



**ELOUERA
SURF LIFE SAVING CLUB
INCORPORATED**

BY-LAWS

TABLE OF CONTENTS

Clause	Page
1 CLARIFICATION OF TERMS	3
2 BOUNDARIES	4
3 CLUB COLOURS AND BADGE	4
4 CLUB BLAZER AND UNIFORMS	4
5 ENTITLEMENT TO WEAR CLUB UNIFORM	4
6 HONOUR BLAZER	4
7 CLUB COMPETITION	5
8 MEMBERS EXEMPT FROM PATROL	5
9 MEMBERSHIP	5
10 CLUB OFFICERS	10
11 NOMINATION & ELECTION OF CLUB OFFICERS	10
12 DUTIES OF CLUB OFFICERS	11
13 LICENCEE	16
14 BOARD OF DIRECTORS [Quorum 7]	16
15 SPECIAL BOARD MEETINGS	17
16 DUTIES AND RESPONSIBILITIES OF THE BOARD	17
17 CASUAL VACANCY	17
18 MEETINGS	18
19 DELEGATION BY BOARD TO COMMITTEE	19
20 COMMITTEES	19
21 DISCIPLINE OF MEMBERS	23
22 FINANCE CONTROL	27
23 AUDITOR	28
24 ANNUAL REPORT AND BALANCE SHEET	29
25 MEMBERS PROPERTY	29
SUMMARY OF AMENDMENTS	33

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 BOUNDARIES

- 2.1** The Club boundaries shall be a point MIDWAY between the Elouera Clubhouse and North Cronulla Surf Life Saving Clubhouse to the South and a point MIDWAY between the Elouera Clubhouse and Wanda Surf Life Saving Clubhouse to the North.

3 CLUB COLOURS AND BADGE

- 3.1** The Club colours shall be royal blue, sky blue and white. Members shall not wear any other colours on official uniforms, costumes, badges, etc. without the approval of the Board.
- 3.2** The Official Club logo shall be as depicted below.



4 CLUB BLAZER AND UNIFORMS

- 4.1** The Club Blazer shall be manufactured from a dark navy material and shall incorporate the Club logo to designs approved by the Board. No additional wording or graphics shall be included unless approved by the Board. All existing blazers shall be allowed subject to Board of management approval.
- 4.2** All other official wearing apparel in colours, designs and screen printed or embroidered logos shall be approved by the Board.

5 ENTITLEMENT TO WEAR CLUB UNIFORM

- 5.1** All such official uniforms, etc, shall be worn by bona fide members of the Club. Members suspended or expelled shall forfeit the right to wear any Club uniforms or insignia whatsoever.
- 5.2 Honorary Member may wear Uniform**
Persons who have been made Honorary Members and who have rendered outstanding service over an extensive period may be presented with a Club Blazer, at the discretion of the Board, such actions to be endorsed by the Club at a Special or Annual General Meeting.

6 HONOUR BLAZER

- 6.1** A Club "Honour Blazer" of a special design approved by the Board, if not otherwise acknowledged,

may be presented at the discretion of the Board to a member who has;

- a) gained a Meritorious Award of the SLSA;
- b) won any SLSA National Championship Title; or
- c) rendered outstanding service to the Club, or on the Board or Committee.

7 CLUB COMPETITION

- 7.1** The Club shall conduct Club Competitions for members in categories consistent with the current SLSA policy each season and as determined by the Board from time to time.
- 7.2** Members participating in Club Competitions shall be holders of the appropriate SLSA awards.

8 MEMBERS EXEMPT FROM PATROL

- 8.1** The Executive Director, Deputy Executive Director, Director of Administration, Director of Finance, and Director of Competition may be exempt from patrol duty.
- 8.2** The Director of Lifesaving and the Director of Education and Training shall be exempt from patrol duty.
- 8.3** The Assistant Director of Education and Training, Boat Captain, Swimming Captain, Board and Ski Captain, Beach Captain, IRB Captain, may be exempt from Patrol Duty [upon written request] for a specific season at the discretion of the Board.

9 MEMBERSHIP

9.1 Membership Categories

9.1.1 Membership of the Club shall consist of the following categories:-

- a) Probationary
- b) Active
- c) Cadet
- d) Reserve Active
- e) Long Service
- f) Life
- g) Award
- h) Associate,
- i) Honorary,
- j) Junior Development
- k) General

9.1.2 All membership categories shall pay the appropriate Fees as determined by the Board from time to time.

9.1.3 Members of all categories shall have access to all club facilities at the discretion of the Board.

9.2 Probationary Members

9.2.1 All new applications for membership of the Club must be submitted in accordance with the Constitution and must be accompanied by the appropriate fees.

9.2.2 New members who are not the holders of an SLSA award shall be known as Probationary Members once their application has been accepted by the Management Committee, or Junior Development

Committee as appropriate, until they have passed their applicable SLSA award, if any.

9.2.3 Applicants must pass, where applicable -

- a) The appropriate Fitness Test.
- b) The appropriate SLSA Award within three [3] months of applying to join the Club, unless circumstances beyond the control of the member or the Club prevents same.

9.2.4 Probationary members are not eligible to vote on any matter of the club.

9.3 Fees are not refundable where an applicant fails to qualify for an award, or to pass the appropriate fitness test.

9.4 Active Members

9.4.1 Active members must be proficient holders of the Bronze Medallion of the SLSA and shall attend at the beach or elsewhere, for patrol duties on such dates and at such times as may be specified in the Club's Patrol Roster, or, at such places and times as may be deemed necessary by the Director of Lifesaving or the Patrol Captain of the day

9.4.2 Active members who are unable to attend normal Rostered Patrols may apply in writing for exemption from normal rostered patrols, setting out specific reasons which must satisfy the Director of Lifesaving who shall report to the Board for endorsement.

9.4.3 Should the application be granted, the member will be exempt from normal Rostered -Patrols but must attend a minimum number of patrols per month equivalent to the mean average of the normal Patrol Roster for the season. Such patrols shall only be undertaken by prior arrangement with the Life Saving Committee under the supervision of the Director of Lifesaving and are not to be taken at random. The member shall also be subject to all Patrol Rules where applicable and any other conditions required by the Board. Such Members shall be required to fulfill all other obligations of an Active Member.

9.4.4 The Board shall review the membership of any member whose patrols defaults are brought to notice. Should any member fail to complete satisfactory Patrol obligations he/she will be penalised with those Patrol hours not already completed and/or otherwise dealt with by the Board.

9.4.5 Active Members who have been granted exemption from normal rostered patrols shall not be eligible for 100% Patrol Attendance Award, but satisfactory service as an Active Member may be taken into account for Reserve Active and Long Service Membership.

9.5 Cadet Members

9.5.1 Cadet Member shall be thirteen [13] years of age or over, but under fifteen [15] years of age at midnight on the 30th September each season, and must be proficient holders of the Surf Rescue Certificate of the SLSA.

9.5.2 Cadets must satisfactorily complete a fitness test as decided from time to time by the Board. They must satisfactorily complete the SLSA Proficiency Test at the commencement of each season.

9.5.3 Cadets, on gaining the Bronze Medallion of the SLSA during a season, may elect to remain as Cadets, or be re-classified as Active and compete in the appropriate Club and / or SLSA events for the balance of that season.

9.5.4 Junior Development Members, upon gaining the Surf Rescue Certificate of the SLSA, may make application for Cadet Membership without payment of additional fees for the current season.

9.6 Reserve Active Members

9.6.1 Members who have completed eight [8] years of service as an Active Member of a Surf Life Saving Club, may apply for Reserve Active Membership.

9.6.2 Reserve Active membership shall not be automatic, but application must be made in writing to the Board who shall vote thereon, taking into account the applicant's Active membership record. The resolution shall be by a show of hands and must be carried by a simple majority of the Board

member's present. Applications based on service outside the Club shall be supported by a certificate of membership status and a record of patrol activities with the former Club/s.

- 9.6.3 Documentary evidence, satisfactory to the Board, of patrol attendance with mobile rescue services [ie. helicopters, Off Shore boats, Radio Control Centre, etc] and Board of Lifesaving duties may be taken into consideration for Reserve Active Membership.
- 9.6.4 Where an application is approved, the member shall be regarded as an Active member. Reserve Active members must undergo the SLSA Proficiency Test at the commencement of each season. Failure to pass such SLSA Test will automatically debar an applicant from this membership status.
- 9.6.5 Reserve Active member shall complete patrol hours at least equal to the hours required from time to time, by SLSA for this membership category to be eligible to compete at State and Australian Championships. These hours will be required irrespective of the competitive intentions of the Reserve Active Member.
- 9.6.6 Reserve Active members may take part in Club Championships and competitions, but must abide by all rules and conditions laid down by the Board for the events.
- 9.6.7 Reserve Active members may be called upon by the Board at any time to assist in beach patrol duties.

