

ASSOCIATIONS INCORPORATION ACT, 1984

ARTICLES OF ASSOCIATION

PORT MACQUARIE  
SURF LIFE SAVING CLUB INC.

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## Section I – Title

The name of the Club shall be Port Macquarie Surf Life Saving Club Inc. this title shall not be used as a prefix to any subsidiary organisation of Members without the permission of the Committee and such permission may be revoked by the Committee.

This is the annexure of \_\_\_\_ pages marked  
referred to in the application for incorporation.

Signature .....

Applicant

## Statement of compliance

The rules of Port Macquarie Surf Life Saving Club Inc. contained herein are in accordance with Section II and contain those matters specified in Schedule I of the Associations' Incorporation Act, 1984

Signature .....

Applicant

## Section II – Definitions

### 1. Meanings

In the Rules and the By-laws of the Club, unless the context or subject matter otherwise indicates or requires -

Any words importing the singular shall include the plural and vice versa.

***In writing*** shall mean by letter or by email

***Branch*** means Mid North Coast Branch of the State Centre

***By-law*** means By-law of the Club

***Casting vote*** is a vote given to the chair of a meeting in order to resolve a deadlock

***Club*** means Port Macquarie Surf Life Saving Club

***Committee*** means Management Committee of the Club

***Constitution*** means the Articles of Incorporation (Rules) and the Bylaws of the Club

***Deliberative vote*** is the term used for the vote that expresses an individual's opinion on a matter being deliberated.

***General Meeting*** means a meeting of club members. The Annual General Meeting is a General Meeting.

***Member*** means a Member of the Club as referred to in Section V

***Nipper*** means a Junior Activities member as defined in the By-Laws

***Rules*** means the Rules of the Club as outlined in the Articles of Incorporation

***Secretary*** means the person holding office under the Rules as Secretary of the Club. Where no person holds the office of Secretary, Secretary shall mean the Public Officer of the Club

***SLS NSW*** means Surf Life Saving NSW

***SLSA*** means Surf Life Saving Association of Australia

***The Act*** means the ***Associations Incorporation Act*** and any amendments to that Act

***The Regulations*** means the ***Associations Incorporation Regulations*** and any amendments to those regulations

### 2. Reference to function

In the Rules and By-laws

- (a) a reference to a function includes a reference to a power, authority and duty; and
- (b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

### **3. Provisions of the Act**

The provisions of the Interpretation Act, 1897, apply to the Rules and By-laws in same manner as if the Rules and By-laws were instruments made under the Act.

### Section III – Affiliation

The Club shall affiliate with the Branch

### Section IV – Objects

The objects of the Club shall be to:

1. prevent or minimise injury and/or loss of life from drowning by the study and practice of methods of life saving and first aid
2. provide efficient patrols for the protection and guidance of the public who use the area allocated to the Club's control by the local governing authorities
3. encourage surf bathing and to assist the local governing authorities in providing and improving facilities for same
4. provide Nippers with an educational and teaching experience in a wide range of subjects and skills within the aquatic/marine environment
5. prepare Nippers for their eventual transition into active involvement in the Club
6. hold funds derived from the fees and subscriptions of Members, donations, grants, payments, subsidies and other such sources as may be approved by the Club
7. use and apply funds in promotion of the objects of the Club
8. provide necessary facilities and equipment for Members and to provide, acquire and maintain premises required for carrying out the objects of the Club
9. acquire, maintain and make available to members, approved life saving apparatus and gear
10. promote participation by members in approved surf life saving competitions
11. promote the physical and social welfare of members and promote their participation in sports and social functions for recreational purposes and for assisting Club finances
12. do all such lawful things as are indicated or conducive to the attainment of the objects and exercise of the powers of the Club
13. promote cooperation with other emergency and rescue services involved in aquatic rescue
14. promote the professional image of surf life savers

## Section V – Membership

### **1. Membership qualifications**

- (a) Persons who meet the requirements of membership as set out in the By-laws will be eligible for membership.
- (b) Persons wishing to become Members, other than honorary members and life members, shall apply on the prescribed form for membership.
- (c) The Committee shall determine whether or not to accept any application for membership. Membership shall become effective on the date on which the application is approved.
- (d) Members shall pay such fees and subscription as may be determined by the Committee.
- (e) A register of Members shall be kept by the Club showing name, address and date of commencement of each member, awards held and emergency contact information. Provision for noting the date of cessation of membership shall also be contained in the register.
- (f) Membership shall cease upon resignation or expulsion, or may be terminated by the Committee for failure to pay membership fees or subscription.
- (g) Membership fees and subscription shall fall due and payable in advance on or before the date of the Annual General meeting in each year and shall be in respect of the year then ensuing. The financial year shall run from 1 July to 30 June or such other period as is determined by the Committee and approved at a General meeting.
- (h) The Classes of membership and qualification of membership is as per the By-laws.

### **2. Members' liability**

The Members shall have no liability to contribute towards payment of debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club except payment of the amount of any unpaid membership fees and subscriptions.

### **3. Disciplining of members**

Subject to (a), (b), (c) and (d) below, the Committee may commence or cause to be commenced, disciplinary proceedings against a Member, and that Member, will be subject to, and submits unreservedly to the jurisdiction, procedures, penalties and the appeal mechanisms of the Association, Surf Life Saving NSW and SLSA as set out in the Regulations.

- (a) Disciplinary proceedings may be commenced where the Committee is advised or considers that a Member has allegedly:
  - (i) breached, failed, refused or neglected to comply with a provision of this Constitution, the Regulations, the Surf Life Saving NSW Constitution, Regulations, SLSA Constitution or Regulations or any resolution or determination of the Committee, the Surf Life Saving

- NSW Council or any duly authorised sub-committee; or
- (ii) acted in a manner unbecoming of a Member, or prejudicial to the objects and interests of the Association, Surf Life Saving NSW, SLSA and/or surf life saving; or
  - (iii) brought the Association, SLSA, Surf Life Saving NSW any other Affiliated Club or surf life saving into disrepute;
- (b) Disciplinary matters are to be referred to the Judiciary Sub-committee. Members may be referred to the Judiciary Sub-committee by
- a majority vote of the Committee, or
  - by five members, at least one of whom shall be the President, Vice President, Secretary, Treasurer or Club Captain.
- (c) The Judiciary sub-committee, following natural justice principles, may by a majority vote, expel, suspend or discipline a member.
- (d) Any member who wishes to appeal against a decision of the Judiciary sub-committee may do so to a general meeting where a greater than 85% vote of members present is necessary to uphold the appeal..

