



**CONSTITUTION  
OF  
WOONONA SURF LIFE SAVING  
CLUB INCORPORATED**

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## 1. Name of Club and Affiliation

The Club shall be called Woonona Surf Life Saving Club Incorporated and shall be affiliated to:

- 1.1 Surf Life Saving Australia (hereinafter called "SLSA"); and
- 1.2 Surf Life Saving New South Wales (hereinafter called "SLSNSW"); and
- 1.3 Surf Life Saving Illawarra (hereinafter called "SLSI").

## 2. Definitions

For the purposes of this Constitution:

**"the Act"** means the *Associations Incorporation Act 2009* or any similar legislation regulating the operations of incorporated associations;

**"Board of Directors"** means the committee referred to in clause 24.3.1 of these Rules;

**"By-law"** will be known as the Club Policies and means a by-law issued or amended by the Management Committee in the exercise of its authority to manage the affairs of the Club;

**"Club"** means Woonona Surf Life Saving Club Incorporated;

**"Club Policies"** means the procedures and guidelines used to manage the Club on a day-to-day basis;

**"Commission"** means Australian Securities & Investment Commission;

**"Constitution"** means the Constitution of the Club;

**"Dispute"** means a grievance held by a Member of the Club in regard to any decision of the Board of Directors, a decision of the members made at any Special, General or Annual General Meeting or the provisions of any By-law that may be issued;

An **"ex officio member"** is a member of a body (a board, committee, council, etc) who is part of it by virtue of holding another office;

**"Financial Member"** means a Member who has paid all monies outstanding to the Club for his class of membership, including any membership, competition or other fees;

**"Junior Activities"** means activities where members aged from under six (6) years to under eighteen (18) years as at midnight on 30 September of the current season are educated and trained in surf life saving, surf safety, surf sports in a friendly and social environment, the junior members of which shall be known as "The Stingrays". It also includes their parents/guardians and responsible persons, age managers, coaches and office holders of the Junior Activities Committee;

**"Junior Activities Committee"** means the committee that oversees the conduct and co-ordination of all matters relating to Junior Activities and is responsible to the Management Committee;

**"Management Committee"** means the committee referred to in clause 24.3 of these Rules;

**"Meetings"** includes the Annual General Meeting, Special General Meetings, Executive Meeting or Management Committee Meeting;

**"Noticeboard"** means noticeboard and/or official Club website;

**"Public Officer"** means the person undertaking the duties of public officer as defined by the *Associations Incorporation Act 2009*;

The **"Register of Members"** shall be kept on SLSA Surfguard or other means as determined by the Management Committee from time to time;

**"Rules"** means the provisions of the Constitution;

“**SLSA**” means Surf Life Saving Australia or as it may be constituted from time to time;

“**SLSI**” means Surf Life Saving Illawarra Branch Incorporated or as it may be constituted from time to time;

“**SLNSW**” means Surf Life Saving New South Wales or as it may be constituted from time to time;

“**Written notice**” means a printed notice delivered to a person’s residential address and/or an electronic message delivered to a person’s electronic mail account (email);

“**Written report**” means a printed document and/or an electronic message delivered to a person’s electronic mail account (email);

“**Youth**” means a Cadet and/or Active Junior Member;

Words importing any gender shall include the other gender.

Words importing the singular include the plural and vice versa.

### **3. Notification of Rules**

A copy of this Constitution must be displayed on the Club’s official website. A copy of the Constitution may also be made available to members by such other means as the Management Committee determines.

### **4. Objects**

The objectives of the Club shall be to:

- 4.1 preserve and safeguard life by the study and practice of the methods of life-saving as taught by SLSA;
- 4.2 provide efficient life saving apparatus and render First Aid on the beach and reserves as required;
- 4.3 promote demonstrations and arrange classes of instruction in life saving and notation;
- 4.4 to promote competition on Club and inter-club level for junior and senior members;
- 4.5 to prepare junior members for admittance as senior members;
- 4.6 provide conveniences for members and obtain the best facilities for surf bathing by acquiring and improving any premises necessary for carrying out the objects of the Club;
- 4.7 carry on any other activity calculated directly or indirectly to enhance or further the interests of the Club;
- 4.8 enforce observance of the Rules and regulations of the Club and deal with any infringements of same;
- 4.9 co-operate with the local government and other authorities in taking such measures as are considered necessary by the Club, to ensure the safety of surf bathers;
- 4.10 to not align with any political party, municipal politics or religious group or association.

### **5. Club Costume, Club Blazer, Colours and Emblem**

- 5.1 The Club colours shall be white and black.
- 5.2 The Club cap shall be a white cap with two black stripes which are 25mm wide and 25mm apart and run from front to back.
- 5.3 The Club competition costume shall be black and white or black.

5.4 The Club emblem shall be as follows:



5.5 The colours of the Club emblem shall be black and white with the colours dependent on the colour of the background upon which the components are inscribed.

5.6 The Club emblem shall be worn only by members of the Club.

5.7 The Club blazer shall be black with the Club emblem on the left breast pocket.

5.8 A Member shall be entitled to have a laurel wreath in white surrounding the Club badge if he has:

5.8.1 held office as a member of the Board of Directors for three (3) years consecutively;

5.8.2 been elected a Life Member of the Club;

5.8.3 won three (3) Senior Championships at National level.

5.9 The wreath may only be worn on the approval of the Management Committee, given on application made to the Director of Administration in writing with full particulars of the claim.

