activities Section of the Club, who will elect their own Officers, shall be responsible to the Management Committee. **The Rules of the Junior Activities Committee will be as set out in the By-Laws.**

(v) **Surf Sports Committee:**

The Surf Sports Committee shall consist of the Boat Captain, Ski Captain, Board Captain, Board Riding Captain, Beach Captain, Swim Captain, R and R Captain, Junior Activity Representatives, Team Managers, Sports Secretary, Sports Co-Ordinators and Members of the Selection Committee.

101

DUTIES OF CLUB OFFICERS:

- (a) The President shall:
- (i) be the nominal head of the Club and shall be a member ex-officio of all Committees;
 - (ii) the Chairperson of the Committee Meetings;
 - (iii) 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 Officers and the Committee;
 - (iv) When presiding at a meeting, have a deliberative and the casting vote;
 - (v) Be the Club Representative for the Branch.
- (b) The Vice President shall assist the President and in his or her absence shall deputise and assume the responsibility for the President, and shall carry out special assignments as directed by the President or the Committee.
- (c) The Secretary shall:
- (i) attend all meetings of the Club and shall be responsible for the true minutes of the business done thereat, issue notices of meetings, and shall attend to all correspondence, take charge of all papers; post notices in the Clubhouse of all matters in connection with the Club as directed by the Committee and is empowered to receive moneys on behalf of the Club. He or she shall account for all such monies to the Hon. Treasurer.
 - (ii) be responsible for the drafting of an Annual Report of the Club's activities and its distribution to all Members seven days prior to the Annual General Meeting.
 - (iii) not be a person under the age of eighteen years.
- (d) The Treasurer shall:
- (i) Be Chairperson of any Sub-Committee dealing with finance and property matters;

- (ii) keep a cash book, and other books that may be required to show the financial position of the Club, as well as the financial status of all Members;
- (iii) control all funds and pay only such accounts as have been passed by the Finance Committee or The Committee;
- (iv) Submit a summarised Statement of Receipts and Payments at each Committee Meeting for the calendar month immediately preceding such meeting, together with a Reconciliation of the balance of bank accounts;
- (v) Prepare an Annual Financial Statement duly audited by the Club's Auditor for presentation at the Annual General Meeting.

(e) **The Grievance Officer shall**

- ~~(i) assist with co-ordination of all matters pertaining to Youth membership;~~
- (i) resolve grievances effectively, efficiently and confidentially;
- (ii) actively address allegations of harassment;
- (iii) establish an effective and professional mediation process for aggrieved members

(f) **The Director of Surf Life Saving shall:**

- (i) be the Club Captain
- (ii) be responsible for the general conduct of the Members and the general education in the art of lifesaving;
- (iii) be responsible for the arranging and efficient running of patrols;
- (iv) be responsible for the upkeep of all patrol equipment
- (v) encourage the participation of all Members in surf lifesaving activities;

ex-officio, be a member of Sub-Committees associated with his duties.

(g) Director of **Surf Sports** shall:

- (i) be Chairperson of the Selection Committee;
- (ii) receive and arrange entries for carnivals and competitions in conjunction with the Selection Committee and forward them to the Secretary for transmission to the proper destination;
- (iii) arrange for the training and preparation of all members for inter and intra Club competition;

- (iv) present to the Committee a combined budget for all financial matters connected with Club games;
- (v) be responsible for the organisation (after selection) in conjunction with Team Managers, Age Managers, of all travel, accommodation and transport of Teams to a competition arena;
- (vi) Assist with the co-ordination of such carnivals that may be held on the Club's beach or be conducted by the Club.

(h) Director of Club House Activities shall:

- (i) be Chairperson of any Swansea Belmont Supporters Club (hereinafter called the "The Supporters");
- (ii) pursue the interest of the Club by providing acceptable catering to the Members and public;
- (iii) be Chairperson of the Club House Activities Committee;
- (iv) be responsible for social activities of the Club and also for the maintenance, appearance and presentation of the Club House;
- (v) present to the Committee a detailed report on the finances of the Supporters and actively pursue the profitability of same.