## Section VI – Management Committee

### **1. Powers of the Committee**

The Committee:

- (a) shall control and manage the affairs and finances of the Club. The Committee shall not incur debt without the consent of the members through a motion at a General Meeting.
- (b) shall constitute the administrative body of the Club, and its actions shall be subject only to appeal to any General Meeting of the Club.
- (c) may make By-laws consistent with this Constitution and Rules of the Branch, SLS NSW and SLSA, and any relevant local, state and federal laws.
- (d) may appoint sub-committees consisting of such members as the Committee thinks fit for specific purposes and may amend or rescind any such appointment at their discretion.
- (e) may by motion delegate to any sub-committee the exercise of such of the functions of the Committee as are specified in the motion other than
  - (i.) this power of delegation, and
  - (ii.) a function which is a duty imposed on the Committee by the Act or by any other law and may revoke wholly or in part or amend any such delegation.
- (f) may exercise all of the functions as may be exercised by the Club other than those functions that are required to be exercised by a General Meeting of members.
- (g) may cooperate with fellow clubs, community associations and supporters for promotion of Club activities and assisting Club finances.

## **2. Management Committee membership and duties**

- (a) The Committee shall consist of the President, Secretary, Treasurer, Club Captain, Vice President, Chief Training Officer, Chair of the Junior Activities Committee, Regulatory and Legislation Officer, Competition Manager, Gear & Maintenance Officer, Events & Publicity Officer.
- (b) Seven (7) shall form a quorum of the Committee.
- (c) A member of the Committee shall cease to hold office upon resignation in writing, removal as a member of the Club, or regular (at least three successive) absence from meetings of the Committee without approval.
- (d) Any casual vacancy on the Committee shall be filled by a member appointed by the Committee.
- (e) In cases of temporary absence, each Committee member is replaceable by their deputy, their assistant or their designated proxy.
- (f) Members of the Committee shall hold office from the Annual General Meeting at which they are elected until the election of Committee members at the Annual General Meeting of the following year. Any vacancy that may occur on the Committee during its term of office shall be filled by nomination at the next general meeting.
- (g) The Committee shall provide for the nomination and election of Committee members and such other positions as are required for the proper management of the Club and attainment of the objects of the Club.
- (h) The Committee shall meet as often as necessary to conduct the business of the Club but at least once a month. The date, time and place of the monthly meeting shall be notified to members by email, and notice placed on the Club website and Clubhouse noticeboard. Any member is entitled to attend a Committee meeting however only Committee members have the right to vote at a Committee meeting.
- (i) Notice of meetings other than the regular monthly meeting shall be given by the Secretary to all members of the Committee at least seven (7) days before the day of the meeting unless such notice has been waived by the full Committee.
- (j) The Committee may function validly provided its number is not reduced below the quorum. Should the Committee numbers fall below the quorum the Committee may act only to increase Committee membership or call a General Meeting.
- (k) Two members of the Committee, other than the President, shall be the delegates of the Club at each Branch meeting. The delegates may not necessarily be the same Committee members each time and shall be determined by the Committee on the basis of availability and the agenda of the Branch meeting.
- (l) Motions arising at any meeting of the Committee shall be decided by simple majority of votes, and determination by a majority of the members of the Committee present shall for all purposes be a determination of the Committee. The Chairman may exercise a casting vote. The Chairman does not have a deliberative vote.

- (m) No business shall be transacted by the Committee unless a quorum is present. If a quorum is not present within one 30 minutes of the time appointed for the meeting the meeting stands adjourned to the same place and at the same hour of the same day in the following week. All Committee members must be given 5 days notice of the adjourned meeting. If a quorum is not present within 30 minutes of the time appointed for the adjourned meeting, the meeting shall be abandoned except as provided by paragraph (k).
- (n) A member of the Committee or any Sub-committee shall not be appointed to any salaried office of the Club or any office of the Club paid by fees.
- (o) No portion of income or property of the Club, remuneration or other benefit in money or money's worth shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise by the Club to any Member of the Club except:
  - (i) payment of expenses incurred by the Member with the approval of the Committee or advance payment in expectation of such expenses;
  - (ii) payment for services rendered to the Club;
  - (iii) interest at a rate not exceeding interest at the rate for the time being which is or would be charged by the Club's bankers for money lent to the Club;
  - (iv) reasonable and proper rent for premises let to the Club.
- (p) A Committee Member shall declare his interest in any contractual, selection, disciplinary or other matter in which a conflict of interest arises or may arise, and shall absent themselves from discussions of such matter and shall not be entitled to vote in respect of such matter. In the event of an uncertainty as to whether it is necessary for a Committee Member to absent himself from discussion or refrain from voting, the issue should be immediately determined by vote of the Committee, or if this is not possible, the matter shall be adjourned or deferred.

## Section VII – General meetings

### **1. General meetings**

The Club shall convene general meetings for the following purposes.

1. Annual General meeting – to elect Committee members and the chair of each standing sub-committee, report on the financial status of the Club, and attend to motions such as affiliation and signatories to accounts.
2. General meeting - to address special resolutions and/or constitutional matters.

### **2. Calling of General and Annual General meetings**

- (a) An Annual General meeting shall be held as close as practical to the end of each financial year.
- (b) General Meetings may be called:
  - (i) at any time by the President of the Club;
  - (ii) by the Committee;

- (iii) by the Secretary at the request in writing of ten (10) financial Members entitled to vote stating the reason for such meeting.
- (c) A General Meeting must be convened by the Secretary within one (1) month of receiving a written request to do so.
- (d) At least fourteen (14) days notice in writing of all General meetings and notices of motion shall be given to Members entitled to vote.
- (e) In the case of General meetings where a Special Resolution is to be proposed, written notice of the resolutions shall be given to Members at least twenty-one (21) days before the meeting.
- (f) The President shall, subject to this Constitution, preside as Chairman at every General Meeting of the Association except:
  - (a) in relation to any election for which the President is a nominee; or
  - (b) where a conflict of interest exists.