## **6. Powers of the Club**

Solely for furthering the objects set out above, the Club has power to:

6.1 acquire or hold (whether on trust or absolutely) and dispose of property;

6.2 construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences to advance the Club's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control of them;

6.3 raise or borrow money upon such terms and in such manner as is from time to time thought fit;

6.4 secure the repayment of moneys so raised or borrowed or the payment of a debt or liability by giving a mortgage, charge or other security upon or over all or any property of the Club;

6.5 take such steps as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Club, in the form of donations, annual subscriptions or otherwise;

6.6 invest and deal with moneys not immediately required in such manner as is from time to time thought fit;

6.7 employ staff as required to administer and promote the objects of the Club;

6.8 do all or any of the matters authorised, either alone or in conjunction with any person, company or unincorporated body or through any factors, trustees or agents;

6.9 take and effect insurance or seek, obtain and in its discretion, act on, any professional advice necessary or appropriate;

- 6.10 exercise the power to acquire, lease or hire or in any way deal with any real or personal estate;
- 6.11 do all such things as they appear to the Club to be incidental or conducive to the attainment of the foregoing objects.

## **7. Application of Income**

- 7.1 The income and property of the Club shall be applied solely towards the promotion of the objects of the Club as set out in the Rules.
- 7.2 Except as prescribed in the Rules:
  - 7.2.1 no portion of the income or property of the Club shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise to any Member; and
  - 7.2.2 no remuneration or other benefit in money or money's worth shall be paid or given by the Club to any Member who holds any office of the Club;
  - 7.2.3 nothing contained in clauses 7.2.1 and 7.2.2 shall prevent payment in good faith to any Member for;
    - (a) any services actually rendered to the Club whether as an employee or otherwise,
    - (b) goods supplied to the Club in the ordinary and usual course of operation,
    - (c) interest on money borrowed from any Member,
    - (d) rent for premises demised or let by any Member to the Club,
    - (e) any out-of-pocket expenses incurred by the Member on behalf of the Club, or
    - (f) any other reason provided that any such payment shall not exceed the amount ordinarily payable between ordinary commercial parties dealing at arm's length in a similar transaction.

## **8. Liability of Members**

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

## **9. Distribution of Property on Winding Up**

If upon winding up or dissolution of the Club there remains after satisfaction of all its debts and liabilities any assets or property, the same shall not be paid to or distributed amongst the Members but shall be given or transferred to some registered or exempt charity, having objects similar to the objects of the Club and which prohibits the distribution of its or their income and property among its or their Members to an extent at least as great as is imposed on the Club by the Rules. Such registered or exempt charity to be determined by the Members at or before the time of dissolution, and in default thereof by such judge of the Supreme Court of NSW or other Court as may have or acquire jurisdiction in the matter.

## **10. Severance**

If any provision of this Constitution or any phrase contained in it is invalid or unenforceable, the phrase or provision is to be read down if possible, so as to be valid and enforceable, and otherwise shall be severed to the extent of the invalidity or unenforceability, without affecting the remaining provisions of this Constitution.

## **11. Membership**

- 11.1 Any individual can apply to be a Member of the Club. Each person who applies and is admitted to membership shall be bound by the Club Policies, become liable for such

fees and subscriptions as may be fixed by the Club, and acknowledge that they shall comply with the Rules and any determination, resolution or policy which may be made or passed by the Management Committee.

11.2 Membership of the Club shall consist of the following classes:

- 11.2.1 Probationary;
- 11.2.2 Junior Activity Member (“Nipper”) known as “The Stingrays”;
- 11.2.3 General (“Junior Parent”);
- 11.2.4 Cadet;
- 11.2.5 Active Junior;
- 11.2.6 Active Senior;
- 11.2.7 Long Service;
- 11.2.8 Award;
- 11.2.9 Associate;
- 11.2.10 Honorary;
- 11.2.11 Life.

## **12. Application for Membership**

12.1 Application for membership shall:

- 12.1.1 be made in writing on the application form supplied by SLSA; and
- 12.1.2 shall be lodged with the Director of Administration of the Club together with any fee payable.

12.2 As soon as practicable after receiving a nomination for membership, the Director of Administration shall refer the nomination to the Management Committee which shall determine whether to approve or to reject the nomination.

12.3 Where the Management Committee determines a nomination for membership, the Director of Administration shall, as soon as practicable after that determination notify the nominee in writing.

12.4 The Management Committee may accept or reject an application and shall not be required or compelled to provide any reason for such acceptance or rejection.

12.5 Should the nomination be accepted the Director of Administration shall 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 and are entitled to all benefits, advantages, privileges and services of Club membership.

12.6 If the Club rejects an application, it shall refund any fees forwarded with the application, and the application shall be deemed rejected by the Club.

12.7 No person financially indebted to or under suspension of any other affiliated Club with SLSA shall knowingly be admitted to membership or allowed to use the Club facilities.

12.8 Membership Rights are not transferable.

## **13. Membership Categories**

Membership categories (including relevant qualifications and requirements) shall be in accordance with the requirements of SLSA and include the following:

### **13.1 Probationary Member**

Probationary membership is the designation of any Active person for the time period between applying for membership and gaining an award. A Member in this category must make reasonable efforts within ninety (90) days to gain an appropriate award. They shall not be entitled to vote on any matters at any meeting of the Club.

13.2 Junior Activity (“Nipper”) Member

13.2.1 A Junior Activity (“Nipper”) Member shall be a person who is a minimum age of five (5) years up to a maximum of thirteen (13) years as at 30 September in the year of membership. They shall not be entitled to vote on any matters at any meeting of the Club.

13.2.2 Junior Activity members shall be required to gain the relevant qualifications for their particular age group as determined by SLSA.

13.3 General Member (“Junior Parent”)

Shall be the parent/guardian of a Junior member. Such members shall be entitled to use Club facilities only on junior training and competition days. They shall not be entitled to vote on any matters at any meeting of the Club.

13.4 Cadet Member

Shall be a person between the ages of thirteen (13) years and fourteen (14) years (inclusive) at midnight on 30 September of the current season. Cadet members shall be required to gain the relevant qualifications for their particular age group as determined by SLSA. They shall not be entitled to vote on any matters at any meeting of the Club.

13.5 Active Junior Member

Shall be a person between the ages of fifteen (15) years and under eighteen (18) years at midnight on 30 September of the current season. Active Junior members shall be required to gain the relevant qualifications for their particular age group as determined by SLSA. They shall be entitled to vote on any matters at any meeting of the Club.

