



THE

CONSTITUTION OF

ELOUERA

SURF LIFE SAVING CLUB

INCORPORATED

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1. CLARIFICATION OF TERMS

In this Constitution, By-Laws and Rules, unless the contrary intention appears, the terms where herein used are clarified as follows:

- **Act** – means the *Associations Incorporation Act, 1984*.
- **AGM** – means the Annual General Meeting of the Club.
- **Amend** - in relation to an Act or instrument, includes alter and vary.
- **Board** - shall refer to the Board of Management of the club.
- **By-Laws** - means any regulations made from time to time by resolution of a General Meeting of the Club.
- **Calendar month** - means a period commencing at the beginning of a day of one of the 12 named months and ending:
 - a) immediately before the beginning of the corresponding day of the next named month, or
 - b) if there is no such corresponding day, at the end of the next named month.
- **Calendar year** - means a period of 12 months commencing on 1 January.
- **Club** - shall refer to the Elouera Surf Life Saving Club Inc.
- **Club Rules** - The rules under which the club shall operate in addition to this Constitution and the By Laws.
- **Duty Statement** - refers to duties of each Officer.
- **Financial Year** - shall refer to the period May 1 each year to April 30 of the following year.
- **Gender and number**
 - a) a word or expression that indicates one or more particular genders shall be taken to indicate every other gender,
 - b) a reference to a word or expression in the singular form includes a reference to the word or expression in the plural form,
 - c) a reference to a word or expression in the plural form includes a reference to the word or expression in the singular form,
 - d) a reference to a person does not exclude a reference to a corporation merely because elsewhere in the Act or instrument there is particular reference to a corporation (in whatever terms expressed), and
 - e) a reference to a person does not exclude a reference to an individual merely because elsewhere in the Act or instrument there is particular reference to an individual (in whatever terms expressed).
- **Individual** - means a natural person.
- **Local Council** - means a council within the meaning of the Local Government Act 1993.
- **Meaning of may and shall**
 - a) In any Act or instrument, the word “may”, if used to confer a power, indicates that the power may be exercised or not, at discretion.
 - b) In any Act or instrument, the word “shall”, if used to impose a duty, indicates that the duty must be performed.
- **Member** - shall refer to a bona fide registered financial member of the Club.
- **Mentally incapacitated person** - means a person who is a temporary patient, a continued treatment patient or a forensic patient within the meaning of the Mental Health Act 1990, or a protected person within the meaning of the Protected Estates Act 1983.
- **Minor** - means an individual who is under the age of 18 years.
- **Month** - means a calendar month.
- **Notice of meetings** - refers to all means of advice by way of verbal, postal, electronic and advertised in the local press unless otherwise stipulated.

- **Office** - includes position.
- **Officer** – any person who occupies a position of Club Officer as identified in the By-Laws.
- **Penalty** - includes forfeiture and punishment.
- **Person** - includes an individual, a corporation and a body corporate.
- **Property** - means any legal or equitable estate or interest (whether present or future and whether vested or contingent) in real or personal property of any description, including money, and includes things in action.
- **Registered medical practitioner** - and each of the following expressions means a medical practitioner registered under the Medical Practice Act 1992 :
 - c) medical practitioner
 - d) legally (or duly) qualified medical practitioner
 - e) qualified medical practitioner.
- **Rules** - means any regulation made from time to time by resolution of the Board of Management.
- **SLSA** - shall refer to Surf Life Saving Australia Ltd.
- **SLS Sydney** - shall refer to Surf Life Saving Sydney Inc.
- **SLS NSW** - shall refer to Surf Life Saving NSW Inc.
- **Statutory declaration** - means a declaration made by virtue of any Act authorising a declaration to be made instead of an oath.

2. NAME

- 2.1 The name of the club shall be "Elouera Surf Life Saving Club Incorporated".

3. OBJECTS

3.1 Study and Practice of Surf Life Saving

To study and practice the methods of Surf Life Saving as taught by the SLSA

3.2 Service

To provide and maintain an efficient life saving service and efficient life saving equipment

3.3 Vigilance on the Beach

To safeguard and prevent the loss of life and to render aid on the beach and other places as may be required.