If the President or Vice President is not present, or is unwilling or unable to preside the Members shall appoint one of their number to preside as chairman for that meeting only.

### **3. Business at General and Annual General meetings**

In the case of the Annual General Meeting the following business shall be transacted:

- (a) Members are only able to vote at the Annual General Meeting when their registration &/or subscription for the ensuing year and any outstanding arrears have been paid. Members who have not paid their registration &/or subscription may vote on the adoption of the Annual Report and business arising from that report only. Payment of outstanding monies and clarification of voting eligibility will be the first order of business.
- (b) Confirmation of the Minutes of the last Annual General Meeting and any recent General Meeting.
- (c) Receipt and adoption of the Annual Reports upon the activities of the Club in the last financial year including receipt and consideration of an audited annual financial report from the Committee which gives a true and fair view for the last financial year of the Club's
  - income and expenditure
  - assets and liabilities
  - mortgages, charges and other securities
  - trust properties.
- (d) Business arising from the Annual Reports
- (e) Election of Committee members
- (f) Confirmation of the Chair of each of the following standing Sub-committees.
  - a. Awards
  - b. Building
  - c. Finance
  - d. Governance

- e. Judiciary
  - f. Junior Activity Committee
  - g. Life Member
- (g) Declaration of Life Memberships determined in the previous year according to the By-laws
  - (h) Business of which notice has been given to the Secretary not less than twenty-one (21) days before the Meeting.
  - (i) Such general business as may be brought forward with the consent of the Meeting.

#### **4. Quorum for General and Annual General meetings**

- (a) The quorum for a General meeting shall be 25% of the members financial and entitled to vote or twenty (20) such members whichever is lesser. In the case of Annual General meetings the members must be financial for the ensuing year.
- (b) If a quorum is not present within 30 minutes of the time appointed, the General meeting shall be adjourned to a time and place within one (1) month and all members shall be given at least two weeks notice of that meeting.
- (c) Should a quorum not be present within 30 minutes of the time set for commencement of the adjourned General meeting, the members present shall constitute the quorum.

#### **5. Voting at General and Annual General meetings**

- (a) Voting shall be by show of hands unless the Chairman or three (3) Members present demand a secret ballot.
- (b) Unless a secret ballot is demanded, a declaration by the Chairman that a motion has on a show of hands been
  - carried or
  - carried unanimously or
  - carried by a particular majority or
  - lost
 and an entry to that effect in the minutes of the meeting shall be conclusive evidence of the fact, without proof of the number of votes recorded in favour of or against the resolution. The demand for a secret ballot may be withdrawn.
- (c) Where voting at General Meetings is equal the Chairman may exercise a casting vote. The Chairman does not have a deliberative vote.
- (d) Those entitled to vote at the Annual General Meeting and General Meetings include life governors, life members, long service members, active members and award members.

## **6. Special resolutions**

A Special Resolution must be passed by a General Meeting of the Club to effect the following changes:

- (a) A change of the Club's name
- (b) A change of the Club's rules
- (c) A change of the Club's objects
- (d) An amalgamation with another Incorporated Association;
- (e) To voluntarily wind up the Club and distribute its property;
- (f) To apply for registration as a Company or a Co-operative.

A Special Resolution shall be passed in the following manner:

- (a) A notice must be given to all financial Members entitled to vote advising that a General Meeting is to be held to consider a special resolution
- (b) The notice must give details of the proposed special resolution and give at least twenty-one (21) days notice of the meeting
- (c) A quorum must be present at the meeting
- (d) To be passed, at least 75% of financial members present and entitled to vote must vote in favour of the resolution
- (e) Where voting is equal the Chairman may exercise a casting vote. The Chairman does not have a deliberative vote.

## Section VIII – Public Officer

### **1. Appointment and duties**

- (a) The Committee must ensure that a person is appointed as Public Officer.
- (b) The Public Officer shall be at least eighteen (18) years of age, a resident of Port Macquarie and a member of the Club.
- (c) The Committee may at any time remove the Public Officer and appoint a new Public Officer who meets the requirements in (b).
- (d) The Public Officer is required to meet all public responsibilities of the Club according to law.
- (e) When a vacancy occurs in the position of the Public Officer the Committee shall within fourteen (14) days notify the Department of Fair Trading (or equivalent) by the prescribed form and appoint a new Public Officer.

## Section IX – Miscellaneous

- (a) The Club shall effect and maintain insurance as required by Surf Life Saving NSW policy and relevant legislations and regulations or may be regarded as necessary by the Committee.
- (b) The Committee shall by By-law, maintain the standing Sub-committees described in the By-laws, including the Junior Activities Committee (JAC).

- (c) The Club shall follow best practice in the handling of all money and funds.
- (d) The Common Seal shall only be affixed to any instrument or document with the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures of the Secretary and one other member of the Committee.
- (e) Except as otherwise provided by these Rules, the Secretary shall keep in their custody, or under their control, the Common Seal and all records, books and other documents relating to the Club including information technology based records and security passwords.
- (f) A Member is deemed to have received a document, letter email, fax or any other communication as per the standards rules of contract law.
- (g) On signing their membership application form, all members are deemed to be aware of and understand and agreed to abide by the rules of the Club.
- (h) In the event of the Club's inability to operate, any assets of the Club will be divested to the Mid-North Coast Branch to be held in trust for five years. After this period, if the Club remains unable to operate, the Mid-North Coast Branch has discretionary power over all Club assets.

# PORT MACQUARIE SURF LIFE SAVING CLUB INC

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## 1. MEMBERSHIP

Life Governor, Life Member and Honorary Members are appointed as described by the following by-laws.

All persons seeking inclusion in other membership categories shall complete the prescribed application form and pay such annual subscription as determined by the Committee.

### **(a) Life Governor**

An honorary life member who has rendered exceptional services after their appointment may be elected a life governor. The conditions for election to honorary life membership shall apply to the election of a life governor. They shall be entitled to the rights and privileges and be subject to the duties and obligations of an active member without being liable for patrol duty or for any membership subscription.