9.7 Long Service Members

- 9.7.1 Members who have satisfactorily completed ten [10] years as an Active member [ie. as holders of the Bronze Medallion] or members who have completed eight [8] years as Active Member and four [4] years as a Reserve Active member may apply for Long Service Membership.
- 9.7.2 Applications for Long Service membership must be made in writing to the Board who shall vote thereon, taking into account the applicant's Active record. The vote shall be by a show of hands and must be carried by a simple majority of the Board members. Applications based on service outside the Club shall be supported by a certificate of membership status and a record of patrol activities with the former Club/s.
- 9.7.3 Documentary evidence, satisfactory to the Board, of patrol attendances with mobile rescue services [ie. helicopters, Off Shore boats, Radio Control Centre, etc and Board of Lifesaving duties] may be taken into consideration for Long Service membership.
- 9.7.4 Where an application is approved, the member shall be regarded as an Active member, but shall be exempt from all patrol duties or similar obligatory duties.
- 9.7.5 Long Service members may be called upon by the Director of Lifesaving, in extreme circumstances, to assist in some form of beach patrol, other than active physical participation.

9.8 Life Members

- 9.8.1 Life membership may be conferred on any living or deceased member who has as a minimum requirement:
- a) Displayed exceptional bravery in attempting to save life, provided such actions have been recognised by the Meritorious Awards Committee of Surf Life Saving Australia.
 - or
 - b) Performed exceptional or exemplary voluntary (unpaid) service for the Club for a minimum period of twelve (12) years.
 - c) Given exceptional service to higher levels of Surf Life Saving
 - d) Achieved consistent medal placings at Surf Life Saving Championship competitions and selection in SLSA Representative Teams.
- 9.8.2 As a general guide, such service may include service as an active elected officer of the Club, an active member of any committee, active involvement in the Junior Development section of the Club, voluntary competitive coaching and instruction of members in lifesaving awards and other significant contributions to the continuance of the Club.

Nominations must contain comprehensive and accurate details clearly identifying how such details satisfy the essential requirements for the grant of Life Membership and that they comply with all aspects of the Club's Constitution and By-Laws and any relevant Club Rules which are in force at the time.

remunerated, either directly or indirectly, except for reimbursement of out of pocket expenses.

It should be noted that in assessing eligibility for Life Membership, sub-clauses c) and d) not be viewed in isolation, but only be considered in conjunction with other contributions made by the nominee consistent with Club service as identified in sub-clauses a) and b) and 9.8.2

- 9.8.3 Written nominations for Life Membership, signed by at least four [4] financial members, must first be submitted and tabled at the April Board Meeting. Such nominations shall not be dealt with at that meeting but all relevant documentation shall be referred as soon as practicable to the Club's Honours Committee for prompt checking of the stated records and claims in the submission. The Club's Honours Committee will verify the accuracy of the provided information and compliance of the information with the outlined criteria for Life Membership. The Honours Committee shall also advise the May Board of Management meeting and the nominating members with a minimum of fourteen (14) days clear notice whether the nomination is recommended or not for grant of Life Membership.

9.8.4 The May Board meeting may then endorse by not less than an 80% majority of the members present and eligible to vote whether the nomination is to be submitted to a General Meeting for consideration by the members. A secret ballot is to be used.

9.8.5 If endorsed by the Board of Management, the nomination shall then be presented to the next General Meeting, with a minimum of fourteen (14) days clear notice of the nomination being given to all members. This general meeting may then agree by not less than 80% majority of the members present and entitled to vote, that the recommendation be endorsed. A secret ballot is to be used.

9.8.6 Should the recommendation for Life Membership be carried, the member shall be regarded as being in membership category previously held, but shall be exempt from paying any future annual membership fees. This exemption does not include any other fees which may be payable for access to other facilities and rights.

9.8.7 Life Members shall be entitled to attend and speak on all matters at all Board Meetings without the right to vote unless elected to a voting position on the Board.

9.9 Award Members

9.9.1 Application for Award membership may be granted to persons who hold one or more SLSA Awards or any other award approved by the Board from time to time.

9.9.2 Award Members may be called upon to perform patrol duty within the ability of their award or other Club obligations as required.

9.9.3 Award Members shall be eligible to stand and vote for any position in the Club with the exception of Director of Lifesaving and the Deputy Director of Life Saving, Education and Training.

9.9.4 Award members who have completed ten [10] years satisfactory patrol duty or service on the Board shall pay the same fees as Reserve Active members.

9.10 Associate Members

9.10.1 Persons who are thirty [30] years of age or over, or, who are incapacitated or for some reason satisfactory to the Board are unable to become Active members, may apply for Associate membership.

9.10.2 Associate members may compete in Club competitions, excluding Club Championship events, provided they are proficient Bronze Medallion holders but must abide by all rules and conditions laid down by the Board for the particular events.

9.10.3 Associate members shall be eligible to stand and vote for any position in the Club with the exception of Director of Lifesaving and the Deputy Director of Life Saving, Education and Training.

9.11 Honorary Member

9.11.1 Classes of Honorary Members

There shall be five [5] categories of Honorary Membership:

- a) Honorary Members
- b) Honorary Active Members
- c) Honorary Officers
- d) Perpetual Member
- e) Temporary Members

9.11.2 Honorary Members, Honorary Active Members and Honorary Officers shall be elected at the Annual General Meeting, or at any subsequent General or Board Meeting. The election shall be by two-thirds majority at the meeting concerned, the appointment to stand until the end of the then current season. Persons elected to these membership categories shall be entitled to take part socially in any Club activity, and shall have full use of Club facilities at the discretion of the Board, excluding those facilities for which an additional fee is payable.

9.11.2.1 Honorary Members

Persons outside of the normal Club membership, who have rendered outstanding service or noteworthy assistance in any form to the Club, may be elected an Honorary Member and shall be reviewed by the Board at the commencement of each season

9.11.2.2 Honorary Active Members

Honorary Active Members shall be active members who are sent overseas in the service of the Armed Forces of Australia, or as other approved national representatives, or their employment causes them to leave the metropolitan area for extended periods. This category must be applied for and reviewed by the Board at the commencement of each season. Such service may be taken into consideration for Reserve Active Membership, at the discretion of the Board and normal membership category fees are still payable.

9.11.2.3 Honorary Officers

The Honorary Officers shall be the Club Patron, Club Vice Patrons, Club Solicitors, Club Legal Officers, Club Surveyor, Club Architect, Club Medical Officer, or similar officers of an advisory nature, and, in such capacities, are not entitled to vote at any meeting of the Club.

9.11.2.4 Perpetual Members

Perpetual Members and persons outside the normal Club Membership, who have rendered outstanding service or noteworthy assistance in any form to the Club over a period of at least ten [10] years, may be appointed as a Perpetual Member.

9.11.2.5 Perpetual Members shall be elected at an Annual General Meeting or at a General or Board Meeting. The election shall be by a show of hands of at least a two-thirds majority of those present and eligible to vote at the meeting concerned. This appointment shall stand for the term of the person's natural life.

9.11.2.6 Persons so elected as Perpetual Members shall be entitled to take part socially in any Club activity and shall have use of the Club facilities, excluding those amenities or facilities for which any additional fee is charged.

9.11.2.7 Perpetual Members shall not have the right to vote on any matter, but will not be liable to pay annual fees.

9.11.2.8 Temporary Member

Persons visiting the Elouera Club may be made Temporary Members at the discretion of the Board for a specified period not exceeding one day per month and under the following conditions:

- a) be in the company of a current member of the Club.
- b) leave the Club premises when the current member leaves the premises or as required by a member of the Board. or
- c) be current members of surf clubs affiliated with the SLSA

9.12 Junior Development Members

A Junior Development Member shall be of an age as determined by the SLSA from time to time. Junior Development Members do not have voting rights.

9.13 General Members

9.13.1 A General Member is the parent/guardian of a Junior Development Member. A general member shall be entitled to take part in social activities and junior activities and shall have full use of Club facilities at the discretion of the Board excluding those amenities or facilities for which any additional fee is charged.