3.4 Promote Surf Life Saving

To further the best interests of Surf Life Saving generally, promote demonstrations and arrange classes of instruction and to co-operate with the Sutherland Shire Council in improving the facilities for surf bathers.

3.5 Competition and Social Activities

To organise and conduct competitions and social functions for the benefit and assistance of the Club and its members in the attainment of its objectives.

3.6 Property

To exercise the power to acquire, lease or hire or in any way deal with any real or personal property.

3.7 Club Promotion

To carry out any other activity whatsoever which is calculated directly or indirectly to enhance or further the interests of the Club.

4. REGISTRATION AS A CHARITY

4.1 Compliance with Charitable Collections Act, 1934

The Club shall comply with such of the provisions of the Charitable Collections Act, 1934, and the regulations there under as are applicable to it.

5. COMPLIANCE WITH ASSOCIATIONS INCORPORATION ACT

5.1 Model Rules deemed to be Incorporated in this Constitution

Where in relation to any matter the model rules, contained in regulations to the *Associations Incorporation Act*, make provision but where the Club's Constitution does not make provision, the provisions of the model rules shall, in relation to that matter, be deemed to be included in this Constitution.

6. AFFILIATION

6.1 The Club shall be affiliated with SLSA through SLS Sydney and SLS NSW, and such other kindred bodies as may be decided upon by the Board.

7. CORRESPONDENCE

7.1 All correspondence to the Club shall be submitted to the Director of Administration.

8. MEMBERSHIP

8.1 Approval by the Board

Membership of the Club shall be open to persons whose nominations prove satisfactory to the Board. The Board is not required to supply reasons for approving or rejecting an application for membership.

8.2 Classes of Membership

Persons applying for membership shall apply in writing on the appropriate form for a membership category as defined in the By-Laws.

8.3 Members to Abide by Constitution and Rules of SLSA

Persons applying for membership in any category, shall thereby agree to uphold the Constitution, By-Laws and Rules of the Club and SLSA.

8.4 Nomination for Membership

8.4.1 The nomination of a person for membership of the Club:

- a) shall be made in writing, such nomination must be submitted on the appropriate application form and signed by the nominee. Each application must be accompanied by the relevant joining fee and/or annual fee.
- b) shall be lodged with the Director of Administration or Registrar of the Club.

8.5 Proof of Age

New applicants must produce a birth certificate, or some other proof of date of birth for sighting by the Registrar, or a Board officer. Similarly, proof of personal details for Junior and Family membership applications must be sighted by an appropriate Junior Development Committee officer and endorsed accordingly.

8.6 Transferring to Club

Persons who transfer from another club, provided their clearances are satisfactory to the

Board, may have their joining fee and/or annual fees waived or reduced.

All membership transfers shall be made in accordance with the requirements of the SLSA Regulations.

8.7 Board to Approve Nominations

As soon as practicable after the receipt of a nomination for membership which satisfies all conditions of application, the Registrar shall refer the nomination to the Board which shall determine the acceptance or rejection of the nomination.

8.8 Notification to New Members

Where the Board approves a nomination for membership, the Registrar shall, as soon as practicable after that approval:

- a) notify the nominee of that approval and advise the category of membership allocated:
and
- b) enter the nominee's name in the register of members and, upon the name being so entered, the nominee becomes a member of the Club.

8.9 Fitness Test

Applicants renewing or joining as new members, must satisfy all requirements appropriate to the membership classification sought.

8.10 Renewal of Membership

8.10.1 Board Approval

Members renewing their membership must apply in writing on the appropriate application form. Fees, as applicable, must accompany the renewal of membership form and all such applications shall be subject to approval by the Board.

8.10.2 Re-joining

Former members who rejoin the Club after a period of absence, may have the joining fee waived or reduced, if they were financial and had a satisfactory record when membership ceased.

8.11 Cessation of Membership

A person ceases to be a member of the Club if the person:

- a) dies,
- b) resigns that membership,
- c) is expelled or suspended from the Club, SLS Sydney, SLS NSW or SLSA,
- d) fails to pay membership fees by 31st October in each calendar year.

8.12 Membership Entitlements Not Transferable

A right, privilege or obligation which a person has by reason of being a member of the Club:

- a) is not capable of being transferred or transmitted to another person, and
- b) terminates upon cessation of the person's membership.