13.6 Active Senior Member

Shall be a Bronze Medallion holder and shall be of the age of eighteen (18) years and upwards as at midnight on 30 September in each year. They must fulfil patrol and Club obligations; and qualify in an annual proficiency test each season (unless the Member has obtained the Bronze Medallion in that season). They shall be entitled to vote on any matters at any meeting of the Club.

13.7 Long Service Member

13.7.1 Long Service membership may be granted to an Active Member who has satisfactorily completed (from the gaining of the Bronze Medallion) at least ten (10) years of patrol and Club obligations at Woonona SLSC Incorporated; or has satisfactorily completed (from the gaining of the Bronze Medallion) at least ten (10) years of patrol and Club obligations at affiliated surf life saving clubs plus at least two (2) years of patrol and Club obligations at Woonona SLSC Incorporated.

13.7.2 Long Service members shall not be required to perform patrols. If a Long Service Member wishes to perform patrols he must be proficient. If a Long Service Member wishes to compete they must complete a minimum twelve (12) hours of patrol. They shall be entitled to vote on any matters at any meeting of the Club.

13.7.3 Long Service membership shall not be automatic, but shall be granted at the discretion of the Management Committee.

13.8 Award Member

13.8.1 Persons who hold one of or more of the following Association awards – Radio Operator’s award, Advanced Resuscitation Techniques Certificate, Senior First Aid Certificate or such other award as may be determined from time to time by SLSA may be granted Award membership.

13.8.2 Award members may be called upon to perform patrol duties and/or such other Club obligations as maybe within the ability of their qualifications. They shall only be entitled to vote on those matters specific to their Award at any meeting of the Club.



**13.9 Associate Member**

- 13.9.1 A person can be accepted as an Associate Member of the Club irrespective of whether they hold a SLSA award.
- 13.9.2 They shall not be entitled to vote on any life saving matters at any meeting of the Club.

**13.10 Honorary Member**

- 13.10.1 An Honorary Membership is limited to distinguished visitors, visiting members of kindred clubs and other such visitors as may be designated by the Management Committee. Honorary members shall be entitled to the use of the Club premises and facilities only.
- 13.10.2 Such members shall not be entitled to vote on any matters at any meeting of the Club.
- 13.10.3 A person can be accepted as an Honorary Member irrespective of whether they hold a SLSA award.
- 13.10.4 Honorary members shall not be required to pay membership fees.
- 13.10.5 They shall not be entitled to vote on any matters at any meeting of the Club.

**13.11 Life Member**

- 13.11.1 Life Membership is the highest award available to be bestowed upon a Member of Woonona Surf Life Saving Club Incorporated. Life Members may be elected from amongst the financial members of the Club who have:
  - (a) rendered distinguished, extraordinary, and/or outstanding voluntary service to the Club over a period of not less than twenty (20) years demonstrating consistent, sustained and dedicated service or achievements that are beyond the minimum requirements expected of Club members;
  - (b) served not less than five (5) years on the Management Committee of the Club;
  - (c) attained the minimum age of thirty-five (35) years; and
  - (d) been current financial members for two (2) consecutive years immediately prior to nomination.
- 13.11.2 Nominations are to be submitted complete with a seconder, in writing to the Director of Administration.
- 13.11.3 The Director of Administration will then notify the nominee who may accept or decline the nomination. If the nominee accepts the nomination then it will be considered and service verified by the Special Awards Committee.
- 13.11.4 All recommendations by the Special Awards Committee shall be submitted to the Director of Administration who will notify the nominee of the result.
- 13.11.5 The motion before the Annual General Meeting must be approved by a three-quarters majority of the members in attendance.
- 13.11.6 Membership shall be honorary and without obligation to perform active duty, but with all the privileges of active membership.
- 13.11.7 If a Life Member wishes to compete they must complete a minimum twelve (12) hours of patrol.
- 13.11.8 Such members will have full voting rights, except those Life Members who do not hold the Bronze Medallion shall not be entitled to vote on life saving matters.

**14. Re-Application of Membership**

- 14.1 Members must re-apply for membership of the Club in accordance with the procedures set down by the Club annually.

- 14.2 Upon re-application a Member must provide details of any change in his or her personal details, and any other information reasonably required by the Club.
- 14.3 Renewal of membership may be refused by the Management Committee, but in such cases the individual concerned shall have the right to appeal in writing through the Director of Administration to a Judiciary Committee formed by the Club for the purpose. The decision of such Judiciary Committee shall be final.
- 14.4 Any Member who fails to renew his membership by 31 December will cease to be a member.

## **15. Deemed Membership**

All individuals who are, prior to the approval of this Constitution, members of the Club shall be deemed Members from the time of approval of this Constitution under the Act.

## **16. Discontinuance of Membership**

- 16.1 A person ceases to be a Member of the Club if the person:
  - 16.1.1 resigns: a Member having paid all amounts payable to the Club may resign from membership of the Club by giving notice in writing to the Club of resignation;
  - 16.1.2 is expelled due to breach: membership of the Club may be discontinued by the Management Committee upon breach of any clause of the Rules, including but not limited to the failure to pay any monies owed to the Club, failure to comply with the Regulations or any resolutions or determinations made or passed by the Management Committee or any duly authorised committee or board;
  - 16.1.3 has not re-applied for Membership with the Association within one month of re-application falling due: that Member's membership will be deemed to have lapsed from that time;
  - 16.1.4 dies.
- 16.2 The Director of Administration will as soon as practicable make an entry on the register of members recording the day the membership ceased.

## **17. Forfeiture of Rights**

A Member who ceases to be a Member, for whatever reason, shall forfeit all rights in and claims upon the Club and its property and shall not use any surf life saving equipment or other property of the Club including Intellectual Property. Any Club documents, keys, records or other property in the possession, custody or control of that Member shall be returned to the Club immediately.