(i) Director of Junior Activities shall:

- (i) be responsible, with the assistance of the Junior Chairperson, for the conduct and coordination of all matters relating to Junior Activities;
- (ii) in conjunction with the Director of Surf Life Saving and Chief Instructor provide for Junior Members an education experience in a wide range of subjects and skills within the aquatic/marine environment;
- (iii) prepare Junior Members for their eventual transmission to the marine and patrol environment of Surf Life Saving;
- (iv) participate in all such activities;
- (v) list to the Committee a combined Budget of all Financial Matters relating to Junior Activities.

(j) The Director of Promotions and Marketing shall be responsible for;

- (i) publicity;**
- (ii) promotions;**
- (iii) public relations;**

- (iv) **sponsor relations;**
 - (v) **the Club's website;**
 - (vi) **I T co-ordination**
- (k) The Assistance Director of Life Saving shall assist the Director of Life Saving at all times, and in the absence of the Director of Life Saving, he or she shall carry out the duties allotted to the Director of Life Saving.
- (l) The Junior Life Saving Advisor shall assist the Director Of Life Saving in his or her duties and encourage junior and cadet Member participation in Club Activities.
- (m) The Chief Instructor shall:
- (i) arrange and supervise the training of classes to qualify for the respective awards of the Surf Life Saving Association of Australia;
 - (ii) be the holder of the Instructor's Certificate, or its equivalent, of the Surf Life Saving Association of Australia; and
 - (iii) regularly report his or her activities to the Director of Surf Life Saving.
- (n) The Publicity Officer shall be responsible **to the Director of Promotions and Marketing** for all Club publicity. ~~in co-operation with the Committee.~~
- (o) The Sports Co-Ordinators shall:
- (i) be responsible for the running of all Club competitions, and shall keep an accurate record of the results of same, and provide the Publicity Officer with the results. He or she shall also be the Club Handicapper; and
 - (ii) regularly report his or her activities to the Director of Surf Sports.
- (p) The Registrar shall:
- (i) keep a Membership roll book setting out in detail the name and address of every Member of the Club, date and year Members joined the Club, date and year Members qualified for any awards.
 - (ii) keep a true record of any outstanding feat, done either by the Club or Member(s), as authorised by the Committee or General Meeting.
 - (iii) keep a record of all inter-club competition results and be responsible for the maintenance of computer programs.

- (q) The Boat Captain shall:
- (i) be responsible for the care and maintenance of all surf boats and surf boat equipment;
 - (ii) supervise and organise the training of Members in surf boat practices.
 - (iii) be responsible for the upkeep and supervision of the Boat Shed.
 - (iv) be in charge of all boat competitors during inter-club competitions.
- (r) The Board Riding Captain shall:
- (i) be responsible for the care and maintenance of all club owned surfboards and training of members in surf board riding practices;
 - (ii) be in charge of all board riding competitors during inter-club competitions.
- (s) **The Ski Captain shall:**
- (i) be responsible for the care and maintenance of all Club owned surf skis;**
 - (ii) shall encourage the training of Members in surf ski practices;**
 - (iii) be responsible for the upkeep and supervision of all ski storage areas; and**
 - (iv) be in charge of all ski competitors during inter-club competition.**
- (t) The Board Captain shall be responsible for the care and maintenance of all Club owned Competition Boards and shall encourage the training of Members in Rescue and Training and Competition Board practices. He or she shall be responsible for the upkeep and supervision of board storage areas. He or she shall be in charge of all board competitors during inter-club competition.
- (u) The Swimming Captain shall organise and encourage swimming competition within the Club, and be in charge of swimming competitors during inter-club competition.
- (v) The Beach Captain shall organise and encourage beach competition within the Club and be in charge of beach competitors during inter-club competition.
- (w) The Inflatable Rescue Boat Captain shall:
- (i) be responsible for the operation, care and maintenance of the inflatable rescue boat and its associated equipment.

- (ii) supervise and organise the training of Members in inflatable rescue boat practices.
 - (iii) ensure that the appropriate log books are completed as laid down by the Surf Life Saving Association of Australia from time to time.
 - (iv) be responsible for the upkeep and supervision of the I.R.B. shed and shall ensure that inflatable rubber boats are available for patrol duty.