8.13 Resignation of Membership

Members wishing to resign from the Club must do so in accordance with the following clauses:

8.13.1 Notice of Resignation

A member of the Club who has paid all fees and/or other outstanding amounts owing by the member to the Club, may resign from membership of the Club by first giving notice [being not less than one [1] month or not less than such other period as the Board may determine] in writing to the Director of Administration of the member's intention to resign and, upon the

expiration of the period of notice, the member ceases to be a member.

8.13.2 *Resignation Recorded in Register of Members*

Where a member of the Club resigns, and in every other case where a member ceases to hold membership, the Registrar shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member

9. FEES

9.1 Joining Fees

Joining Fees may be levied on any person applying for membership.

9.2 Annual Fees

A member of the Club shall pay all appropriate fees as determined by the Board from time to time.

Such fees must accompany the appropriate membership application form at the time of renewing or joining.

9.3 Determined by Board

The membership fees [joining and annual] shall be determined by the Board and reviewed annually, preferably at the May Board meeting.

9.4 Fees Due

9.4.1 Annual Fees are due on the 1st of May each year and payable no later than 31st of October to ensure a continuity of membership. Fees paid after the 31st October each year may be subject to a Joining Fee.

9.4.2 All applicable Fees are to be paid at the time of joining the Club.

9.5 Fees not Refundable

Fees paid are not refundable.

9.6 Board may Waive Fees

Should any person find they cannot pay joining and/or annual membership fees by the applicable date, they may apply in writing to the Board, who may grant an extension of time to pay, waive or vary the applicable fees.

9.7 Unfinancial - Forfeits all Rights

Any member who is unfinancial, and has not been granted an extension of time to pay, on the 31st October in each year shall forfeit all rights to membership. A member desiring to rejoin after the 31st October shall be treated as a new member.

9.8 Fees may differ

Fees may be different for different membership classes or age groups within classes.

9.9 Change of Class through Season

The fees payable will be based on the category of membership applicable at midnight on the 30th September each year. No additional fees or refunds will be applied if membership class changes during that season.

9.10 Late Applications

Persons joining after 30th April may have the joining fee and annual membership fee applied to the next season.

10. REGISTER OF MEMBERS

- 10.1** The Director of Administration or Registrar of the Club shall establish and maintain a register of members of the Club specifying the name, current address and date of birth of each person who is a member of the Club together with the date on which the person became a member. Such register to also record all details of awards gained, positions held in the Club and other pertinent historical data relating to the member.
- 10.2** The register of members shall be kept at the principal place of administration of the Club and shall be open for inspection at a reasonable hour, by arrangement, free of charge by any member of the Club.

11. CONDUCT OF MEMBERS

- 11.1** Members shall at all times conduct themselves in accordance with the requirements of this Constitution, the Club By-Laws and Rules or SLSA regulations copies of which can be obtained from the Director of Administration.
- 11.2** Where a member is alleged to have breached this Constitution, the Club By-Laws or Rules or SLSA regulations or any resolution or determination of the Board, the alleged breach will be dealt with in accordance with the Club By-Laws.

12. MEMBERS' LIABILITY

- 12.1** The liability of a member of the Club to contribute towards the payments of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership fees [joining and/or annual] of the club.

13. MANAGEMENT OF THE CLUB

13.1 The Board of Management

13.1.1 Powers of the Board

The Board, subject to the Associations Incorporation Act, the Regulations and this Constitution and to any resolution passed by the Club at a General Meeting shall control and manage the affairs of the Club. However this does not encompass matters that require endorsement by the general membership of the club

13.1.2 The discretionary powers of the Board for suspension and cancellation of membership

On advice from the Judiciary Committee, the Board shall have power, at its absolute discretion, to:

- a) Suspend, cancel the membership of, or expel any member proven by a Judiciary Committee to be guilty of misconduct on the Club premises or elsewhere, or who in the opinion of the Board has acted prejudicially to the best interests of the Club.
- b) Suspend, cancel the membership of, or expel any member who in the Board's opinion has breached a Club Rule or is unfit to be a member of the Club.
- c) Suspend any of its Officers or members who in the Board's opinion have been guilty of any neglect of their duty, breach of confidence or any other misconduct.
- d) Suspend or cancel the membership of or expel any member who shall knowingly introduce any person who has been suspended or has been expelled from or refused membership to another Club or organisation.