### **(b) Life Member**

The Life Membership Sub-committee may recommend to the Committee that a member be elected as a Life Member.

Such recommendation shall be considered by a meeting of the Committee attended by no less than 75% of Committee members.

A motion to adopt the recommendation requires a vote in favour by 90% of the Committee members present.

### **c) Honorary Members**

Any person for any reason deemed satisfactory to the committee may be appointed as an honorary member for any period terminating no later than the first committee meeting after the following annual general meeting.

Honorary members shall not vote at any meetings. They shall not be called upon to perform any active duties except where agreed by the committee.

Patrons, the Auditor, and honorary professional officers (such as a Legal Officer) shall be honorary members. Persons other than members who render honorary services to the club may by virtue of such services be elected by the committee as honorary members.

With agreement of the full Committee, the positions of Secretary and Treasurer may be held by an honorary member if it is deemed to be in the best interests of the club.

Honorary membership is conferred by a vote of 65% majority of the Committee.

### **(d) Active, Active Reserve and Active-In-Training Membership.**

Active membership shall consist of members who have been awarded the bronze medallion or Certificate II Public Safety (Aquatic Rescue) of the SLSA. All active members shall complete the proficiency test each season as prescribed by the SLSA.

Candidates for active membership shall upon payment of fees, and prior to attaining the bronze medallion, be deemed to be active-in-training member. The Club Captain has discretionary powers to decide what rights individual active-in-training members have, in accordance with SLSA guidelines.

After 90 days since paying membership fees, the Committee will review the membership rights of an active-in-training member if a bronze medallion or award certificate has not been attained.

Active Reserve membership may be granted by the Committee to active members who have satisfactorily completed at least ten years of patrol and club obligations as provided by the Rules. Granting of active reserve membership shall not be automatic, but shall be granted by majority resolution of the Committee. Active reserve membership may be granted under exceptional circumstances to active members irrespective of years of service.

Active reserve members may be called upon to perform patrol duties at the discretion of the committee.

The Committee shall have power to remove any member from the active reserve category, and return that person to active membership.

Members transferring from an affiliated club of the SLSA who have had a minimum of three consecutive years active membership with such club may, at the discretion of the committee, be credited with such consecutive period of service not exceeding nine (9) years, for the purpose of deciding their eligibility for active reserve status.

### **(e) Award Member**

Award membership shall consist of members who are unwilling or unable to complete the Bronze Medallion (Cert II Public Safety, Aquatic Rescue) but still want to participate in patrol activities. They must have a Surf Rescue Certificate or an award of the SLSA for which the minimum age is 15 years. Award members shall complete the proficiency test associated with their award(s) as prescribed by SLSA and shall conform to all requirements as laid down by the club.

Award members are eligible to wear the SLS uniform with the exception of the red and yellow quartered cap. They otherwise have the same rights and responsibilities of an active member.

## **(f) Junior Activities “Nipper” Membership**

Candidates for Junior Activities Members (Nippers) shall conform to the age limits as laid down by the SLSA and meet all requirements as set down by the Junior Activities Subcommittee and the Club.

The application form for a Nipper membership must be signed by a parent or guardian of the proposed Nipper.

At least one parent or guardian of the Nipper must be a current, financial member of the Club before the Nipper membership can be accepted.

All Nippers shall be encouraged to undertake the age awards as laid down by the SLSA.

Nippers shall, at the earliest possible time after reaching the age of 8 years of age, be encouraged to complete their “S” badge, to indicate their proficiency in the water.

## **(g) Long Service Membership**

Long service membership shall be for those members who

- have been granted active reserve status,
- have at least twelve years continuous active membership, and
- no longer wish to do the annual proficiency test required to retain active reserve status.

Long service membership will not be automatic, and will be granted by majority resolution of the Committee.

Long service members are not required to perform Patrol duties.

If a long service member wishes to compete in any competition they must first meet the proficiency requirements for that season.

## **(h) Associate Membership**

Associate membership is available to anyone who is unwilling or unable to undertake a bronze medallion, an award certificate, and/or the annual proficiency test, nor is entitled to honorary membership, long service, active reserve, or life membership.

Associate members must be nominated and seconded by an active member, and must attend the first available Committee meeting for approval. They can be refused associate membership by the Committee.

Associate members are not eligible to vote or to be nominated for the Committee.

An Associate member is not eligible to compete in the Club Championships or any SLS competition unless they are proficient Bronze Medallion holders. The exception to this clause is the NSW and Australian Open March Past Event for which the eligibility requirement is being over the age of 23 years and being proficient in a resuscitation certificate.

Associate membership entitles the member to use of the hot showers and lockers.

Associate members shall be encouraged to consider becoming active or award members.

## 2. SUBSCRIPTIONS and DUES

The annual subscription shall be determined by the Committee prior to the AGM. In addition, the Committee shall have power to impose a levy in any one season not exceeding the amount of the annual subscription.

The annual subscription for each year shall be due and payable on or before the date of the AGM and shall be in respect of the upcoming year. No member shall be entitled to hold office or permitted to vote on the election of Committee members for the upcoming year until they have paid such annual subscription, together with any arrears due by them.

Any member who fails to renew their subscription by October 30<sup>th</sup> in any year shall not be entitled to any privileges of the Club as long as their subscription remains in arrears. After this date, a notice will appear on the Club Captain's noticeboard listing those members who are un-financial. From this point, it is at the discretion of the Committee whether membership is terminated.

A family payment plan is available to any family involved in the club. It shall be available to one or two parents/guardians, and one or more members aged 18 years or under. The maximum fee payable per year would be the equivalent of four active membership fees, regardless of how many extra immediate family members are involved in the club.

## 3. COMMITTEE MEMBERS

All Committee members other than the Chair of the JAC, shall be elected annually at the AGM unless the AGM, or these rules, requests the incoming Committee to so elect any officer. The Chair of the JAC shall be elected at the AGM of the JAC which will be held prior to the AGM of the Club. Their election shall be confirmed at the AGM of the Club.

Nominations shall be in writing and signed by two financial members and the nominee and delivered to the Secretary before the annual general meeting. An election by ballot shall take place if the number of nominations exceeds the number required for any office. If the number of nominations equals the number required, the Chair shall declare such nominee or nominees to be duly elected.