- (x) The Mobile Vehicle Officer shall be responsible for the operation care and maintenance of all beach patrol vehicles owned by the Club.

- (y) The Radio Officer shall be responsible for the care and maintenance of all two-way radio equipment owned by the Club.

- (z) The Gear Steward shall be in charge of the maintenance and care of all other gear, as directed by the Committee.

- (aa) The Junior Activities Representatives shall report on the affairs of the Junior Activities Section to the Club Management Committee and report all relevant Committee decisions to the Junior Activities Committee.

- (bb) The Delegates shall be approved by the Management Committee attend all Branch, Beaches Liaison and other meetings as directed by the Management Committee and report results to the Management Committee.

- (cc) The Gym Manager shall be responsible for overseeing all activities associated with the Club Gym and will present an annual budget relating to the Gym to the Committee.

- (dd) The Social Secretary shall be responsible for social activities, includes the organising and conducting of social function for and behalf of the club and shall report to the Director of Club House Activities.

- (ee) The First Aid Officer shall be responsible for the administration of emergency first aid and for the upkeep of first aid equipment.
- (ff) **The Child Protection Officer shall be responsible to the President to ensure in relation to children while they are present within the Club or its grounds or are otherwise involved in activities of the Club:**
 - (i) **That the rights and privileges of such children are protected;**
 - (ii) **That such children are safe from abuse of any kind; and**
 - (iii) **That the wellbeing and progress of all such children are fostered.**
- (j) The Sports Secretary shall be responsible for Carnival Entries and report to the Director of Surf Sports.
- (k) **The Occupational Health and Safety Officer shall be responsible for all occupational health and safety matters in the Club and to ensure compliance by the Club with the requirements of the relevant Occupational and Health Safety Legislation.**

102

PATROLS

- (a) The beach shall be patrolled by members of the Club during the surfing season on Saturdays, Sundays, public holidays and other occasions as authorised by the Committee. Patrol hours shall be determined by the Management Committee within the regulations of the Hunter Branch of the Surf Life Saving Association of Australia. patrols shall be appointed by the Captain and Vice Captain and shall be under the direction of Patrol Captains selected by the Captain and Vice Captain. The Club Captain, Vice Captain and Secretary shall ensure that all Members are notified of their patrol obligations prior to the commencement of the season. A patrol roster shall be displayed on the Notice Board, and the plea of not having received notice of such duties shall not be deemed as an excuse for failure to attend thereto.
- (b) The Committee may grant leave of absence of Patrols on the grounds of sickness, other areas of duress or continuous absence from the District. Members granted leave through absence from the District must resume patrols upon returning to the District. The Committee may, at its direction, require any Member to whom leave has been granted to make up such time missed from patrol duties as it deems fit.

- (c) Members missing on patrol shall be notified in writing by the Club Captain of his or her failure to attend and of any penalty patrols. The offending Member shall receive fourteen (14) days notice of such compulsory patrols. Compulsory patrols must be done on the date and at the time notified. Any Member failing to carry out such penalties shall be directed to appear before Surf Life Saving Committee for recommendation.

103

PATROL REGULATIONS

- (a) Patrols shall assemble at the Club premises fifteen minutes before the appointed time to commence duty.
- (b) Before the patrol commences duty the patrol Captain shall detail the position each man is to take in the event of rescues.
- (c) Members of patrols are not allowed to leave their designated patrol area unless in extenuating circumstances and then must first obtain permission from their Patrol Captain.
- (d) Patrol Captains are held responsible for the efficiency of their patrol and are required to hand to the Director of Life Saving the names of absentees from their patrols and report to Director of Life Saving and bring under his or her notice any irregularities such as being late, leaving early, not being in costume and being unready for instant call while on patrol. In the event of the Director of Life Saving not being available any such names be handed to the Assistant Director of Life Saving.
- (e) Patrol Members may appoint a substitute in their place when unable to attend. The Member appointed such substitute shall be responsible in the event of the substitute not attending.
- (f) In the event of the Patrol having finished its term of duty and the succeeding patrol failing to relieve it, the Patrol Captain shall leave sufficient men on patrol to carry on until he or she reports to the Director of Life Saving or the Assistant.