## **18. Disciplining of Members**

- 18.1 Where the Board of Directors is of the opinion that a Member of the Club:
  - 18.1.1 has refused or neglected to comply with a provision or provisions of these rules;
  - 18.1.2 has acted in a manner prejudicial to the interest of the Club;
  - 18.1.3 has contravened the Club Policies;
  - 18.1.4 has knowingly introduced any person to the Club who has been expelled from or refused admittance to any other affiliated club without disclosing the fact, the Board of Directors may, by resolution, summon the Member to appear before the Management Committee to show cause why the Management Committee should not:
    - 18.1.5 expel the Member from the Club;
    - 18.1.6 suspend the Member from membership of the Club for a specified period;
    - 18.1.7 impose any other penalties.

- 18.2 Where the Board of Directors passes a resolution under clause 18.1 of these Rules the Director of Administration shall, as soon as practicable, cause a notice in writing to be served on the member:
- 18.2.1 setting out the resolution of the Management Committee and the grounds on which it is based; and
  - 18.2.2 stating that the Member may address the Management Committee at a meeting to be held not earlier than seven (7) days and not later than twenty-eight (28) days after service of the notice; and
  - 18.2.3 stating the date, place and time of that meeting; and
  - 18.2.4 informing the Member that the Member may do either or both of the following;
    - (a) attend and speak at the meeting,
    - (b) submit to the Management Committee at or prior to the date of that meeting written representations relating to the resolution,and that if neither occurs without suitable explanation to that meeting the Member will be suspended until such time as the Member appears before the Management Committee.
  - 18.2.5 At a meeting of the Management Committee held as referred to in clause 18.2 of these Rules, the Management Committee shall:
    - (a) give the Member an opportunity to make oral representations;
    - (b) give due considerations to any written representations submitted to the Management Committee by the Member at or prior to the meeting; and
    - (c) by resolution determine whether to invoke any of its powers as stated in clauses 18.1.5, 18.1.6 and/or 18.1.7 of the Rules.
  - 18.2.6 Where the Management Committee determines a resolution under clause 18.2.5 of these Rules the Director of Administration shall, within seven (7) days after that by notice in writing, inform the Member of the fact and, if necessary, of the member's right of appeal.

## **19. Right of Appeal of Disciplined Member**

- 19.1 A Member may appeal to the Club in a Special General meeting against a resolution of the Management Committee which is determined under clause 18 of these Rules within seven (7) days after notice of the resolution is served on the member, by lodging with the Director of Administration a notice to that effect.
- 19.2 Upon receipt of a notice from a Member under clause 19.1 of these Rules the Director of Administration shall notify the Board of Directors which shall convene a Special General meeting of the Club to be held within twenty-one (21) days after the date on which the Director of Administration received the notice.
- 19.3 At the Special General Meeting of the Club convened under clause 19.2 of the Rules:
- 19.3.1 no business other than the question of the appeal shall be transacted;
  - 19.3.2 the Management Committee and the Member shall be given the opportunity to state their respective cases orally, or in writing, or both; and
  - 19.3.3 the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- 19.4 If at the Special General meeting the Club passes a resolution this takes precedence.
- 19.5 Nothing in this clause shall operate to limit the ability of the Board of Directors of the Club in its sole discretion to preserve the welfare of its members and the Club's good standing and reputation, by suspending a Member from attending the Club's premises or participating in events available to members while any disciplinary action may be pending against a member.

## **20. Member to Re-Apply**

A Member whose membership has been discontinued under clause 18 of these Rules:

- 20.1 may re-apply for membership in accordance with the Rules; and
- 20.2 may be re-admitted at the discretion of the Management Committee, with such conditions as it deems appropriate.

## **21. Membership Fees**

- 21.1 The membership fees shall be fixed at a Special General Meeting of the Club held prior to the Annual General Meeting, and become effective at the Annual General Meeting.
- 21.2 Members shall renew their membership fees before 31 October.
- 21.3 A Member being in arrears in any respect cannot renew membership until such arrears have been paid.
- 21.4 Members who fail to renew their membership fees prior to 31 December will cease to be a Member and must re-apply in accordance with clause 14.
- 21.5 All membership fees must accompany nomination forms at the Management Committee meeting that the applicant's nomination is considered.
- 21.6 No person financially indebted to, or suspended or expelled by, any other club affiliated with SLSA shall knowingly be admitted to membership.

## **22. Refund of Membership Fees**

Membership fees or subscriptions paid by the discontinued Member may be refunded on a pro-rata basis to the Member upon discontinuance.

## **23. The Committee Powers etc. of Committee**

The governing committee shall be called the Management Committee of the Club and subject to the Act and these rules and to any resolution passed by the Club in a Special and/or Annual General meeting:

- 23.1 shall control and manage the affairs of the Club;
- 23.2 may exercise all such functions as may be exercised by the Club other than those functions that are required by these rules to be exercised by a Special and/or Annual General meeting of members of the Club;
- 23.3 has power to perform all such acts and do all such things as appear to the Management Committee to be necessary or desirable for the proper management of the affairs of the Club; and
- 23.4 has the power to alter the Club Policies.

## **24. Constitution and Membership**

- 24.1 Office holder matrix – referenced in Appendix I.
- 24.2 All office bearers must be members of the Club.
- 24.3 The Management Committee shall consist of:
  - 24.3.1 the Board of Directors of the Club;
    - (a) President,
    - (b) Director of Life Saving,
    - (c) Director of Finance,
    - (d) Director of Administration,
    - (e) Director of Education,
    - (f) Director of Surf Sports,
    - (g) Director of Junior Activities.

- 24.3.2 Office Bearers of the Club;
  - (a) Vice President,
  - (b) Vice Club Captain,
  - (c) Member Services Officer,
  - (d) OH&S Officer,
  - (e) Sports Team Manager,
  - (f) Youth Co-Ordinator,
  - (g) Hall Manager,
  - (h) General Members (2 positions).