9.13.2 Unless nominated by the JDC as official delegate of the JDC, General Members are not eligible to stand or vote for any office position of the Club.

9.13.3 General Members shall only be eligible to vote or stand for any JDC position.

9.13.4 General Members shall be liable for a minimum annual fee equal to Capitation Fee or such other greater amount as determined by the Board or JDC committee from time to time.

9.13.5 General Members involved in JDC activities must be the holders of the appropriate SLSA awards or accreditation as required.

9.13.6 Where General Members holding suitable SLSA awards, wish to compete at open competitions, their membership shall be transferred to Active or other appropriate membership status for which they are eligible, shall pay the appropriate fees and shall comply with all SLSA eligibility and responsibility requirements (i.e. patrols, proficiencies etc).

10 CLUB OFFICERS

10.1 The election of all Club Officers shall be carried out at the Annual General Meeting in the following order:

Patron	
Vice Patrons	Maximum Thirty (30) Executive
Director	(Board Member)
Deputy Executive Director	(Board Member)
Immediate Past Executive Director [1 Year Only]	(Board Member)
Director of Administration [Public Officer]	(Board Member)
Director of Finance	(Board Member)
Director of Lifesaving	(Board Member)
Deputy Director of Lifesaving, Education and Training	(Board Member)
Director of Education and Training	(Board Member)
Director of Marketing	(Board Member)
Director of Major Events	(Board Member)
Director of Surf Sports	(Board Member)
Deputy Director of Surf Sports	(Board Member)
Director of Youth Co-Ordination	(Board Member)
Director of Junior Development Committee (JDC)	(Board Member)
Deputy Director of Administration & Finance	
Beach Captain	
Boat Captain	
Board Captain	
Ski Captain	
IRB Captain	
Swim Captain	
Masters" Captain	
Life Saving Competition Captain	
Registrar	
Social Organiser	
Race Secretary	
Life Saving Equipment Officer	
Delegate	One [1] Only
Occupational Health and Safety Officer	
Child Protection Officer	
Welfare Officer	
Honorary Medical Advisor	
Honorary Legal Advisor	

11 NOMINATION & ELECTION OF CLUB OFFICERS

11.1 Written nominations

Written nominations, signed by the nominee, and two (2) financial club members as proposer and seconder, must be lodged with the Director of Administration no later than seven (7) days prior to the meeting at which they are to be considered.

11.2 Insufficient Nominations

If insufficient nominations are received to fill all Officer positions, the nominated candidates shall be deemed elected. Further nominations shall be sought and received at the Annual General Meeting from those financial members present for any unfilled positions.

11.3 Position not Filled

If insufficient nominations are received, any vacant positions remaining on the Board shall be deemed to be casual vacancies.

11.4 Casual Vacancies

Casual vacancies of Club Officers may be filled by the Board, where deemed necessary. Notice of casual vacancies of Club Officers must be advertised on the Club Notice Board for a period of at least fourteen [14] days immediately prior to the next Board Meeting.

11.5 Ballot

11.5.1 If the number of nominations is equal to or less than the number of vacancies to be filled, the persons nominated shall be deemed elected.

11.5.2 If the number of nominations received is equal to or less than the number of vacancies to be filled, the persons nominated shall be deemed elected..

12 DUTIES OF CLUB OFFICERS

12.1 The duties of Club Officers are outlined in this section, in the Club Rules and Duty Statements. As deemed necessary by the Board, additional personnel or members, or proxy delegates, may be appointed to assist Section Captains in the conduct of their duties.

The appointed assistant shall report to and carry out such duties as directed by the Section Captain and may attend and speak at Surf Sports meetings without the right to vote.

12.2 All Club Officers shall undertake the duties as specified in the Club Constitution, these By Laws and relevant Club rules.

12.2.1 All Club Officers wishing to attend Board meetings to represent and speak on matters pertaining to their area of responsibility may do so without the right to vote.

12.2.2 All Officers shall have access to the Club facilities at the discretion of the Board.

12.3 Patron

12.3.1 At the May meeting, the retiring Board shall determine one nomination for the position of Patron from among the Club benefactors. This may include prominent community figures or long serving Club members who have made significant contributions to the management of the Club and who have shown interest in accepting the position.

12.3.2 The Such nominations shall be advised to the Annual General Meeting and will be for an initial term of three (3) years, but may be considered for further terms of office.

12.3.3 In the event of the Patron being unavailable to fulfill the elected term, the Board shall appoint a replacement to fill the position for the duration of the term. (refer to By-Law clauses 17.1 and 17.2).

12.3.4 The Patron may attend and speak at Board and General Meetings without the right to vote. However, if also elected to a voting position on the Board, the Patron may only speak and vote at Board meetings in that elected capacity and if a member of the Club, may speak and vote at General meetings.

12.4 Vice Patron

12.4.1 Vice Patrons may be nominated from the Club's benefactors and may include prominent community figures or long standing Club members who have made significant contributions to the management of the Club. They shall be welcomed at all Club meetings and functions and have full use of Club facilities as determined by the Board from time to time.

12.4.2 The retiring Board at its last meeting shall recommend nominations for the position of Vice Patron.

12.4.3 An unspecified number of Vice Patrons shall be nominated from persons inside or outside the Club membership.

12.4.4 Vice Patrons may attend and speak at Board and General Meetings but without the right to vote.

12.5 Executive Director

12.5.1 The Executive Director shall be the Senior Officer and nominal head of the Club and is privileged to be the Club's chief representative at functions, etc.

12.5.2 The Executive Director may chair all meetings attended other than those provided for under "Committees".

12.5.3 The Executive Director shall be ex-officio on all committees but without the right to vote on same.

12.5.4 The Executive Director or his nominee shall be the official spokesperson for the Club.

12.5.5 The Executive Director shall submit an activity report at each Board Meeting.

12.6 Deputy Executive Director

12.6.1 The Deputy Executive Director shall, in the absence of the Executive Director, assume the responsibilities and privileges of that office.

12.6.2 The Deputy Executive Director shall submit an activity report at each Board Meeting.

12.7 Immediate Past Executive Director

12.7.1 Should an Executive Director not be re-elected to the position, that person shall automatically become the Immediate Past Executive Director for the ensuing twelve [12] months only.

12.7.2 The Immediate Past Executive Director shall be entitled to vote and be fully integrated into the Club administration, and, in the absence of the Executive Director and Deputy Executive Director, shall be invited to take the chair at all General and Board Meetings.

12.8 Director of Administration

12.8.1 The Director of Administration shall assume the responsibilities as shown in the Club Constitution, these By-Laws and shall carry out the duties listed in the Duty Statements.

12.9 Director of Finance

12.9.1 The Director of Finance shall assume the responsibilities of that office as shown in the Club Constitution, these By-Laws and shall carry out the duties listed in the Duty Statements.

12.9.2 The Director of Finance shall maintain a current inventory of all assets of the Club. The Chief Gear Steward and appropriate Section Heads shall regularly update inventories of the equipment in their respective areas of responsibility and forward such information to the Director of Finance.

12.9.3 The Director of Finance shall submit a financial report at each Board Meeting and shall arrange for the auditing of financial records of the Club for presentation at the AGM.

12.10 Deputy Director of Administration / Finance

12.10.1 The Deputy Director of Administration / Finance shall assist both the Director of Administration and the Director of Finance in their duties, and, in their absence shall have like powers and authority.

12.10.2 The Deputy Director of Administration / Finance shall attend as far as possible all Club General and Board Meetings and take minutes of the proceedings, such minutes to be circulated to all Club Officers and Life Members

12.10.3 The Deputy Director of Administration / Finance may speak at Board meetings but shall not have the right to vote unless acting in a Director's position.

12.11 Director of Life Saving

12.11.1 The Director of Life Saving shall be the senior ranking Active Member for all Club life saving matters.

12.11.2 The Director of Life Saving shall submit an activity report at each Board Meeting on all Life Saving

activities.

- 12.11.3 The Director of Life Saving must be represented at all Board meetings. In the absence of the Director of Surf Life Saving from any Board meeting the Deputy Director of Life Saving, Education and Training shall assume like authority and powers.