The exception to this rule is if a nomination in writing is not received prior to the annual general meeting. In this case, the Chair shall call for nominations. If two or more officers of the same category are required and an insufficient number of nominations in writing are received, the Chair shall declare the person/s nominated in writing to be duly elected then call for nominations for the remainder required. Nominations at the meeting shall be subject to the consent of the nominees.

Life Governors, Life Members, Long Service, Active and Award members are entitled to nominate for the Committee and to vote for Committee members.

## 4. COMMITTEE MEMBER POWERS and DUTIES

The duties, powers and authority of officers shall be prescribed by this By-Law.

As defined in the Rules, the Committee shall be made up of President, Secretary, Treasurer, Club Captain, Vice President, Chief Training Officer, Chair of the Junior Activities Committee, Regulatory and Legislation Officer, Competition Manager, Gear & Maintenance Officer, and Events & Publicity Officer.

The Committee shall appoint Club members to assist the Committee with their duties. Such appointments shall include a Registrar, Vice Club Captain, Patrol Captains, IRB Captain, Head Coach, Gym Manager, OHS Officer, Event Manager and any others that may be required from time to time.



## Committee members

### **President**

As chief executive, the President shall

- supervise the functions and activities of the club and perform such other duties as pertain to the office
- be the official representative and spokesperson of the club,
- have authority to call a general meeting and a meeting of the Committee,
- chair Committee meetings and General meetings. In the absence of the President, the Vice-President shall be chair. If the President and the Vice-President are both absent from the meeting, the members present shall elect a Chair for that meeting.
- be an ex-officio member of all sub-committees and may attend any or all meetings of the Club, and may at their discretion preside over such meetings,
- ensure Committee members and sub-committee members are aware of their duties as defined and that they are carried out in accordance with the rules and by-laws,
- consult with key agencies such as Council and relevant State departments, and shall be aware of and act on relevant agency requirements, and
- lead the club in fundraising activities.

### **Vice President**

The Vice President shall

- support the President in their duties at all times, and
- in the absence of the President, represent the Club and carry out their duties.

### **Secretary**

The Secretary shall

- be responsible for the recording of the minutes of all business dealt with in all Committee proceedings, general meetings and annual general meetings,
- be responsible to see that all records of the club are properly kept,
- keep the common seal of the Club in their custody,
- issue notices of meetings when required,
- conduct the Club's correspondence and post notices in the clubhouse as directed by the Committee,
- be entitled to attend all sub-committee meetings of the Club,
- in the absence of the Treasurer, have authority to receive monies on behalf of the Club for which they shall account to the Treasurer,
- prepare the Club's annual report for submission to the annual general meeting and shall have this report endorsed by the Committee before publication.

The Secretary may nominate an assistant secretary to assist with their duties provided such nomination is approved by the Committee. The Secretary may delegate authority to the Assistant Secretary as they see fit.

## **Treasurer**

The Treasurer shall

- receive and be responsible for all monies and shall keep all records and/or books relevant to the financial position of the Club. These records must be available for inspection by any member of the Club.
- close off the books at the end of June each year and submit an audited balance sheet and statement of receipts and expenditure of the Club to the Committee.
- keep an inventory of the Club property and for such purpose may request any officer to furnish them with a list of property under their control.
- ensure that all money received by the Club is paid into bank accounts in the Club's name in a timely manner. Payment shall be made by cheque signed by two of any three signatories authorised by the committee. Major or unusual expenditure shall be authorised in advance by the Committee, or at a general meeting.
- chair the finance sub-committee
- be directly responsible for the Club's overall budget strategy, including the fundraising strategy.
- at the Committee meeting held in October of each year, table a report to the Committee of members whose subscriptions or other dues are in arrears.

## **Club Captain**

The Club Captain shall

- be responsible for the general conduct of the members when associated with Club activities,
- have direct responsibility for the care and maintenance of all the assets of the Club,
- have the authority to refuse the use of any/all Club property to any member as they see fit,
- have the authority to require any member to perform any duty consistent with the objects of SLSA, SLS NSW and these rules,
- work closely with the Vice-Captain in improving patrol captains and their patrol members,
- ensure the gym is appropriately equipped, maintained and supervised to support the fitness of active and award members for their patrol duties,
- organise a handicapped swim, known as the Club Swim, each Sunday of the patrol season. The results of Club Swims are to culminate in the announcement of an A-grade and B-grade winner at the Annual Presentation/Award night, and
- work with the Competition Manager to improve the quantity and quality of competitors of all age divisions.

## **Chair of the Junior Activities Committee**

The Chair of the Junior Activities Committee shall

- be responsible for all activities involving Nippers,
- chair the Junior Activities Committee, and
- ensure Nippers and members of the Junior Activities Committee are aware of their duties as defined and that they are carried out in accordance with the Club rules, as well as the Junior Activities Committee by-laws.

## **Chief Training Officer**

The Chief Training Officer shall

- coordinate training for members in awards and qualifications,
- liaise with the Club Captain to ensure proficiency of all patrol members,
- provide necessary information for the Registrar to be able to maintain SurfGuard records for all members,
- have control, subject only to the Club Captain, of the instruction of all members in the area of surf life-saving, and shall have authority to call upon any qualified instructor, facilitator &/or assessor to assist them in this regard,
- use their best endeavours to improve the quality training conducted throughout the club, and
- maintain equipment and resources designated for training purposes.

## **Competition Manager**

The Competition Manager shall

- be responsible for improving the quality and quantity of coaching staff and officials within the club,
- be responsible (with support of the Head Coach) for improving the skills and fitness of all competing members,
- encourage active members to participate in competition as a way of maintaining and/or improving their patrol skills,
- provide all active members with information about competitions including entry details,
- coordinate selection of senior, open and masters competition teams, submit and record all entries for carnivals, and if necessary, travel and accommodation associated with competition,
- submit competition entries, including names of officials, for all SLS events being entered by Club members,
- coordinate the availability of competition equipment (such as boards, skis, boats) and transport of that equipment to and from the competition,
- attend key carnivals, confirm attendance of Club competitors and ensure their welfare during training and competition, and
- record results of all such competitions and pass any competition results of news value to the Events and Publicity Officer as soon as possible post-event.