24.4 Other Office Bearers

24.4.1 Non-Management Committee and non-voting AGM elected positions:

- (a) Child Protection Officer,
- (b) House Committee,
- (c) Special Awards Committee,
- (d) Trustee Committee,
- (e) Junior Competition Convenor,
- (f) Power Craft,
- (g) First Aid Officer,
- (h) Gear Steward,
- (i) Radio Officer,
- (j) Social Organiser,
- (k) Social Committee,
- (l) Uniform Officer,
- (m) Fundraising,
- (n) Grants & Sponsorship,
- (o) Minute Secretary,
- (p) Publicity Officer,
- (q) Registrar,
- (r) Beach Captain,
- (s) Water Craft Captain,
- (t) Surf Boat Captain,
- (u) IRB Captain,
- (v) Swim Captain,
- (w) Junior Activities Committee,
- (x) Gym Manager

24.4.2 Non-Management Committee and non-voting appointed positions:

- (a) Webmaster,
- (b) Trainers,
- (c) Officials,
- (d) Assessors,
- (e) Facilitators,
- (f) Age Managers,
- (g) Water Safety Supervisor,
- (h) Coaches,
- (i) Touring Team Managers,

- (j) Licensee,
- (k) Caretaker.

- 24.5 The Board of Directors shall be responsible for dealing with all matters under the Act and for urgent business between Management Committee meetings.
- 24.6 Each Member of the Management Committee shall, subject to these rules, hold office until the Annual General Meeting.
- 24.7 In the event of a casual vacancy occurring in the membership of the Management Committee, that committee may appoint a Member of the Club to fill the vacancy and the Member so appointed shall hold office, until the Annual General Meeting.

## **25. Election of Members**

- 25.1 Nominations for candidates for election as office bearers of the Club provided for in the Rules shall be nominated and seconded by any Member other than the nominee and shall:
  - 25.1.1 give their consent to stand for such position at that meeting; or
  - 25.1.2 give their consent to stand for such position in writing prior to the start of that meeting.
- 25.2 If insufficient Office Bearer nominations are received, any vacant positions shall be deemed to be casual vacancies.
- 25.3 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- 25.4 The ballot for the election of office bearers shall be conducted at the Annual General Meeting in such usual and proper manner as the meeting may direct.
- 25.5 No Member shall be entitled to hold more than one position on the Board of Directors.

## **26. President**

The President shall:

- 26.1 ensure that the affairs of the Club are managed in accordance with the Act and this Constitution;
- 26.2 preside at all Executive, Management, Special and Annual General meetings of the Club;
- 26.3 maintain order and monitor the activities of all Officers of the Club to ensure that each is effectively performing his duties;
- 26.4 be ex-officio at all meetings and committees of the Club;
- 26.5 submit a report to each meeting of the Management Committee;
- 26.6 attend SLSI Branch Council Meetings or arrange a suitable proxy if unable to attend;
- 26.7 present written reports to the Management Committee monthly from sub-committees as required.

## **27. Director of Administration**

- 27.1 The Director of Administration of the Club shall act as the Public Officer of the Club and perform all general routine administration of the Club.
- 27.2 The Director of Administration shall be directly accountable to the President and shall:
  - 27.2.1 take charge of all papers and receive and promptly deal with the correspondence of the Club;
  - 27.2.2 attend Board of Director, Management, Special and Annual General meetings of the Club and keep a true record of the proceedings or arrange a suitable proxy if unable to attend;

- 27.2.3 ensure all members are provided with Notices of Meeting for all Special and/or Annual General Meetings of the Club in accordance with the Rules;
- 27.2.4 prepare and present the Annual Report of the Club to the Annual General meeting;
- 27.2.5 perform any other like duties as directed by the Management Committee;
- 27.2.6 submit a report to each meeting of the Management Committee;
- 27.2.7 present written reports monthly to the Management Committee from;
  - (a) Registrar as required,
  - (b) Web Master as required,
  - (c) Publicity Officer as required.

## **28. Director of Finance**

It is the duty of the Director of Finance of the Club to:

- 28.1 ensure that the accounting records of the Club are raised and maintained in accordance with the Act;
- 28.2 prepare an annual budget in consultation with Office Bearers of the Club and report against the budget to the Management Committee monthly;
- 28.3 prepare and present to each meeting of the Management Committee such records as are required to accurately detail the financial transactions which have occurred since the previous meeting and the current financial position of the Club;
- 28.4 monitor the appropriate receipt and payment of monies by the Club and ensure that appropriate audit controls are in place to identify any instance of malpractice;
- 28.5 maintain a register of Club assets;
- 28.6 maintain an oversight of all Club fundraising programs in relation in particular to the achievement of targets and efficiency of operation;
- 28.7 prepare and present to the Club Auditor all documents and other advice as may be necessary to facilitate an annual audit of the financial affairs of the Club;
- 28.8 submit a report to each meeting of the Management Committee;
- 28.9 prepare and present a report of the financial affairs of the Club to the Annual General Meeting;
- 28.10 present written reports monthly to the Management Committee from;
  - 28.10.1 Social Organiser,
  - 28.10.2 Uniform Officer (as required),
  - 28.10.3 Fundraising Officer,
  - 28.10.4 Grants & Sponsorship Officer
  - 28.10.5 Gym Manager (as required)
  - 28.10.6 House Committee (as required)
  - 28.10.7 Licensee (as required).

## **29. Director of Life Saving**

The Director of Life Saving shall:

- 29.1 be the holder of a Bronze Medallion;
- 29.2 be responsible for all life saving activities performed by Members of the Club;
- 29.3 manage adherence to requirements as per Life Saving Service Agreement/s and SLSA Standard Operating Procedures;
- 29.4 have jurisdiction over all members conduct in all life saving and competitive activities;
- 29.5 with the Vice Club Captain, select and place all qualified Members into rostered patrols for that season;

- 29.6 attend SLSI Life Saving Meetings or arrange a suitable proxy if unable to attend;
- 29.7 submit a report to each meeting of the Management Committee;
- 29.8 arrange all club pointscores and club championships;
- 29.9 present reports monthly to the Management Committee as required from;
  - 29.9.1 Vice Club Captain,
  - 29.9.2 Power Craft Captain,
  - 29.9.3 First Aid Officer,
  - 29.9.4 Gear Steward,
  - 29.9.5 Radio Officer.