12.12 Deputy Director of Life Saving, Education and Training

- 12.12.1 The Deputy Director of Life Saving, Education and Training shall assist and act under the direction of the Director of Life Saving and the Director of Education of Training.
- 12.12.2 In the absence of the Director of Life Saving and/or the Director of Education and Training, the Deputy Director of Education and Training shall have like powers of authority of that office.
- 12.12.3 The Deputy Director of Life Saving, Education and Training shall hold an appropriate Training Qualification.
- 12.12.4 When the Deputy Director of Life Saving, Education and Training is absent from a meeting or is representing the Director of Life Saving or Director of Education and Training he shall nominate a representative who shall assume like authority and powers.
- 12.12.5 The Deputy Director of Life Saving, Education and Training may submit regular activity reports to the Director of Life Saving or Director of Education or directly to the Board.

12.13 Director of Education and Training

- 12.13.1 The Director of Education and Training shall co-ordinate the training and instruction of all members in the methods of life saving as laid down in the Training Manuals of SLSA, and shall hold an appropriate Training Qualification.
- 12.13.2 The Director of Education and Training shall maintain detailed records of all members" who have undergone training for the various SLSA awards.
- 12.13.3 The Director of Education and Training shall submit an activity report at each Board Meeting on all Education and Training activities.

12.14 Director of Marketing

- 12.14.1 The Director of Marketing shall endeavor to bring the activities of the Club before the notice of Club Members and the public and to create a good public relations image with the media, the general public and Club supporters.
- 12.14.2 The Director of Marketing shall be responsible to the Board and, in the event of any controversial, or detrimental publicity, shall reply only at the instigation or direction of the Board.
- 12.14.3 The Director of Marketing shall co-ordinate the editorial content and circulation of the periodic Club newsletters.
- 12.14.4 The Director of Marketing shall submit an activity report at each Board Meeting on all Marketing activities.

12.15 Director of Major Events

- 12.15.1 The Director of Major Events shall co-ordinate all Club major events and their organising committees.
- 12.15.2 The Director of Major Events shall submit an activity report at each Board Meeting on all event activities.

12.16 Director of Surf Sports

- 12.16.1 The Director of Surf Sports, with the assistance of the Deputy Director of Surf Sports, shall be responsible for co-ordinating internal and external competition involving Club members.
- 12.16.2 With the assistance of the Deputy Director of Surf Sports, Sectional Captains and Race Secretary the Director of Surf Sports will co-ordinate carnival entries and ensure detailed records of carnival

results are retained to assist in the selection of teams.

- 12.16.3 The Director of Surf Sports shall ensure that all competitive team nominations comply with the Club Selection Rules.
- 12.16.4 The Director of Surf Sports shall be responsible for coordinating the transport of competition gear to carnivals.
- 12.16.5 The Director of Surf Sports shall be responsible for the supervision and co-ordination of all coaching staff.
- 12.16.6 The Director of Surf Sports must be represented at all Board meetings. In the absence of the Director of Surf Sports from any Board meeting the Deputy Director of Surf Sports shall assume like authority and powers.
- 12.16.7 The Director of Surf Sports shall submit an activity report at each Board Meeting on all competition activities.

12.17 Deputy Director of Surf Sports

- 12.17.1 The Deputy Director of Surf Sports shall assist and act under the direction of the Director of Surf Sports. In the absence of the Director of Surf Sports from any meeting, the Deputy Director of Surf Sports shall assume like authority and powers of that office.
- 12.17.2 When the Deputy Director of Surf Sports is absent from a meeting or representing the Director of Surf Sports he shall nominate a representative who shall assume like authority and powers.
- 12.17.3 The Deputy Director of Surf Sports may submit regular activity reports to the Director of Surf Sports or directly to the Board.

12.18 Director of Youth Co-Ordination

- 12.18.1 Shall co-ordinate the activities of all Under 19 award and probationary members.
- 12.18.2 Shall guide and encourage the Under 19 award members" towards participation in every phase of the Club's lifesaving, competition and social activities.
- 12.18.3 Shall attend as far as possible, all Junior Development Committee meetings and shall be entitled to speak and vote on all matters at such meetings.
- 12.18.4 The Director of Youth Co-Ordination shall submit an activity report at each Board Meeting on all youth activities.

12.19 Director of Junior Development

- 12.19.1 The Director of Junior Development shall represent the Junior Development Committee at all Board Meetings.
- 12.19.2 Shall report to and from both the Board and the Youth Development Committee on, such matters that are relevant to an effective liaison and working relationship within the Club.

12.20 Sectional Captains

- 12.20.1 Section Captains include the following Club Officers:
 - a) Beach Captain
 - b) Boat Captain
 - c) Board Captain
 - d) Ski Captain
 - e) IRB Captain
 - f) Swim Captain
 - g) Masters" Captain
 - h) Life Saving Competition Captain
- 12.20.2 All Section Captains shall ensure that a high competitive standard is maintained and improved within their Section and that suitable competitors and teams represent the Club in their respective

disciplines.

- 12.20.3 All Section Captains shall be responsible for the condition and maintenance of Club equipment within their Section.
- 12.20.4 All competitors shall be under the guidance and direction of the appropriate Section Captain.
- 12.20.5 All Section Captains shall submit a written report to the Director of Surf Sports who shall present the contents at the next Board meeting.
- 12.20.6 All Sectional Captains have the right to attend and speak on matters at a Board meeting without voting rights

12.21 Registrar

- 12.21.1 The Registrar shall keep accurate and detailed records of all Club members, their activities including patrol hours, achievements and any other relevant information pertaining to membership.
- 12.21.2 Shall be responsible to the Board through the Director of Administration and shall provide ready access to membership records on request of the Board.
- 12.21.3 The Registrar shall report monthly to the Director of Administration.

12.22 Social Organiser

- 12.22.1 The Social Organiser together with the Social Committee will ensure that Club functions are organised and properly conducted for the benefit of Club members.
- 12.22.2 The Social Organiser shall regularly report to the Board through the Director of Major Events and receive their sanction before incurring any expense and/or making preparations for any function.
- 12.22.3 The Social Organiser shall arrange catering for Club social functions where necessary and reconcile accounts for same with the Director of Finance.
- 12.22.4 Shall ensure that all proceeds are handed to the Director of Finance without deduction, as soon as practical following functions, together with a complete financial statement of the event.
- 12.22.5 The Social Organiser shall prepare and submit a social calendar for the year to the Director of Major Events for endorsement prior to the commencement of the season.
- 12.22.6 The Social Organiser shall report monthly to the Director of Major Events.

12.23 Race Secretary

- 12.23.1 The Race Secretary shall be responsible for organising and conducting all internal Club competitions.
- 12.23.2 The Race Secretary shall be responsible for displaying details of the competitions on the Club notice board, the schedule of which is to be adhered to as strictly as possible, and shall keep accurate records of the results and the events conducted.
- 12.23.3 Shall carry out duties under the direction of the Director of Surf Sports and shall ensure that all events are conducted in accordance with the SLSC Competition rules and/or as drawn up by the Surf Sports Committee and approved by the Board.
- 12.23.4 The Race Secretary shall report monthly to the Director of Surf Sports.

12.24 Life Saving Equipment Officer

- 12.24.1 The Gear Steward shall act under the direction of the Director of Lifesaving and shall be responsible for maintaining all life-saving and radio equipment.
- 12.24.2 The Life Saving Equipment Officer shall report monthly to the Director of Life Saving.

12.25 Delegate

12.25.1 The Delegate shall represent the Club at all SLS Sydney and other appropriate meetings and present the Club's view on matters arising at same.

12.25.2 The Delegate shall submit regular reports of the SLS Sydney and other meetings attended to the Director of Administration.

12.25.3 In the event the Delegate is unable to attend a meeting of the SLS Sydney, a proxy delegate must be arranged so as to ensure that the Club is fully represented.

12.26 Occupational Health and Safety Officer

12.26.1 The Occupational Health and Safety Officer shall ensure the health and safety of the Club Members, volunteers and visitors to our Club and lifesaving environments.

12.26.2 The Occupational Health and Safety Officer shall conduct regular inspections of the Club's premises and surroundings to identify, assess and act on any health and safety risks.

12.26.3 The Occupational Health and Safety Officer shall report as needed to the Deputy Executive Director.

12.27 Child Protection Officer

12.27.1 The Child Protection Officer shall coordinate the Club's child protection activities and is required to promote the importance of child protection to the Club members and ensure compliance with relevant legislation.