13.1.3 *Composition of Board*

The management of the Club shall be vested in a Board, consisting of:

The Club Executive: and
Director of Education and Training
Deputy Director of Life Saving, Education and Training
Deputy Director of Surf Sports
Director of Youth Coordination
Director of Junior Development
Director of Marketing
Director of Major Events
Immediate Past Executive Director [1 year only]

All of whom shall be elected with the exception of the Immediate Past Executive Director at the Annual General Meeting of the Club and shall have full voting rights at all meetings.

13.2 Club Executive

The Executive of the Club shall consist of:

Executive Director
Deputy Executive Director
Director of Administration
Director of Finance
Director of Lifesaving
Director of Surf Sports

13.2.1 *Powers of Executive*

The Club Executive shall have the power to deal with all urgent matters requiring immediate action, or matters referred by the Board, which cannot wait until the next meeting of the Board.

13.2.2 *Must Report to Board*

A full report of action shall be made by the most senior officer involved to the following Board meeting for endorsement or otherwise.

13.2.3 *Cannot over-rule Board*

No action or decision by the Clubs Executive, or any Member of the Club Executive, shall over-rule any decision of the Board.

13.3 Payment of Club Executive and Officers

Any Officer of the Club shall not be appointed to any salaried office of the Club or any office of the Club paid by fees, and no remuneration or other benefit in money's worth shall be given by the Club to any Club Officers except:

- a) repayment of out-of-pocket expenses:
- b) reasonable and proper rent for premises let to the Club.

13.4 Duration of Office

Subject to this Constitution and By-Laws, all Board members and Officers shall hold office until:

- a) All positions are declared vacant at the subsequent Annual General Meeting following the date of the member's election, but is eligible for re-election.
- b) they resign from their elected position.
- c) the member dies or ceases to be a member of the Club.
- d) the member becomes an insolvent under administration within the meaning of the Companies [New South Wales] Code.
- e) is removed from office by resolution of a General Meeting prior to the expiration of a term of office
- f) becomes of unsound mind or a person whose person of estate is liable to be dealt with in any way under the law relating to mental health.
- g) is absent without consent of the Board, from three [3] consecutive Board meetings.
- h) the member holds an office of profit in the Club.

However where a member is directly or indirectly interested in any contract or proposed contract with the club, that member shall declare his interest and shall not engage in any discussion or decision relating to that matter.

13.5 Removal of Board, Or Club Officials

13.5.1 General Meeting Required

The Club in a General Meeting may by resolution, remove any person from their elected office before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

13.5.2 Statement may be made

Where an official to whom a proposed resolution for removal from office makes representations in writing within 21 days to the Director of Administration and requests that the representations be notified to the members of the Club, the Director of Administration may send a copy of the representations to each member of the Club or, if they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

13.6 Director of Administration

13.6.1 Public Officer

The Director of Administration shall hold the position of Public Officer as defined in the Associations Incorporation Act, 1984.

13.6.2 Restrictions on Appointment

A person is not eligible to be appointed as Director of Administration /Public Officer of the Club unless:

- a) the person has attained the age of 18 years: and
- b) the person is a resident in the State of NSW. and
- c) the person is a financial member of the club.

13.6.3 *Address*
The Director of Administration of the Club shall, as soon as practicable after being elected to the position, lodge notice with the relevant Government body or department of his address.

13.6.4 *Statutory Duty*
The Director of Administration shall keep a record of:
a) all appointed Club Officers :
b) the names of members of the Board present at all Board Meetings and all members present at General Meetings: and
c) all proceedings at Board and General Meetings.

13.6.5 *Minutes of Meetings*
The Director of Administration shall submit the Minutes of the proceedings of meetings for signature by the Chairperson of the meeting or by the Chairperson of the next succeeding meeting.

13.7 Director of Finance

13.7.1 *Statutory Duty*
It is the duty of the Director of Finance to ensure that:
a) all money due to the Club is collected and received and that all payments authorised by the Club are made:
and
b) correct books and accounts are kept showing the financial affairs of the Club including full details of all receipts and expenditure connected with the activities of the Club.
c) month by month summaries of the financial position including payments made, are presented at the Board Meetings.