### **30. Director of Surf Sports**

The Director of Surf Sports shall:

- 30.1 be the holder of a Bronze Medallion;
- 30.2 be responsible for all Club surf sports matters;
- 30.3 be responsible for selection and placement of Officials at junior and senior competition;
- 30.4 administer the Competition Policy of the Club;
- 30.5 attend all SLSI Branch Surf Sports Meetings or arrange a suitable proxy if unable to attend;
- 30.6 present reports monthly to the Management Committee from;
  - 30.6.1 Boat Captain,
  - 30.6.2 IRB Captain,
  - 30.6.3 Water Craft Captain (as required),
  - 30.6.4 Swim Captain (as required),
  - 30.6.5 Beach Captain (as required).

### **31. Director of Education**

The Director of Education shall:

- 31.1 be the holder of a Bronze Medallion and Training Officer's Certificate;
- 31.2 formulate new members into squads for training and instruction for examination for the appropriate awards under competent instructors;
- 31.3 assume overall responsibility to foster and encourage the interest of new members and to see that they are usefully integrated into all Club activities;
- 31.4 arrange such other instruction for existing members as considered necessary for their overall betterment and/or the gaining of additional SLSA awards;
- 31.5 submit a report to each meeting of the Management Committee;
- 31.6 attend SLSI Education Meetings or arrange a suitable proxy if unable to attend;
- 31.7 present reports monthly as required to the Management Committee from;
  - 31.7.1 Trainers,
  - 31.7.2 Assessors,
  - 31.7.3 Facilitators.

### **32. Director of Junior Activities**

The Director of Junior Activities shall:

- 32.1 hold the Age Managers' qualification;
- 32.2 be responsible to the Management Committee for the administration and control of all junior activities pertaining to those members whose ages range from under six (6) to under eighteen (18) years;



- 32.3 be responsible for the Junior Activities Committee and make recommendations concerning junior activities to the Management Committee;
- 32.4 attend SLSI meetings pertaining to junior activities or arrange a suitable proxy if unable to attend;
- 32.5 present reports monthly to the Management Committee from:
  - 32.5.1 Junior Activities Committee,
  - 32.5.2 Water Safety Supervisor (as required).
  - 32.5.3 Age Managers (as required).

### **33. Standing and Sub Committees**

- 33.1 Standing and sub-committees shall be regarded only as appointed to assist the Management Committee in carrying out the business of the Club.
- 33.2 Standing Committees are elected at the Annual General Meeting.
- 33.3 Sub-Committees are appointed by the Management Committee as required.
- 33.4 Standing and Sub Committees shall have no authority to transact any business other than that referred to them by the Management Committee.
- 33.5 All recommendations made by the Standing and Sub Committees are to be ratified by the Management Committee before adoption.
- 33.6 The following Standing Committees shall be elected at the Annual General Meeting:
  - 33.6.1 "Special Awards Committee" shall:
    - (a) comprise of five (5) members, being three (3) life members and two (2) members having at least ten (10) years' service with the Surf Life Saving Association;
    - (b) meet at least annually to receive and/or make recommendations for nomination of the following:
      - i. Service awards,
      - ii. Life Membership,
      - iii. any such Member recognition awards or honours deemed appropriate,
    - (c) propose a motion for any recommendation for Life Membership at the Annual General Meeting.
  - 33.6.2 A "House Committee" shall:
    - (a) comprise of five (5) members and be chaired by the Hall Manager;
    - (b) be responsible for the control, maintenance, development and supervision of the premises occupied by the Club.
  - 33.6.3 A "Junior Activities Committee" shall:
    - (a) comprise of a minimum five (5) members and be chaired by the Director of Junior Activities;
    - (b) be responsible for the administration and control of all junior activities pertaining to those members whose ages range from under six (6) to under eighteen (18) years.
  - 33.6.4 A "Trustee Committee" shall:
    - (a) consist of three (3) members being a Life Member, a Member of fifteen (15) years standing and one (1) other member.
    - (b) shall administer the monies of the Surf Club Trust Account for the purposes of Member development and funding of last resort for essential life saving equipment, (\*\*originating from surplus funds of Woonona Bulli Soccer and Sports Club Limited In Liquidation);

- (c) shall consider written applications for funding from the Management Committee.

33.7 Other sub-committees may be elected or appointed as deemed necessary by the Management Committee, Annual General Meeting or Special General Meeting and shall operate under the rules of the Club.

#### **34. Casual Vacancies**

For the purposes of these rules, a casual vacancy in the office of a member of the Management Committee occurs if the member:

- 34.1 dies;
- 34.2 becomes unfinancial;
- 34.3 becomes bankrupt or makes any arrangement or composition with his creditors generally;
- 34.4 becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
- 34.5 resigns his office in writing to the Club;
- 34.6 is absent from three consecutive meetings without the consent of the Management Committee;
- 34.7 without the prior consent of the Management Committee makes remuneration or other benefit in money or moneys' worth from the Club;
- 34.8 is directly or indirectly interested in any contract or proposed contract with the Club and fails to declare the nature of his interest;
- 34.9 is removed by Special Resolution;
- 34.10 has been expelled or suspended from membership; or
- 34.11 would otherwise be prohibited from being a director of a corporation under the Act.

#### **35. Removal of Office Bearer by Special Resolution**

The Club in a Special General meeting may by resolution remove any office bearer of the Club from office before the expiration of the member's term of office. This casual vacancy may be filled under clause 24.7.