12.27.2 The Child Protection Officer shall report as needed to the Executive Director.

12.28 Welfare Officer

12.28.1 The Welfare Officer Shall

- i) receive advice of any member who is experiencing illness, bereavement or other traumatic situation
- ii) contact any member to provide suitable club assistance where possible
- iii) submit regular reports on members' traumatic situations to the BoM through the Director of Administration.

12.29 Honorary Medical Advisor

12.29.1 The Honorary Medical Advisor shall be a registered medical practitioner and be available to offer advice on medical issues.

12.30 Honorary Legal Advisor

12.30.1 The Honorary Legal Advisor shall be available to offer advice on legal issues.

13 LICENCEE

13.1 The Licensee shall be appointed by the Board from time to time in accordance with the relevant legislation.

14 BOARD OF DIRECTORS

[Quorum 7]

14.1 The management of the Club shall be vested in a Board consisting of those Directors as indicated in the section "Management of the Club". Board members shall only be elected to one [1] voting position on the Board, however, they may be elected to other non-voting positions of office.

14.2 All Board members are vested with the power to vote. 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 voting relating to that matter.

14.3 The Board shall meet where practicable, at least once each month, such meetings shall be conducted in accordance with the procedures and rules of debate contained in Renton's "Guide for

Meetings and Organisations". Written notice need not be given of such meetings.

14.4 Any Board member unable to attend a meeting is required to tender their apologies prior to the meeting. The Board member may nominate a proxy, who shall attend with full voting rights. Any Board member absent without prior approval of the Board for three meetings shall be called upon to show cause why their position should not be declared vacant. This clause shall not apply to the Club Patron.

14.5 The Director of Life Saving and Director of Surf Sports if unable to attend a Board meeting shall nominate a proxy who shall attend with full voting rights.

15 SPECIAL BOARD MEETINGS

15.1 A Special Board Meeting may be called at any time by resolution of the Board, or by written notice signed by four (4) members of the Club and submitted to the Director of Administration. The Special Board Meeting shall be convened within 7 days of the receipt of such written notice and shall specify the business to be discussed. The 7 days shall include a minimum of 4 days' notice to all Board members.

15.2 The notice shall include the business to be discussed at the Special Board Meeting. The business shall be confined strictly to the purpose for which the Special Board meeting was convened.

16 DUTIES AND RESPONSIBILITIES OF THE BOARD

16.1 In the interest of the club the Board shall be responsible for:

- a) the expenditure of Club funds, but shall not incur any expenditure or create any liability which will exceed the available funds.
- b) making, repealing or amending such Club Rules as they think expedient for the internal management of the Club. Once passed, all such Rules shall be binding upon the members unless repealed or set aside by a resolution of a General Meeting of the Club.
- c) interpreting the Constitution of the Club, the By-Laws and the Rules. Decisions upon any question of interpretation shall be final and binding on the members. The Board may seek advice of the Hon. Legal Officer if necessary.
- d) dealing with any occurrence not within the scope of the Constitution, these By-Laws and Club Rules. Any such decision shall be binding upon the members.

17 CASUAL VACANCY

17.1 Filling Casual Vacancy

17.1.1 In the event of a casual vacancy occurring in the membership of the Board or appointed Officials, the Board may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office, subject to this Constitution and By-Laws, until the conclusion of the Annual General Meeting next following the date of appointment.

17.2 Vacation of Office

17.2.1 For the purposes of these rules, a casual vacancy in the office of an appointed official occurs if the appointed official:

- a) dies:
- b) ceases to be a member of the Club:
- c) becomes an insolvent under administration within the meaning of the *Corporations Act, (Commonwealth 2001)* or would otherwise be prohibited from being a Director of a corporation under the Corporations Act.
- d) resigns office by notice in writing given to the Director of Administration:
- e) is removed from office by a resolution of a meeting equivalent to that meeting which endorsed the original appointee.

- 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 satisfactory reason from three meetings and does not show cause why their position should not be declared vacant. This clause shall not apply to the Club Patron.
- h) holds an office of profit in the Club.

18 MEETINGS

18.1 Meetings, Voting and Decisions

- 18.1.1 An accurate record of the conduct of the meeting including a register of attendance including all eligible members and visitors must be maintained by the Director of Administration, of all eligible members and visitors present at any meeting.
- 18.1.2 A book on meeting procedure and rules of debate, not explicitly detailed herein, shall be kept by the Director of Administration and shall be available for referral as a guide when required at all meetings. The book shall be "Guide for Meetings and Organisations" by N.E. Renton [published by The Law Book Co. of Australia Pty. Ltd., Sydney].
- 18.1.3 Board members only can vote at Board meetings. However where a Board 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 vote on that matter.
- 18.1.4 Club Officers, members, and other invited guests may attend and address Board meetings with the permission of the Chairman but with no voting rights and may not speak on matters unless permitted by the Chairman
- 18.1.5 With the exception of Honorary, JDC, Family and Probationary members, all financial members present are eligible to vote at Annual / General Meetings.
- 18.1.6 Voting at all meetings shall be by show of hands unless otherwise stipulated, or, by a secret ballot if such is requested by two [2] or more members present and entitled to vote.
- 18.1.7 A simple majority shall apply except as elsewhere provided.
- 18.1.8 Any action or decision taken by the Board or any committee is valid notwithstanding any defect afterwards discovered.
- 18.1.9 The distribution of „How to vote publications“ shall not be permitted within the room or area of the building in which an Annual / General Meeting is to be convened on the day of such meeting.

18.2 Notices of motion

- 18.2.1 Any Notice of Motion for consideration at any Board Meeting must be in writing, signed by the Proposer and Seconder [both of whom shall be bona fide members of the Club] and submitted to the Director of Administration at least fourteen [14] days before the relevant meeting.
- 18.2.2 All Board Members shall be given seven [7] days clear notice of such Notices of Motion

18.3 Voting determined by majority

- 18.3.1 Unless explicitly specified otherwise, matters arising at meetings of the Board or of any committee appointed by the Board shall be resolved by a majority of the votes of members of the Board or committee present at the meeting.

18.4 Casting vote

- 18.4.1 Each member present at a meeting of the Board or of any committee appointed by the Board [including the person presiding at the meeting] is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

18.5 Acting whilst a Board vacancy

- 18.5.1 Subject to a quorum being present, the Board may act notwithstanding any vacancy on the Board.

18.6 Decisions to stand

18.6.1 Any act or thing done or suffered, or purporting to have been done or suffered, by the Board or by a [su-b](#) committee appointed by the Board, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Board or committee.

19 DELEGATION BY BOARD TO COMMITTEE

19.1 Delegation in writing

19.1.1 The Board may, in writing, delegate to one or more committees the exercise of such of the functions of the Board as are specified in the written delegation, other than:

- a) this power of delegation: and
- b) a function which is a duty imposed on the Board by the Act or by any other Law.

19.1.2 The delegation shall remain until the delegated function is completed, revoked or varied

19.2 Delegation may contain conditions

19.2.1 A delegation under this section may be made subject to such conditions or limitations as may be specified in the instrument of delegation.

19.3 Board may also act

19.3.1 Notwithstanding any delegation under this rule, the Board may continue to exercise any function delegated.

19.4 Acts deemed to be acts of the Board

19.4.1 Any act carried out by a committee acting in the exercise of a delegation has the same force and effect as it would have if it had been carried out by the Board.

20 COMMITTEES

20.1 Committees may be appointed from among Club members at any General or Board Meeting. They shall be regarded as appointed to assist the Board in carrying out its business.

20.2 A Committee has no delegated authority unless specifically notified as per "Delegation by Board to Committee" clause above.

20.3 Committees shall confine their activities to that set out below or as otherwise defined by the meeting at which they were elected. They shall not commit the Club to any expenditure of funds without prior consent from the Board, or in an emergency, the Club Executive.

20.4 All committees shall maintain minutes of all meetings. These minutes shall be endorsed by committee members prior to submission to the Director of Administration for tabling at a subsequent Board meeting.