## **Regulatory and Legislation Officer**

The Regulatory and Legislation Officer shall

- be the gate-keeper of all child protection matters, and will enforce the Child Protection policy of the Club and of SLS NSW to the strict letter of the law,
- ensure compliance with OHS legislation and WorkCover regulations,
- ensure compliance with licensing laws and other legislative or regulatory requirements relating to provision and consumption of alcohol,
- ensure compliance with any other legislative or regulatory requirements that may apply to the Club,
- provide advice and assistance to the Committee and/or any sub-committee on matters of law relevant to the Club, and
- shall Chair the judiciary sub-committee.

## **Gear and Maintenance Officer**

The Gear and Maintenance Officer shall

- be responsible for the care, repair and maintenance of all Club equipment and building internals including surf life-saving, rescue and competition equipment and craft, radios, IRB's, computer equipment, DVD's, fax machines, and TV's,
- maintain a register of Club assets and at least annually, update that register with notes on the condition of each item,
- be responsible for promptly reporting to Council any relevant building matters,
- work closely with the Treasurer and have responsibility for the purchase, sale, maintenance and repair of all assets,
- be responsible for all grant applications for gear and building maintenance and ensure such grants are completed in a timely manner, and
- at their discretion, and on approval from the Committee, appoint Club members to support positions as necessary. Such positions may include a Grants Officer and a Building Maintenance Officer.

## **Events and Publicity Officer**

The Events and Publicity Officer shall,

- with the support of the Events Coordinator, organise the annual Presentation/Awards night
- liaise with the Competition Manager, and with the support of the Event Coordinator, organise and promote Club competitions including
  - 2 Port Macquarie Ocean Swims
  - Club fun run
  - Veterans Carnival
  - Open Carnival
- provide to the media information approved by the Committee as appropriate to promote the Club, its news, events and activities, and
- coordinate the regular (at least monthly) production and distribution of an internal 'newsletter' via the website and email.

# Committee Support Positions

## Registrar

The Registrar shall

- support the Secretary and the Treasurer in all aspects of membership and competitor management, in particular with the accurate data entry and management of the SurfGuard software system
- from time to time, produce reports for the Committee on request
- work with the Branch Registrar to ensure necessary record keeping as required by SLS NSW and SLSA

## Vice Club Captain

The Vice Club Captain shall

- assist the Captain in the discharge of their duties and carry out such other duties as the Captain may assign,
- in the absence of the Captain they shall have the same powers and authority as the Captain, and
- have as their primary focus, the efficiency of all patrol captains, and by association, the quality and quantity of patrolling members.

## Patrol Captains

Patrol Captains shall

- report directly to the Vice-Captain,
- have direct responsibility for active and award members allocated to them,
- ensure patrol members are dressed in required uniform for patrol,
- ensure the Member Protection Policy, OHS and other relevant policies are adhered to during patrol duties,
- ensure duty of care is exercised by all patrol members, in particular, sun safety and correct lifting and carrying techniques with equipment such as craft and IRB,
- encourage and actively arrange for patrol members to undertake skill and fitness developing activities during patrol if time and conditions allow,
- actively work towards the development of younger or less experienced members of their patrol,
- ensure all documentation associated with patrol duties is completed in a timely manner (eg patrol log, IRB log, Radio log, incident reports, first aid report),
- promote and role model professional behaviour including prompt attendance, proper standard of patrol uniform, friendly attitude with the public, a willingness to participate in competition, a desire to improve knowledge of surf life-saving, and a willingness to assist the Club with its broader goals including fund-raising.

## **IRB Captain**

The IRB Captain shall be a proficient IRB driver and shall

- in conjunction with the Club Captain and Chief Training Officer, arrange for training and proficiency of IRB Drivers and IRB Crewpersons,
- in conjunction with the Gear & Maintenance Officer, maintain the IRB craft and associated equipment,
- monitor and maintain, stock levels of consumable items such as fuel and oil,
- in conjunction with the OHS Officer, put in place such measures as are necessary to ensure the health and safety of members associated with the use, storage and maintenance of the IRB and related equipment, and
- ensure the IRB storage area(s) is/are clean, tidy and accessible to members authorised to use the IRB.

## **Head Coach**

The Head Coach shall

- support the Competition Manager and the Club Captain,
- put in place skill and fitness development programs for patrol and competition members,
- ensure the training needs of all competition members (open, senior and masters) are considered and catered for,
- seek the assistance of any member with necessary qualifications, skills, experience and/or interest in specific aspects of skill and/or fitness training (eg swim, board, ski, boat, sprint/flags), and
- provide advice to the Competition Manager regarding acquisition and maintenance of craft and equipment necessary for training or competition.

## **Cadet Supervisor**

The Cadet Supervisor shall

- provide mentor support for members who are in transition from Nippers to Bronze Medallion (ie under 15 category)
- encourage cadets to participate in patrol, competition and social activities of the Club
- represent the views and concerns of cadet members at Club meetings and similar forums

## **OHS Officer**

The OHS Officer shall

- support the Regulatory and Legislative Officer in ensuring compliance by the Club and its members with OHS legislative and regulatory requirements,
- in conjunction with the Chief Training Officer, provide necessary education and/or training for members in relation to OHS matters, and
- from time to time provide reports and advice to the Committee regarding OHS related matters.

## **Gym Manager**

The Gym Manager shall

- report directly to the Club Captain,
- support the Head Coach and Competition Manager in their roles,
- be responsible for putting place such measures as are necessary to ensure the health and safety of members using the gym,
- put in place necessary signage and/or other measures to ensure those using the gym and are aware of any rules associated with that use,
- in conjunction with the Head Coach, provide advice and guidance to members using the gym regarding appropriate use of the equipment to develop strength and fitness for patrol and/or competition, and
- with permission of the Committee, acquire and maintain gym equipment for the use of members to develop and maintain fitness.

## **Event Coordinator**

The Events Coordinator shall,

- support the Events and Publicity Officer in the organisation of the annual Presentation/Awards night
- support the Competition Manager and Events & Publicity Officer in the organisation of
  - 2 Port Macquarie Ocean Swims
  - Club fun run
  - Veterans Carnival
  - Open Carnival
- provide such support as required for the holding of any other events held by the Club from time to time.