14. FINANCE

14.1 Funds - source

14.1.1 The funds of the Club shall be from joining fees, annual fees of members, donations, fundraising and sponsorships and subject to any resolution passed by the Club in General Meeting, such other sources, except loans, borrowings and the like, as the Board determines.

14.2 Loans and Borrowings

The Club, at a General Meeting shall determine any and the extent of loans, borrowings and the like.

14.3 Financial Year

The financial year shall be from 1st May in one year to 30th April in the next year.

15. MEETINGS

15.1 Board Meetings

[Quorum 7]

15.1.1 Frequency

The Board shall meet regularly as determined by the Club By-Laws at such place and time as it may determine.

15.1.2 *Quorum for Board Meeting*

A minimum of seven [7] Board members shall form a quorum for all Board meetings.

15.1.3 *Agenda*

An agenda is to be compiled and circulated to all Board members and Officers to each Board Meeting. Such meeting to be conducted consistent with the Agenda.

15.1.4 *Meeting Adjourned if no Quorum*

No business shall be transacted by the Board unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.

15.1.5 *Meeting Dissolved*

If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.

15.1.6 *Executive Director to Preside*

At a meeting of the Board:

- a) the Executive Director, or in the Executive Director's absence, the Deputy Executive Director shall preside: or
- b) if the Executive Director and the Deputy Executive Director are absent or unwilling to act as such, one of the remaining members of the Board, as may be chosen by the members present at the meeting, shall preside.

15.2 Annual General Meeting

[Quorum 20]

15.2.1 *Called Annually by Statute*

The Club shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Club, convene an Annual General Meeting of its members.

15.2.2 *Quorum for Annual General Meeting*

A minimum of twenty [20] members shall form a quorum for all Annual General meetings.

15.2.3 *Notice to be given*

Fourteen [14] days clear notice must be given by notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting. Details of such a meeting must be posted to financial members at the address appearing in the Register of Members. Failure of any member to receive written notice shall not invalidate the meeting.

15.2.4 *Members may bring Notice of Motion*

A member desiring to bring any business before a meeting must give a minimum notice of 21 days in writing of that business to the Director of Administration. The Director of Administration shall include that business in the next notice calling a meeting.

15.2.5 *Open to the Public*

The meeting shall be open to the public who may speak only by invitation from the Chairman, or, on a motion from a financial member, but is not eligible to vote on any matter.

15.2.6 *Eligibility to Vote*

Members must be financial for the forthcoming season on the day of the meeting to be eligible to vote. Unfinancial members on the day, shall be treated as members of the public.

15.2.7

Agenda

The Agenda shall be as follows:

- a) Opening of the meeting by the Chairperson
- b) Apologies
- c) To confirm and adopt the Minutes of the previous Annual General Meeting and any General Meeting held since that meeting.
- d) Business arising from the Minutes.
- e) Correspondence [Relative to the Meeting only]
- f) To receive reports and other comments on the activities of the Club on the proceeding year.
- g) To receive and adopt the Annual Report incorporating the Balance Sheet and Financial Statements and that the Associations Incorporation Act, 1984 Form 12 "Certificate of Financial Affairs" be signed by two authorised officers.
- h) Declare all positions vacant and conduct the Election of Club Office Bearers and the appointment of the Public Officer and Auditors for the ensuing season.
- i) Notification of the date for the first Board Meeting.
- j) To conduct any presentations as may arise.
- k) Motions for which due notice has been given.
- l) General business [immediate and essential only].

15.3

General Meetings

[Quorum 20]

15.3.1

Called by Board or Members

A General Meeting may be called at any time by resolution of the Board, or, by written requisition to the Director of Administration signed by six [6] members of the Club. Such written requisition shall state the business to be discussed together with the venue, date and time of the requested meeting and shall be submitted to the Director of Administration at least twenty-one [21] days prior to the proposed meeting date.

15.3.2

Quorum for General Meeting

A minimum of twenty [20] members shall form a quorum for all General meetings.