20.5 No expenditure is to be incurred without prior approval of the Board after presentation of a budget.

20.6 The following are the standing committees.

COMMITTEE	REPORTS TO THE BOARD THROUGH
EXECUTIVE	Executive Director (Convenor)
LIFE SAVING	Director of Life Saving (Convenor)
SURF SPORTS	Director of Surf Sports (Convenor)
FINANCE	Director of Finance (Convenor)
HOUSE	Deputy Executive Director
SPECIAL EVENTS	Director of Major Events
SELECTION	Director of Surf Sports (Convenor)
CLUB AWARDS	Director of Life Saving (Convenor)
CONSTITUTION	Director of Administration
UNIFORM	Director of Administration

CARNIVAL	Director of Major Events
TOURING TEAM	Director of Surf Sports
GYM	Deputy Executive Director
YOUTH	Director of Youth Co-Ordination (Convener)
SPONSORSHIP	Director of Marketing (Convener)
JUNIOR DEVELOPMENT	Director of Junior Development (Convener)
JUDICIARY	Executive Director
OTHERS as required	Directors and Conveners to be appointed

20.7 Unless indicated above, a Convener shall be appointed from the membership of each Committee. The Convener shall be responsible for arranging its respective meetings and for reporting the proceedings in writing to the Board through the appropriate Director.

20.8 Where applicable, reports shall be submitted to the Board monthly, and shall include a record of those in attendance at each Committee meeting. Any member failing to attend three [3] Committee Meetings without apology shall be automatically deleted and a replacement may be appointed by the Board.

20.9 A record of minutes of all Committee meetings shall be kept by such Committees. The number required to form any Committee and the quorum thereof other than as provided for, shall be determined at the Board meeting when such Committee is elected.

20.10 A committee may meet and adjourn as it thinks proper

20.11 Executive Committee [Quorum 4]

20.11.1 The Executive Committee shall comprise: Executive Director, Deputy Executive Director, Director of Finance, Director of Administration, Director of Life Saving and Director of Surf Sports.

20.11.2 At least four [4] Executive Officers must confer or be consulted before any decision is made.

20.12 Life Saving Committee [Quorum 7]

20.12.1 The Life Saving Committee shall comprise the Director of Lifesaving (Convener), Director of Education and Training, IRB Captain, Director of Youth Co-Ordination, Life Saving Equipment Officer, Deputy Director of Life Saving, Registrar, Education and Training and all Patrol Captains with the Director of Lifesaving as Convener. They shall meet at least on a monthly basis between August and April in each season, to discuss and make recommendations to the Board on matters directly related to patrols, gear, and/or other life saving matters that may be referred to them. In particular, they shall review members' patrol attendances through the Director of Lifesaving and the Registrar.

20.12.2 The Life Saving Committee shall maintain minutes of all meetings which shall be endorsed by committee members prior to submission to the Director of Administration for tabling at the subsequent Board meeting.

20.13 Surf Sports Committee [Quorum 4]

20.13.1 The Surf Sports Committee shall comprise the Director of Surf Sports [as Convener], Deputy Director of Surf Sports and all Sectional Captains, Race Secretary and Director of Youth Co-Ordination. It shall meet at least 7 days prior to each Board meeting, to discuss and make recommendations to the Board on matters related to Competition.

20.13.2 The Surf Sports Committee shall maintain minutes of all meetings which shall be endorsed by committee members prior to submission to the Director of Administration for tabling at the subsequent Board meeting.

20.13.3 Either the Director of Surf Sports or his Deputy shall present the minutes from the Surf Sports meeting to the next Board meeting.

20.13.4 If a Sectional Captain wishes to represent and speak at a Board meeting on matters pertaining to his section, he may do so without the right to vote.

20.13.5 Recommendations of competitors to be entered in events by the Surf Sports Committee are final and may only be revoked by a vote of no confidence from the Board, or, a General Meeting.

- 20.14 Finance Committee** **[Quorum 3]**
20.14.1 The Finance Committee shall comprise the Director of Finance, who shall act as Convener, plus two [2] elected members. Together they shall oversee the entire financial position of the Club, including the Junior Development Committee accounts. They shall make recommendations to the Board on ways and means for raising funds and/or effecting economies in Club expenditure and shall co-operate with other Committees.
- 20.15 House Committee** **[Quorum 3]**
20.15.1 The House Committee shall comprise five [5] members whose duty will be to ensure that the Club premises and all furnishings are maintained in good condition and to make recommendations for improvements in facilities, etc.
- 20.16 Special Events Committee** **[Quorum 4]**
20.16.1 The Special Events Committee shall comprise the Director of Major Events as Convener, the Social Organiser and such other members as may nominate. This committee shall arrange and conduct all social and like functions. They may co-opt the assistance of, or work in conjunction with, other Committees as appropriate.
- 20.17 Selection Committee** **[Quorum 3]**
20.17.1 The Selection Committee shall comprise the Director of Surf Sports, the Deputy Director of Surf Sports and all relevant Section Heads.
20.17.2 The Selection Committee shall be responsible for the selection of all Club representatives and teams.
20.17.3 The Selection Committee shall develop and present to the Board for endorsement a selection policy prior to the commencement the competition season.
- 20.18 Club Awards Committee** **[Quorum 3]**
20.18.1 The Club Awards Committee shall comprise five [5] members, including Director of Lifesaving, , Director of Surf Sports , Director of Education and Training , Director of Youth Co-Ordination and Race Secretary, who shall make recommendations to the Board for endorsement for all annual Club Awards.
20.18.2 The Club Awards Committee shall also be responsible for the selection, securing and preparation of all Club trophies and awards including perpetual and memorial trophies, and for arranging the program for the Annual Presentation in conjunction with the Special Events Committee.
- 20.19 Constitution Committee** **[Quorum 2]**
20.19.1 The Constitution Committee shall comprise three [3] members who shall annually peruse the Club Constitution, By-Laws and Rules to ensure that it is kept up to date. All proposed alterations shall be submitted to the Board who shall refer them to the Constitution Committee for review and recommendation back to the Board for its consideration and direction.
- 20.20 Uniform Committee** **[Quorum 2]**
20.20.1 The Uniform Committee shall comprise three [3] members. It shall review all approved Club Uniforms, wearing apparel and insignia each year and make recommendations to the Board for endorsement on any such matters.
- 20.21 Carnival Committee** **[Quorum 4]**
20.21.1 The Carnival Committee shall comprise six [6] members to organize and conduct any carnivals the Club decides to hold under the rules and regulations of SLSA. It shall operate in conjunction with the Special Events Committee.
- 20.22 Touring Team Committee** **[Quorum 3]**
20.22.1 The Touring Team Committee of four [4] members including a Manager, who shall be Convener, shall be elected to co-ordinate the tour arrangements for Club teams attending carnivals and/or functions outside the SLS Sydney area. They must co-operate with the Finance and Special Events Committees before organizing social or fund raising ventures.

20.22.2 The Touring Team Committee shall be responsible for co-ordinating the transport and accommodation of the Club's selected Team and its Managers only, plus drivers of vehicles towing club craft and equipment. It may make additional arrangements for non-competing members and Club supporters at the discretion of the Committee.

20.22.3 In addition, the Team Manager shall oversee the conduct of the selected Team during the full time they are away and report on same to the Committee and Board on return.

20.23 Gym Committee [Quorum 2]

20.23.1 The Gym Committee shall comprise three [3] members to organize and maintain the Club Gym and keep the Board informed of it's operation.

20.24 Youth Committee [Quorum 5]

20.24.1 The Youth Committee shall comprise 9 members including male and female representatives of: U19, U17, U15 and U14 and convened by Director of Youth Co-Ordination.

20.24.2 The Youth Committee shall meet monthly to monitor, evaluate and influence youth activities within the Club and shall make associated recommendations to the Board through the Director of Youth Co-Ordination.

20.25 Sponsorship Committee [Quorum 2]

20.25.1 The Sponsorship Committee shall comprise 3 members who shall meet at least monthly.

20.25.2 The Sponsorship Committee shall be responsible for attracting new sponsors, being mindful not to clash with existing Club, SLSS, SLSNSW or SLSA endorsed sponsors; and ensure retention of existing sponsors.

20.25.3 In liaison with the Director of Major Events to ensure appropriate exposure and publicity for sponsors including inviting representatives of all sponsors to significant Club events.

20.25.4 The Sponsorship Committee shall report monthly on the status of all Club sponsors and initiatives to the Board through the Director of Marketing.

20.26 Junior Development Committee

20.26.1 Junior Development Committee [JDC] to be known as "**Elouera Sharks**" will operate as a Committee and shall act in accordance with the Rules of Elouera Sharks, the Club Constitution and By-Laws.

20.26.2 Should any conflict exist between the Rules of Elouera Sharks and the Club Constitution, or By-Laws the Club Constitution and By-Laws shall take precedence.