## 5. SUB-COMMITTEES

The Committee shall ensure the following Standing Sub-committees operate as per these by-laws.

- Awards
- Building
- Finance
- Governance
- Judiciary
- Junior Activity Committee
- Life Member

The Committee shall form other sub-committees from time to time as is necessary to properly manage and achieve the objects of the Club.

The Chair of each **standing** Sub-committee shall be confirmed at the Annual General meeting.

All sub-committees can make recommendations to the Committee relevant to their area of concern unless otherwise specified in these by-laws.

Each sub-committee has discretionary powers to deal with management issues within their area of relevance and within the policy direction of the Committee and the Club.

At the first meeting after the AGM, the Committee shall, within the financial guidelines of the Club, approve a purchasing/spending limit for each standing sub-committee such that the sub-committee can achieve its purpose and operate.

The Chair of each sub-committee is directly accountable to the treasurer and the Committee, for purchasing/spending, and must only do so in accordance with the policy direction of the committee and the club. The Committee, through the treasurer, has the ability to stop any spending/purchase at any time, for any reason.

Sub-committee decisions will be made on majority vote of the members of that sub-committee.

The Chair of each sub-committee must make every effort to include all sub-committee members in the decision-making process.

Apart from these requirements, the Chair of each sub-committee has the discretion to communicate with other sub-committee members by any 'mainstream' means, including phone and/or email.

The Committee is to keep a record of recommendations presented by sub-committees, as well as a record of whether these recommendations were adopted.

## **Awards Sub-committee**

The Awards Sub-committee shall

- be chaired by the Club Captain,
- consist of the Junior Activities Chair, Chief Training Officer, Competition Manager and any other club or Committee member(s) the Committee feels appropriate, and
- decide on awards and presentations to be made to members at the Club Presentation/Awards night.

## **Building Sub-committee**

The building sub-committee shall

- be chaired by the Secretary,
- consist of the Vice-President, Regulatory & Legislative Officer, Club Captain, Treasurer, and the Gear & Maintenance Officer,
- focus on immediate compliance issues necessary for action,
- concentrate on securing the building and the assets within,
- develop a master plan for the future development of the club facilities, including a staged approach to improving the facility over the medium-term, and
- take into account the advice of the Finance Sub-committee.

## **Finance Sub-committee**

The finance sub-committee shall

- be chaired by the Treasurer,
- consist of the President, Vice-President, Junior Activities Chair, Junior Activities Treasurer, Club Captain, Secretary, and Events Co-ordinator,
- shall develop and implement a three(3) year club budget, including a three(3) year fundraising strategy,
- implement a “one club” approach to budgeting that takes into consideration the different functions within the Club and the needs of the sub-committees, and
- shall make recommendations to the Committee regarding investment and other financial strategies to enhance the viability and operating capacity of the Club.

## **Governance Sub-committee**

The governance sub-committee shall

- be chaired by the President
- consist of the Regulatory and Legislation Officer, JAC Chair, Club Captain, Chief Training Officer, Treasurer and Secretary,
- review the constitution (rules and by-laws) on a regular basis,
- monitor and improve communication of information within the Club,
- review the responsibilities and duties of Committee members and support positions,
- liaise with outside agencies such as Council and State bodies as required, and
- ensure all standards and other compliance matters are addressed by the Club.

## **Judiciary Sub-committee**

The Judiciary Sub-committee shall

- be chaired by the Regulatory and Legislative Officer,
- consist of three other Committee members (other than the President), chosen by the Committee, and two non-committee members (of long standing service to the law, surf life saving, and/or the Club) elected at the annual general meeting,
- meet as required when a disciplinary matter is referred to it by the committee, and
- will act in accordance with the Constitution.

## **Junior Activities Sub-committee**

The Junior Activities Sub-committee shall

- be known as the JAC
- be chaired by a person elected by members who meet the eligibility criteria in the By-laws of the JAC. The election of the Chair of the JAC shall be endorsed by members of the Club at the AGM.
- shall have an annual meeting prior to the AGM of the Club. At this meeting the chair and other positions within the JAC shall be elected.
- shall act as per this constitution and by-laws, as well as the attached **Junior Activities Sub-Committee By-Laws**.

## Life Membership Sub-committee

The life membership sub-committee shall

- be chaired by the Vice President,
- consist of any five (5) Life Governors and/or Life Members willing and able to participate. If five Life Governors and/or Life Members are not available or able to participate in the sub-committee, the vacant positions shall be filled by current long service members.
- not include any Committee member other than the Chair (Vice President),
- act in accordance with requirements as written in these by-laws under "Honorary Life Membership".
- meet at least once each year to consider and record outstanding service to the Club by a member or members.

To be considered for Life Membership, the Club member must be

- nominated in writing by two or more life, active or long service members, or
- be identified by the Life Member Sub-committee.

## 6. CLUB COLOURS, BADGES AND BLAZERS

The club colours shall be black, gold and white, except where a combination of these colours must be altered in cases of expediency.

Coat, costume and blazer badges of the current lapel design adopted by a general meeting of the club, may be worn by active and award members of the club.

A member shall be entitled to wear a laurel wreath in gold under the club pocket badge provided they have won an event at the Australian Open titles.

A member shall be entitled to wear a laurel wreath in blue under the club pocket badge provided they have won an event at the NSW Open titles, or won an event at the NSW or Australian Masters Championships.

A member shall be entitled to wear a laurel wreath in red under the club pocket badge provided they have been granted the distinguished service award by SLSA, been granted 50 the 50 year service award by SLSA, or life membership of the club.

A member shall be entitled to wear a laurel wreath in gold that encompasses the entire club pocket badge if at least 85% of the AGM, following a unanimous recommendation of the full committee, acknowledges a meritorious and/or courageous act undertaken by a member in their role as an active surf lifesaver.

## 7. AUDITOR

At the AGM, a suitably qualified accountant shall be appointed as auditor, who shall at least one month before the next AGM examine the accounts and shall certify the annual statement of accounts and the balance sheet. All information required will be provided by the Treasurer, the Committee, the sub-committees, and the Club.

## 8. CARE AND USE OF CLUB HOUSE and CLUB PROPERTY

The clubhouse shall be available to active, award and associate members; and to the Committee and sub-committees for such purposes as may be determined by the committee.