- (g) The first patrol on duty shall see that all life saving gear is placed in the position on the beach. The last patrol on duty shall return all such gear to the Clubhouse, stored as directed by the Director of Life Saving in a clean condition.
- (h) Patrol Members, whilst on duty, must at all times wear regulation patrol caps, approved swimwear and other clothing deemed necessary must be of a approved and acceptable type.
- (i) Patrol Captains shall, on completion of their respective patrols, complete in detail the Patrol Book provided for that purpose.
- (j) All active Members of the Club, including all Members of rostered patrols, shall pass an annual Proficiency Test, the requirements for such test being those laid down by the surf Life Saving Association of Australia.

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RULES OF DEBATE

- (a) Any Member desiring to speak shall stand up and shall address the chairman respectfully.
- (b) No Member may speak more than once to a question, except in explanation, reply or to ask a question.
- (c) A Member who formally seconds a motion or amendment may address the meeting in support at a subsequent state of the debate.
- (d) A reply shall be allowed only to a Member who has moved a substantive motion.
- (e) No Member shall use offensive or unbecoming words.
- (f) No speaker shall digress from the subject under discussion, and impure or improper motives and all personal reflections on Members shall be deemed disorderly.

- (g) Whenever the Chairman rises during debate, the Member then speaking shall sit down.
- (h) No Member shall interrupt another while speaking except on a point of order.
- (i) Any Member during the debate may raise the point of order when the Member then speaking shall then sit down until the point of order has been decided. The Member rising to the point of order shall state concisely the point, and the Chairman without further discussion shall give his or her ruling.
- (j) It shall be competent for any Member to move a motion of dissent from the Chairman's ruling. The mover of the motion of dissent shall state concisely the point. **The proposer and** the seconder and the Chairman only may speak to the motion.
- (k) A Member may move the adjournment of the debate. If the motion be resolved in the negative, the mover shall not be allowed to speak again on the question under debate. If the motion be resolved in the affirmative the mover shall have the right of resuming the debate at the ensuing meeting. No Member shall move the adjournment at the end of his or her speech.
- (l) At any time during a debate a Member may move "that the question be put", and such motion being duly seconded shall be put without debate. If carried, the question shall be put to the vote, if lost the debate shall continue. It shall not be in order to move "that the question be now put" until at least two Members shall have had an opportunity of speaking against the motion. When the motion is carried, "that the question be now put", the mover of the original motion shall have the right of reply, but it shall not be competent for the mover of the original motion to move "that the question be now put" unless he or she forfeits his or her right of reply.
- (m) An amendment may be moved on any original motion, the chairman shall first put the amendment to the meeting and, if carried, it shall be declared to embody the decision of the meeting superseding the motion. When an amendment has been decided a further amendment may be moved which, if carried, shall in turn supersede the motion. If there be no amendment the original motion shall be put after the mover has replied.

- (n) The Chairman shall refuse to receive any amendment which is a direct negative.
- (o) The Chairman shall have a casting vote at any meeting.
- (p) In the event of any matter being brought before any meeting which affects the Chairman of the meeting, or in which he or she may be interested, he shall vacate the Chair and the meeting shall elect a Chairman pro tem until such matter is dealt with.
- (q) Voting shall be by the voices, show of hands, or division at the request of any Member.
- (r) If a secret ballot is demanded at any meeting by two Members, who are present thereat, it shall be taken upon such conditions as the Chairman of such meeting directs.
- (s) The Chairman may appoint tellers to assist him in counting a vote by show of hands or divisions, or at a secret ballot.
- (t) The Mover of an original motion must obtain the consent of his or her seconder and the approval of the meeting before making any alteration to the wording of his or her motion.
- (u) An amendment having been moved, it shall not be competent to move any further amendment but notice may be given of intention to move such further amendment when the previous amendment has been disposed of. Only one amendment can be considered at the same time.
- (v) In the absence of the President and Deputy President, the chairman of all meetings shall be elected by vote of the Members in attendance thereat.

SERVING OF LIQUOR

Any person serving liquor at the Club will at all times comply with the provisions of the Club's Licence and the Law.