15.3.3

Notice to be given

Fourteen [14] days clear notice must be given by notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting. Details of such a meeting must be posted to financial members at the address appearing in the Register of Members. Failure of any member to receive written notice shall not invalidate the meeting.

15.3.4

Open to Members and Invited Guests

General meetings shall be restricted to financial members. Invited guests and/or witnesses relevant to the purpose of the meeting may be invited to attend the meeting by the Chairman, or, at least two [2] members present, to enable them to remain at the meeting and speak.

15.3.5

Agenda

The agenda shall be as follows:

- a) Opening of the meeting by the Chairperson
- b) Apologies
- c) Minutes [if any] of previous similar meeting to be read and confirmed.
- d) Business arising from the Minutes
- e) Business - to be confined strictly to the motions for which due notice has been given or

the purpose for which the meeting was convened.

- f) Reports by officers and/or Committees [where required]
- g) General business [immediate and essential only]

15.4 Quorums At Meetings

15.4.1 Quorum must be Present

No item of business shall be transacted at a meeting unless a quorum of members entitled to vote under this Constitution and/or By-Laws, is present during the time the meeting is considering that item of business.

15.4.2 Quorum Numbers

A quorum [as a minimum] must be present for the transaction of business at meetings as follows:

- Board Meeting - 7 officers eligible to vote
- Annual General Meeting - 20 members eligible to vote
- General Meeting - 20 members eligible to vote

15.4.3 Quorum not present

If within half an hour after the appointed time for the commencement of a meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and [unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned] at the same place.

15.4.4 Quorum not Present at Adjourned Meeting

If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present [being not less than 3] shall constitute a quorum.

15.5 Presiding Member at an Annual or General Meeting

15.5.1 Executive Director shall preside

The Executive Director or, in the Executive Director's absence, the Deputy Executive Director, shall preside as chairperson at each Annual General and/or General Meeting of the Club.

15.5.2 Alternate Presiding Officer

If the Executive Director and Deputy Executive Director are absent from an Annual General and/or General Meeting or are unwilling to act, the members present shall elect one of their fellow members to preside as chairperson at the meeting.

15.6 Adjournment of Annual or General Meeting

15.6.1 May be Adjourned

The chairperson of a meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

15.6.2 Notice to be Given

Where a meeting is adjourned for 14 days or more, the Director of Administration shall give notice of the adjourned meeting to each member of the Club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

15.7 Resolutions at an Annual, or General Meeting

15.7.1 Voting

A resolution shall be determined on the voices or a show of hands. On the declaration by the chairperson that a resolution has been carried or lost either unanimously or by a particular majority, an entry to that effect shall be recorded in the minutes of the meeting.

15.7.2 Poll May be Called

- a) At a meeting of the Club, a poll may be demanded by the chairperson or by any other 2 members present at the meeting.
- b) Where a poll is demanded, at a meeting, it shall be taken immediately and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

15.8 Special Resolution

15.8.1 A resolution of the Club is a special resolution if:

- a) it is passed by a majority which comprises not less than three-quarters of such members present at the meeting being entitled to vote under this Constitution,
or
- b) where it is made to appear to the Commission responsible for the administration of the Associations Incorporation Act that it is not possible or practical for the resolution to be passed in the manner specified in paragraph[a] – the resolution is passed in a manner specified by the Commission.

15.9 Voting

15.9.1 Member has One Vote

Upon any question arising at any meeting of the Club a member who is financial and present on the day, has one vote only which must be given personally.

15.9.2 Casting Vote

In the case of an equality of votes on a question at a meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

16. SERVICE OF NOTICES

- 16.1** For the purpose of these rules, a notice may be served by or on behalf of the Club upon any member either personally or by sending it electronically or by post to the member at the member's address shown in the register of members and unless the contrary is proven, is deemed, for the purposes of these Regulations, to have been served on that member at the time at which the notice would have been normally delivered.

17. DISSOLUTION

17.1 Method of Dissolution

The Club shall be dissolved if:

- a) A resolution to this effect, submitted by Notice of Motion, is carried by a Special Resolution at a General Meeting called to consider same.
or
- b) The financial membership drops to ten [10] or less members.