Keys of the clubhouse shall be issued by the Secretary on behalf of the Committee. Members resigning or retiring from the club shall return such keys immediately.

No Club property shall be removed from the clubhouse without the approval of the Committee, or the Club Captain or the Gear & Maintenance Officer.

Club members shall carry out any necessary actions required for the cleanliness and maintenance of Club property and surroundings.

The Club endorses responsible service of alcohol provisions at all times and will adhere to all relevant licensing laws in relation to this.

No unseemly conduct likely to interfere with the comfort of other members shall be permitted and members shall assist in preventing such conduct. This includes but is not limited to prohibition of games liable to damage club equipment, climbing on the roof of the clubhouse.

Respect for the welfare of other members is expected at all times in and around the club.

## 9. PATROLS

The beach shall be patrolled by active members at such times as agreed by the Committee, the Council, and SLS NSW.

Patrol Captains shall be appointed by the Club Captain and shall be under the direct control of the Vice Club Captain. Patrol members will report directly to their Patrol Captain.

Patrol members must ensure they are on time and appropriately dressed for patrol,

Patrol members unable to attend their allotted patrol must arrange a substitute in advance, and if not able to achieve this, then they must inform their Patrol Captain in advance of their absence,

Members of patrols shall perform any duty allotted by the Patrol Captain either in the actual work of life-saving or any other task deemed necessary to the efficient patrolling of the beach,

Members of patrols who are candidates for any award or qualification of the SLSA may be granted leave to attend training sessions by their Patrol Captain,

Leave from rostered patrol may be granted in certain circumstances by the Club Captain and/or Club Vice-Captain,

Exemption from patrol for an extended period is at the discretion of the Committee with recommendation from the Club Captain. Application for this should be in writing to the Club Captain. Exemption from patrols by a Committee member may be approved by the Committee in consultation with the Club Captain.

It is at the Club Captain's discretion whether to refer to the Committee, a member who fails to attend patrol. It is then at the discretion of the Committee whether to refer the member to the Judiciary Sub-committee.

Patrol Captains must follow best practice in fulfilling their duties and must encourage each patrol member to do likewise.

The upmost discretion must be used in all dealings with the public by both Patrol Captains and all patrol members. Abuse of any person will not be tolerated and will be immediately referred to the Committee for immediate referral to the Judiciary Sub-committee.

## 10. CLUB EQUIPMENT

The marked swimming/bathing area is for swimming and bathing only. No craft (including board or ski) shall enter this area.

Rostered patrols have first priority on any craft and equipment. In emergency situations, the Patrol Captain or the Club Captain will prioritise the use of craft and equipment.

Members must take every care to maintain the good condition of Club equipment. If an item of equipment is damaged while being used by a member, they must as soon as possible notify the

- Patrol Captain (if during patrol)
- Gear & Maintenance Officer and/or Competition Manager (if during training or competition)
- or Club Captain.

Members authorised to use the IRB may call upon any other member(s) to assist in the launching and housing of the craft. Any member refusing to assist shall be reported to the Club Captain, who has the discretion to refer the matter to the committee.

Members using craft (boat, board, ski or other) for competition or competition training purposes are responsible for getting the craft to and from the water, and for the condition of the craft while in their use.

Only an authorised boat crew of five (5) is allowed in the boat at any one time, unless exceptional circumstances warrant otherwise.

Only the Club Captain and the Gear and Maintenance Officer can approve alterations to the boat.

All members using craft or equipment for competition or competition training will be aware of and adhere to the ***“rules of use of competition equipment”*** that may be issued and amended by the Gear & Maintenance Officer and Competition Manager from time to time. These rules will be posted on the notice board in the Clubhouse.

All members using the gym will be aware of and adhere to the ***“rules of use of the gym”*** that may be issued and amended by the Club Captain, Gear & Maintenance Officer and Competition Manager from time to time. These rules will be posted on the notice board in the Clubhouse and in the gym.

Craft and equipment may only be used for competition or competition training with the knowledge of and under the supervision of the Club Captain, Gear & Maintenance Officer, Head Coach or Competition Manager. Such supervision does not necessarily mean the supervising person must be in attendance.

## 11. CLUB CHAMPIONSHIPS

All Club championships and Club carnivals will be conducted in accordance with the SLSA and SLS NSW current competition requirements.

At the first meeting following an AGM, the Committee will determine the type and grade of events to be conducted in the club championships, and confirm the dates for each.

Championship points will be allotted for each event as follows: 1<sup>st</sup> (7 points), 2<sup>nd</sup> (6 points), 3<sup>rd</sup> (5 points), 4<sup>th</sup> (4 points), 5<sup>th</sup> (3 points), 6<sup>th</sup> (2 points), all other entrants receive 1 point.

Each championship will be conducted over three (3) rounds.

Only financial, proficient Bronze Medallion, Certificate II Public Safety (Aquatic Rescue) and Surf Rescue Certificate holders can compete in the club championship point score.

## 12. CARNIVALS and COMPETITIONS

The Competition Manager, through the Club Captain, will submit to the Committee a list of carnivals that the club will compete in during the forthcoming season. This list of carnivals will be the first duty of the Competition manager following their appointment at the AGM.

The Competition Manager will notify on the noticeboard the carnival program for the season. This will be done as soon as possible following appointment at an AGM.

The Competition Manager will display all carnival information including entries, on the noticeboard.

## 13. MEMBERS PROPERTY ON CLUB PREMISES

The Club does not take responsibility for the care of and loss of or damage to members' property on the club premises. Members' belongings are left at the club at the members own risk, whether the members are present or absent from the clubhouse.

## 14. HONOUR AND CHAMPIONSHIP BOARD

Honour boards shall be provided in the clubhouse and shall include the following; Honorary Life Members, Distinguished Service/50 Year Service Awards, Office Bearers. All boards will be correctly inscribed as soon as practicable.

## 15. RULES OF DEBATE

The rules of debate follow standard meeting procedure as in the definitive "Horsley's Guide to Meetings".

## 16. CHILD PROTECTION

The club endorses and adheres to NSW Surf Life-Saving Member Protection policy including Child Protection.