#### **36. Meeting and Quorum**

- 36.1 The Management Committee shall meet as often as may be necessary or at the direction of the President, but shall meet at least ten (10) times in each period of twelve (12) months.
- 36.2 Oral or written notice of a meeting of the Management Committee shall be given by the Director of Administration to each member of the Management Committee at least forty-eight (48) hours before the time appointed for the holding of the meeting.
- 36.3 Any nine members of the Management Committee constitute a quorum for the transaction of the business of a meeting of the Management Committee.
- 36.4 No business shall be transacted by the Management Committee unless a quorum is present and if within fifteen (15) minutes of the time appointed for the meeting a quorum is not present the meeting stands adjourned to a date and place to be notified by the Director of Administration pursuant to the Rules of the Club.
- 36.5 At a meeting of the Management Committee or Board of Directors:
  - 36.5.1 the President or, in the President's absence, the Vice President shall preside; or
  - 36.5.2 if the President and the Vice President are absent or unwilling to act as such one of the remaining members of the Management Committee as may be chosen by the members present at the meeting shall preside.

- 36.6 A full set of accurate Minutes shall be recorded and then confirmed as an accurate record at the succeeding meeting.

### **37. Voting and Decisions**

- 37.1 Resolutions arising at a meeting of the Management Committee or any sub-committee shall be determined by a majority of the votes of members of the Management Committee or sub-committee present at the meeting.
- 37.2 Each Member present at a meeting of the Management Committee or of any sub-committee (including the person presiding at the meeting) is entitled to one vote but, in the event of any equality of votes on any question, the person presiding may exercise a second or casting vote.
- 37.3 All decisions of all Standing and sub-committees are deemed to be recommendations until ratified by the Management Committee.

### **38. Annual General Meetings**

- 38.1 The Annual General Meeting shall be held annually and at a time and date decided by the Management Committee provided it is within a period of ninety (90) days after the expiration of the financial year of the Club.
- 38.2 The foregoing has effect subject to any extension or permission granted by the Commission under the Act.
- 38.3 The order of business at the Annual General Meeting shall be:
- 38.3.1 to confirm and adopt the Minutes of the previous Special and/or Annual General Meeting;
  - 38.3.2 business arising out of such Minutes;
  - 38.3.3 apologies;
  - 38.3.4 to receive and adopt the Annual Report of the Club's activities;
  - 38.3.5 to receive and adopt the Director of Finance's Financial Statement and Auditor's Report which gives a fair and accurate view of the Club's Income & Expenditure, Assets & Liabilities, Trust Properties, Mortgages, Charges and other securities;
  - 38.3.6 election of Officers;
  - 38.3.7 motions of which due notice has been given;
  - 38.3.8 general business (immediate and essential only).
- 38.4 Thirty-five (35) days' notice of the Annual General Meeting shall be posted. Notice of any motion intended for submission to the Annual General Meeting shall be given by the mover thereof (after having been duly seconded), to the Director of Administration at least twenty-one (21) days prior to the date of such meeting. All such Notices of Motion duly given shall be circulated to the members fourteen (14) days prior to the date of the Annual General Meeting.
- 38.5 Fifteen (15) members who are entitled to vote are to form a quorum.
- 38.6 A full set of accurate minutes of the meeting shall be recorded and then after adoption, be signed by the chairperson.
- 38.7 No proxy votes will be accepted at an Annual General Meeting.
- 38.8 The Club may not hold a postal ballot to determine any issue or proposal.

### **39. Special General Meeting**

- 39.1 The Director of Administration, upon the request in writing of eleven (11) members entitled to vote stating the business to be discussed, or by direction of the Management Committee, shall call a Special General Meeting with twenty-one (21) days' notice being posted and eleven (11) members entitled to vote to form a quorum. Such eleven (11)

members requesting the meeting must be in attendance, or valid reason for not being in attendance given, otherwise the meeting is null and void.

- 39.2 If the Management Committee fails to convene a Special General Meeting to be held within twenty-one (21) days after the date on which a requisition of members for a meeting is lodged with the Director of Administration, any one or more of the members who made the requisition may convene a Special General Meeting to be held not later than ninety (90) days after the date.
- 39.3 A Special General Meeting convened by a Member or Members as referred to in clause 39.1 shall be convened as nearly as is practicable as the same manner as Special General Meetings are convened by the Management Committee.
- 39.4 No business other than specified in the notice convening a Special General Meeting shall be transacted at the meeting.
- 39.5 A full set of accurate minutes of the meeting shall be recorded and then after adoption, be signed by the chairperson.
- 39.6 No proxy votes will be accepted at a Special General Meeting.
- 39.7 The Club may not hold a postal ballot to determine any issue or proposal.

#### **40. Notice**

As directed by the Management Committee the Director of Administration shall by written notice, notify each Member specifying the place, date and time of the meeting, nature of the business proposed to be transacted at the meeting and the intention to propose the resolution as a special resolution.

#### **41. Procedure**

- 41.1 No item of business shall be transacted at a Special and/or Annual General meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- 41.2 If within half an hour after the appointed time for the commencement of a Special and/or Annual General 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 time and (unless another place is specified at the time of 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.
- 41.3 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 eleven (11)) shall constitute a quorum.

#### **42. Presiding Member**

- 42.1 The President or, in the President's absence the Vice-President, shall preside at each Special and/or Annual General meeting of the Club.
- 42.2 If the President and the Vice-President are absent from a Special and/or Annual General meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

#### **43. Adjournment**

- 43.1 The chairperson of a Special and/or Annual General meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting to a new date, but only business left unfinished at the adjourned meeting may be dealt with at the new meeting.

- 43.2 Where a Special and/or Annual General Meeting is adjourned for fourteen (14) days or more, the Director of Administration shall give written or oral 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.
- 43.3 Except as provided in clauses 43.1 and 43.2, notice of an adjournment of a Special and/or Annual General meeting or of the business to be transacted at an adjourned meeting is not required to be given.

#### **44. Making of Decisions**

- 44.1 A question arising at a Special and/or Annual General meeting of the Club shall be determined on a show of hands.
- 44.2 At a Special and/or Annual General meeting of the Club prior to a motion being put a secret ballot may be declared by the chairperson or demanded by not less than three members present at the meeting.
- 44.3 Where a secret ballot is demanded at a Special and/or Annual General meeting, the secret ballot shall be taken:
- 44.3.1 immediately in the case of a secret ballot which relates to the election of the chairperson of the meeting or the question of an adjournment; or
  - 44.3.2 in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the secret ballot on the matter shall be deemed to be the resolution of the meeting on that matter.