20.26.3 Any change to the Rules of Elouera Sharks must be approved by the Board.

20.26.4 Minutes including Financial Statements of JDC Meetings and Committee Meetings shall be forwarded to the Director of Administration monthly.

20.26.5 The Board will determine the Quorum required from time to time.

20.27 Judiciary Committee [Quorum 3]

20.27.1 *Elected at Annual General Meeting*

A Judiciary Committee shall comprise five [5] persons including a Convener and shall be elected at the Annual General Meeting each year. The Committee shall be selected from amongst the Vice Patrons, Past Presidents, Life Members, the Honorary Legal Officer, Long Service Members, Active Reserve Members, and Associate Members who have had a minimum of five [5] years service on the Management Committee. The Honorary Legal Officer [s] shall be ex-officio if not elected, without the right to vote.

20.27.2 *Cannot be a Board Member*

Members elected to the Judiciary Committee shall not hold any Officer position or Committees, or compete in, or assist in the running of any Club competition.

- 20.27.3 *Vacancies on Judiciary Committee*
The Board shall be empowered to appoint persons qualified as above to fill any vacancies occurring on Judiciary Committee during its term of office.
- 20.27.4 *Convener*
The Judiciary Committee shall elect a Convener and a Secretary at its first meeting after being appointed.
- 20.27.5 *Duties of Judiciary*
The duties of the Judiciary Committee shall be to consider and give judgement on an alleged misconduct or offence which may be made by a member as set out in the "Conduct of Members" Clause in the Constitution.
- 20.27.6 *Judiciary to make Full Inquiry*
The Judiciary Committee, after hearing the formal complaint, shall be free to carry out full inquiries as they see fit and shall be entitled to call upon any member or Club official to assist with same.

21 DISCIPLINE OF MEMBERS

21.1 Breach

- 21.1.1 Where a Member has allegedly:
- a) Breached, failed, refused or neglected to comply with a provision of the Constitution, these By-Laws or Rules or any resolution or determination of the Board, any Regulation or any resolution or determination of a higher authority within SLSA.
 - b) Acted in a manner unbecoming of a Member or prejudicial to the objects and interests of the Club, SLSA, any SLS NSW, SLS Sydney or surf lifesaving; or
 - c) Brought the Club, SLSA, any SLS NSW, SLS Sydney or surf lifesaving into disrepute; or
 - d) Competed or in any way participated in a lifesaving competition and/or use of SLSA equipment which has not been licensed or sanctioned by SLSA or has failed to obtain the permission of the appropriate Surf Life Saving body to so compete or participate in that competition or use of that SLSA equipment;
- 21.1.2 The Board shall commence or cause to be commenced investigatory and/or disciplinary proceedings against that Member and that Member will be subject to and shall submit unreservedly to the jurisdiction, procedures, penalties and appeal mechanisms set out in these By-Laws.
- 21.1.3 The Board may commence proceedings by referring the matter to a Judiciary Committee.
- 21.1.4 In the case of a member being charged with a criminal offence the Board may suspend the member immediately without reference to a Judicial hearing

21.2 Judiciary Committee

- 21.2.1 Judiciary Committees shall be convened and function as follows:
- 21.2.2 *Convening of Committee*
The Club shall annually appoint a Judiciary Committee to investigate and/or determine matters referred to it. A member of the Judiciary Committee shall act as committee secretary and keep records of all investigations and decisions.
- 21.2.3 *Jurisdiction*
Where a Judiciary Committee has been convened by the Board the Judiciary Committee shall have unlimited jurisdiction within the Club to investigate all matters referred to it and make recommendations to the Board relating to any further action.
- 21.2.4 *Referrals*
- a) Every referral to a Judiciary Committee shall be clear and unambiguous and shall clearly set out the matter(s) required to be investigated or determined by the Judiciary Committee.
 - b) Upon a referral to a Judiciary Committee, the committee shall, as soon as practicable, appoint a date, time and place suitable to the Judiciary Committee for the proceedings to be heard and

may appoint an investigator to inquire into the referral.

- c) A Judiciary Committee shall deal with any matters referred to it within such time as the Board directs, provided always that a concerned person may apply for an adjournment by application in writing to the committee secretary. Such application must be received at least two (2) days prior to the designated commencement of proceedings.
- d) A Judiciary Committee shall have power to require the attendance of any member at any proceedings before it. Notice shall be given in accordance with these By-Laws.
- e) The quorum for a Judiciary Committee shall be three [3] members.
- f) Should an investigator have been appointed, the Judiciary Committee shall consider the finds of the investigator and adjudicate on the matter or recommend to the Board that the matter not proceed.

21.2.5 Procedure

Proceedings commenced under these By-Laws shall be conducted as follows:

a) Request to Appear

Upon receipt of a referral, the Judiciary Committee shall request the party or parties concerned in the referral to appear before them. Such request shall be in writing detailing particulars of the allegations and delivered by certified post.

b) Notice

Proceedings shall take place as soon as practicable. All parties concerned shall be given at least seven (7) days' notice of the proceedings by the Judiciary Committee. The notice shall be in writing and shall;

- i) State that the party or parties concerned are required to appear and in what capacity;
- ii) State the nature of the proceedings and the matters or alleged offence(s), the subject of investigation or determination, the possible penalty or penalties and the date, place and time of the hearing;
- iii) Date time and place for the proceedings.

c) Appearance

Persons appearing before the Judiciary Committee shall be entitled to call witnesses, but must state their case in person unless the Judiciary Committee has permitted representation through an advocate. They and their witnesses shall be given a full opportunity to be heard. In their absence, or in the absence of their witnesses, a decision may be made by default. Before making a decision in default of appearance, the Judiciary Committee must satisfy itself that the party concerned was aware of the time, date and place of hearing and had been requested to appear.

All costs incurred by either party are the responsibility of that party.

21.3 Hearing Procedure

21.3.1 The Judiciary Committee Convener shall announce the opening of the proceedings, stating the Judiciary Committee's authority, jurisdiction, composition and the nature and purpose(s) of the proceedings.

21.3.2 The procedure to be followed at proceedings shall be clearly explained by the Judiciary Committee Chairman. The Judiciary Committee Convener shall state who is entitled to be present throughout proceedings during evidence and submissions.

21.3.3 The matter(s) which is/are the subject of proceedings shall then be read to the person(s) concerned. The referring body or person reporting the matter(s), the subject or matters of the proceeding shall be given the opportunity to report the circumstances of those matter(s), including being given the opportunity to respond to the report and present evidence/submissions as to their view of the circumstances of the matter(s). Any witnesses called by the referring body or reporting entity or the person(s) concerned will be given the opportunity to give evidence or make submissions. Witnesses may be questioned on their evidence. Evidence and/or submissions may be tendered in writing.

21.3.4 The Judiciary Committee will consider all evidence presented. The Judiciary Committee may adjourn the hearing if considered necessary. No other person shall be present or partake in any discussion

with the Judiciary Committee at this time. If the Judiciary Committee finds an offence has not been committed or not proved it will recommend the dismissal of the charge, accordingly.

- 21.3.5 If the Judiciary Committee finds an offence has been committed or proved, it may recommend to the Board an appropriate penalty or penalties. The Judiciary Committee Convener will then declare the proceedings closed.
- 21.3.6 Where an offence has been reported by a referring body, the Board shall report its findings and decisions to the referring body.
- 21.3.7 Every recommendation of the appointed Judiciary Committee under these By-Laws shall be conveyed in writing to the Board which shall then adjudicate on the matter and advise all relevant parties of that decision.
- 21.3.8 Any member(s), the subject of an allegation will be notified of the decision of the Board within 7 days of that decision being made.

21.4 Penalties

21.4.1 Penalties which may be imposed include:

- i) A reprimand;
- ii) Suspension of such activities, on such terms and for such period as the Board thinks fit;
- iii) Exclusion from a particular activity, event or events;
- iv) Expulsion;
- v) Fines, imposed in such manner and in such amount as the Board thinks fit;
- vi) Such combination of any of the above penalties as the Board thinks fit.

21.4.2 During proceedings the any member(s), the subject of the proceedings may be suspended, on such terms and for such period as the Board thinks fit, and shall remain under suspension unless the Board decides otherwise.

21.5 Reporting

21.5.1 Unless the decision of a Judiciary Committee is unanimous, a separate report may be made to the referring authority by the minority. The decision of the majority however, shall be deemed to be the decision of the Judiciary Committee. Where voting is equal, the Judiciary Committee Convener may exercise a casting vote.