17.2 Surplus Property

17.2.1 Upon dissolution of the Club, all surplus property shall be handed to Surf Life Saving Australia [providing it is incorporated and a registered charity] or an incorporated

association being a charity registered under the *Charitable Collections Act, 1934*, or exempted from registration by or under that *Act*, in which it is to vest its surplus property pursuant to section 53[2] of the *Associations Incorporation Act, 1984* in the event of the winding up or the cancellation of the incorporation of the Club.

- 17.2.2 The incorporated association / charity so nominated shall be one which fulfils the requirements specified in section 53[2][a] – [c] of the *Associations Incorporation Act*.

18. INSURANCE

- 18.1 The Club shall effect and maintain insurance pursuant to section 44 of the *Associations Incorporation Act, 1984* and any other relevant legislation.
- 18.2 In addition to the insurance required under the above clause, the Club may effect and maintain other insurance.

19. CUSTODY OF BOOKS AND OTHER DOCUMENTS

- 19.1 Except as otherwise provided by these Regulations, the Public Officer shall be responsible for all documents relating to the Club.

20. INSPECTION OF RECORDS AND DOCUMENTS

- 20.1 The records and documents of the Club shall be available for inspection at a reasonable hour, free of charge, to any member of the Club.

21. ALTERATIONS TO THE CONSTITUTION, BY-LAWS OR RULES

- 21.1 Any member may propose for consideration changes to the Constitution, By-Laws or Rules.

- 21.2 All submissions shall be submitted to the Director of Administration.

21.3 Alterations of Club Constitution

- 21.3.1 Alterations to the Club Constitution shall be made by a Special Resolution at a General Meeting properly convened for the purpose.

- 21.3.2 All proposed alterations submitted to the Board shall then be forwarded to the Constitution Committee for review and recommendation to the Board for consideration and direction. The Constitution Committee shall consider and make recommendation ('s) to the Board within 30 days of receipt of any proposed change.

21.4 Notification of Proposed Alteration of Constitution

A proposed alteration of the Constitution or of the statement of objects of the Club shall be notified to:

- the Minister administering the *Charitable Collections Act, 1934*, and/or such organisations as required by legislation
- the SLS Sydney and other higher bodies of the Association as necessary.

21.5 Alteration of By-Laws

- 21.5.1 Club By-Laws shall only be amended or repealed by a Notice of Motion submitted to a General or Annual General Meeting after initial consideration by the Constitution Committee and recommendation to the Board for consideration and direction within 30 days of receipt.

21.6 Alteration of Rules

Club Rules shall only be amended or repealed by a Notice of Motion submitted to a Board Meeting, Annual General Meeting or a General Meeting.

22. COPY OF CONSTITUTION

Each Member of the Club shall be supplied with a copy of this Constitution on request. A copy of the Club Constitution shall be available for perusal at the Club or in an electronic format.

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23 SUMMARY OF AMENDMENTS

This summary reflects the progressive amendments to the Elouera SLSC Constitution in accordance with the adopted resolutions of the various General Meetings as indicated.

MEETING DATE	MINUTE / ITEM No.	AMENDMENTS
General Meeting 1966	Full Document	Original Constitution adopted
Special General Meeting, August 1978	Major amendments	Various clauses
Special General Meeting, July 1979	Minor amendments	Various clauses
Special General Meeting, April 1980	Minor amendments	Various clauses
Special General Meeting, September 1984	Minor amendments	Various clauses
Special General Meeting, July 1987	Minor amendments	Various clauses
Special General Meeting, July 1988	Minor amendments	Various clauses
Special General Meeting, July 1989	Minor amendments	Various clauses
Special General Meeting, July 1990	Minor amendments	Various clauses
Special General Meeting, March 1992	Minor amendments	Incorporation under the Associations Incorporation Act 1984
Special General Meeting May 26, 2006	Agenda item	Complete review of the whole document
General Meeting, August 8, 2010	Clause 16.1	Clause reworded to include reference to electronic mail
	Clause 15.2.6	Clause amended to exclude unfinancial members from voting at general meetings and Proxy votes are not accepted
	Clause 9.10	Clause amended to provide for possible credit of fees to the next season for members joining after February 28
	Clause 15.4.4	Reworded to provide for the abandonment of an adjourned meeting if a quorum is not present
	Summary of Amendments	This Summary Schedule added