21.5.2 A verdict of the Judiciary Committee cannot be altered by the Board.

21.5.3 A resolution passed by a two-thirds majority of those present at a meeting of the Board at which such determination is presented, may refer the matter back to the Judiciary Committee for the hearing of additional evidence. The grounds for such further reference shall be clearly stated in writing.

21.6 Effect of Penalty

21.6.1 Where a member is suspended under these By-Laws, that member's membership of the Club and the SLSA shall be forfeited during the period of such suspension.

21.6.2 Where a member is suspended under these By-Laws, the member's access shall be forfeited either partially or completely at the absolute discretion of the Board.

21.6.3 Where a member is expelled under these By-Laws, his membership of, and representation rights in the Club and SLSA shall be forfeited immediately and membership shall cease.

21.7 Appeals

- 21.7.1 A member who has received a penalty or an adverse verdict by the Board, may, within fourteen [14] days from the determination of the Board appeal to the next higher authority against a penalty imposed by the Board, or a finding of a Judiciary Committee.
- 21.7.2 The rights of appeal to the next highest authority by a member penalised by the Board shall proceed provided that:-
- i) the Member concerned has properly availed himself of any right of appeal that may be provided in these By-Laws.
 - ii) application is made within fourteen [14] days of the imposition of the penalty or the handing down of the finding.
 - iii) application is made through the Board which shall, as soon as practicable, transmit the application to the next highest authority as the case may be whilst at the same time submitting, to that authority, any representations on the application which it may wish to make.
- 21.7.3 An appeal must be lodged in writing with the relevant body hearing the appeal setting out the:
- i) grounds on which the appeal is made; and
 - ii) reasons or circumstances supporting the alleged grounds of appeal; and
 - iii) must be accompanied by any appeal fees that the higher Appeals Tribunal may impos

- 21.7.4 The next higher authority may either itself or by its Judiciary Committee hear the appeal.
- 21.7.5 A Member who has received an adverse finding from the initial appeal body, may, within 14 days from date of the determination lodge a further appeal to next highest Appeals Tribunal against any penalty imposed by, or a finding of, a Judiciary Committee or the initial appeal body.
- 21.7.6 Nothing in these By-Laws prevents the withdrawal of an appeal at any time in writing to the relevant body if appealing under foregoing paragraphs.

22 FINANCE CONTROL

22.1 Funds Management

- 22.1.1 Subject to any resolution passed by the members at a General Meeting, the funds of the Club shall be used in pursuance of the objects of the Club in such a manner as the Board determines.

22.2 Financial Records

- 22.2.1 The Board shall ensure that; accurate records are kept showing the state of the Club's funds and its liabilities; that all entries are regularly and correctly registered, and that all monies due to the Club are duly received and deposited without deduction into its Principal bank account.

22.3 Financial Reports

- 22.3.1 The Director of Finance shall prepare and present to the Auditors for audit all relevant documents to enable a statement of Financial Performance and a statement of Financial Position to be prepared for each financial year ending on thirtieth, 30th of April each year. The Financial Statements, duly audited for the financial year just concluded, shall be presented to the Annual General Meeting for consideration and adoption.

22.4 Tax Invoices and Receipts to be issued

- 22.4.1 The Director of Finance shall issue a Tax Invoice and/or receipt upon request.
- 22.4.2 Any Board member shall be authorised to receive and issue an Official Club receipt for all monies owing to the Club or any other group or organisation existing under the auspices of the Club.
- 22.4.3 The Director of Finance shall be responsible for banking such monies without deduction, into the Club's Principal Account, excepting those funds set aside for a specific purpose for which prior approval has been granted by the Board.

22.5 Accounts

- a) The Club shall establish and maintain more than one [1] account, one of which shall be known as the Principal Account.
- b) All moneys received by the Club shall be deposited as soon as practicable and without deduction to the credit of this Principal Account.
- c) A second account, known as the Working Account, shall also be established, to a maximum amount which shall be determined by the Board from time to time, for the purpose of paying creditors.
- d) Funds for this account shall only be provided by direct transfer from the Principal Account.
- e) Additional investment accounts may be established in the name of the Club at the discretion of the Board.

22.6 Account Withdrawals

- 22.6.1 *Principal Account*
Withdrawals from the Principal Account shall be made by cheque which shall be signed by two [2] authorised signatories of the Club.
- 22.6.2 To maintain the balance of the Working account [up to its predetermined maximum amount] cheques shall be drawn from the Principal Account. Cheques being drawn to top up the Working Account shall be signed by two signatures, neither of whom to be the Director of Finance.
- 22.6.3 *Working Account*
Cheques drawn on the Working Account, may be signed by either the Director of Finance or the

Executive Director.

22.7 Purchases and Payments

- 22.7.1 Club Officers are permitted to incur once-monthly expenditure not exceeding an amount to be determined from time to time by the Board without prior approval. Any further expenditure that exceeds the determined amounts during the month require the prior approval of the Director of Finance.
- 22.7.2 For expenditures in excess of the predetermined amount, prior approval must be obtained from the Board, or in urgent circumstances from the Executive.
- 22.7.3 Any purchases approved by the Board or the Executive that exceed the amount determined from time to time must be allocated a Club Purchase Order number and where appropriate must be on a Club Purchase Order form. Such orders shall be prepared by the initiating Officer and submitted to, and signed by, the Director of Finance.
- 22.7.4 On certification as to receipt and quality of the goods or services from the initiating member, all approved expenditure shall be deemed as authority to pay without further Board approval.
- 22.7.5 All accounts shall be paid when due, but only on the receipt of an invoice in accordance with current Australian Taxation Laws.
- 22.7.6 Payments on behalf of the Club shall normally only be made after the relevant accounts have been passed for payment by the Board. The Executive may authorise payment of accounts that are required to be paid at short notice.
- 22.7.7 Expenditure previously approved by the Board does not require further approval. However payment shall not be made unless the initiating Officer certifies receipt of the goods or services in sound order and consistent with the official Purchase Order placed and approved expenditure.
- 22.7.8 For expenditure not previously approved by the Board, the Director of Finance is authorised to exercise discretion in actioning payments up to an amount, per payment, as set by the Board.

22.8 Unable to Distribute Funds

- 22.8.1 The Club is prohibited from paying, or from distributing any funds to its members.

22.9 Electronic Transactions

- 22.9.1 Where electronic transactions are available, such transactions may be authorised by the Director of Finance and the Executive Director to a limit set by the Board from time to time and observing banking regulations.

22.10 Junior Development Committee Financial Control

- 22.10.1 The Director of Finance shall also have access to the records of deposits, expenditure and books of the Junior Development Committee.
- 22.10.2 The Junior Development Committee shall be responsible for all debts incurred in its name and shall not incur any expenditure in excess of the amount in its bank account without prior written approval of the Board.
- 22.10.3 The Junior Development Committee shall submit monthly financial statements to the Director of Finance for endorsement by the Board.
- 22.10.4 The Junior Development Committee is subject to all financial constraints outlined in the section Finance Control of these By-Laws.

23 AUDITOR

- 23.1 An Auditor will be appointed for the ensuing financial year at each Annual General Meeting.
- 23.2 The Auditor must not be a member of the Board or directly related to an elected official of the Club.

23.3 A change of Auditor shall not be made during a season except by resolution at a General Meeting specially convened for the purpose.

23.4 The financial statements and balance sheet as of the thirtieth (30th) of April each year shall be signed by the Executive Director, the Director of Administration, Director of Finance and an Audit Report shall accompany the Financial Statements.

24 ANNUAL REPORT AND BALANCE SHEET

24.1 The Annual Report and Financial Statements shall be prepared by the Director of Administration with the assistance of the Executive and other officers, and shall be circulated to all current members and presented at each Annual General Meeting.

24.2 The Annual Report shall contain a detailed and accurate account of the Club's activities during the last financial year, together with a copy of the Financial Statements, which are required to be submitted to the members pursuant to the Associations Incorporation Act, 1984, accompanied by an Auditor Report and signed by the Executive Director, Director of Administration and Director of Finance.

24.3 A copy of the Annual Report and Financial Statements shall be forwarded to the Sutherland Shire Council, SLSS, SLS NSW and SLSA and any other statutory bodies as deemed necessary.

25 MEMBERS PROPERTY

25.1 The Club and its Officers shall not be responsible for any loss or theft of, or damage to, any Member's private property lodged or left on the Club premises.