#### **45. Special Resolution**

- 45.1 A resolution of the Club is a special resolution if it is passed by a majority which comprises not less than three-quarters of such members of the Club as being entitled under these rules so to do, attend and vote in person at a Special General meeting of which not less than twenty-one (21) days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules.
- 45.2 A special resolution must be passed to effect the following changes:
- 45.2.1 Club's name;
  - 45.2.2 Club's rules;
  - 45.2.3 amalgamation with another incorporated association;
  - 45.2.4 dissolution of the Club;
  - 45.2.5 removal of an office bearer of the Club;
  - 45.2.6 apply for registration as a company or co-operative.

#### **46. Voting**

- 46.1 Upon any question arising at a Special and/or Annual General meeting of the Club a Member entitled under the Rules to vote has one vote only.
- 46.2 All votes shall be given personally.
- 46.3 The Club may not hold a postal ballot to determine any issue or proposal.
- 46.4 In a case of an equality of votes on a question at a Special and/or Annual General meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- 46.5 A Member is not entitled to vote at a Special and/or Annual General meeting of the Club unless all money due and payable by the Member to the Club has been paid.

#### **47. Finance**

- 47.1 Subject to any resolution passed by the Club in a management meeting, the funds of the Club are to be used in pursuance of the objects of the Club in such manner as the Management Committee determines.

- 47.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any two of the following members of the Board of Directors: President, Director of Administration, Director of Finance.
- 47.3 Except as otherwise provided by these rules, the Director of Administration shall keep in his or her custody or under his or her control all records, books and other documents relating to the Club.
- 47.4 The records, books and other documents of the Club shall be open to inspection, free of charge, by a Member of the Club at any reasonable hour and upon reasonable notice.
- 47.5 The Financial year of the Club shall be from 1st June to 31st May in the next year.
- 47.6 A properly qualified auditor or auditors shall be appointed by the Club in a management committee meeting.
- 47.6.1 The Auditor shall conduct an audit of the books of accounts of Woonona SLSC at the end of each financial year. He shall also certify to the correctness of the Income and Expenditure Account and to the correctness of the Balance Sheet for submission to the Annual General Meeting and shall verify the existence of all Woonona SLSC monies and securities.
- 47.6.2 The Auditor shall have right of access at all reasonable times to the books, accounts and vouchers of Woonona SLSC and shall be entitled to acquire from the Officers and employees of Woonona SLSC all such information and explanation as may be necessary for the performance of his duties.
- 47.6.3 The Auditor shall submit a report to the Annual General Meeting of Woonona SLSC on the accounts examined by him and shall state:
- (a) Whether in his opinion the accounts presented to the meeting have been properly drawn up so as to exhibit a true and correct view of the state of Woonona SLSC affairs according to the best of his information and explanations given to him and as shown by the books.
  - (b) Whether or not he has obtained all the information and explanations he has required.

#### **48. Indemnity**

- 48.1 Every director and employee of the Club will be indemnified out of the property and assets of the Club against any liability incurred by them in their capacity as director or employee in defending any proceedings, civil or criminal, in which judgement is given in their favour or in which they are acquitted or connected with any application in relation to any such proceedings in which relief is granted by the Court.
- 48.2 The Club shall indemnify its directors and employees against all damages and losses (including legal costs) for which any such director or employee may be or become liable to any third party in consequence of any act or omission, except wilful misconduct:
- 48.2.1 in the case of a director, performed or made while acting on behalf of and with the authority, express or implied, of the Club; or
  - 48.2.2 in the case of an employee, performed or made in the course of, and within the scope of, their employment by the Club.

## Appendix 1

Position, Name and Reporting Groups									
Board of Directors	President		Director of Lifesaving	Director of Finance		Director of Administration (Note 2)	Director of Education	Director of Surf Sports	Director of Junior Activities
Management Committee (includes Board of Directors)	Vice President	OH & S Officer	Vice Club Captain	Hall Manager				Sports Team Manager	Youth Co-ordinator
	Member Services Officer	General Members (2)							
Non-Voting AGM Elected Positions (Note 3)	Child Protection Officer		Power Craft Captain (Note 4)	House Committee	Fund Raising Officer	Minute Secretary		Beach Captain	Junior Activities Committee
	Special Awards Committee		First Aid Officer	Social Committee	Grants & Sponsorship Officer	Publicity Officer		Watercraft Captain (Note 5)	
	Trustee Committee		Gear Steward	Gym Manager	Social Organiser	Registrar		Surf Boat Captain	
			Radio Officer		Uniform Officer			IRB Captain (Note 4)	
								Junior Competition Convenor	
								Swim Captain	
Non-Voting Appointed Positions (Note 6)				Licensee (Note 1)		Webmaster	Assessors (Note 1)	Officials (Note 1)	Age Managers (Note 1)
				Caretaker (Note 1)			Facilitators (Note 1)	Coaches (Note 1)	Water Safety Supervisor (WSS) (Note 1)
							Trainers (Note 1)	Touring Team Managers (Note 7)	

Note 1 - Non-voting and non-office role - Position shown to clarify reporting structures.

Note 2 - Role of Public Officer is no longer a separate position, the role is to be included in the Director of Administration position.

Note 3 - Reports to Board of Director member above.

Note 4 - In Surf Sports "IRB" refers to competition, in Lifesaving "Powercraft" refers to both the ATV and IRB for patrolling. The IRB Captain and the Powercraft Captain positions can be held by the same person. The Power Craft Captain must be the holder of a Silver Medallion IRB Driver Award.

Note 5 - "Watercraft" refers to Ski, Board and Surf Board riding craft.

Note 6 – These roles are “appointed” and not elected at AGM.

Note 7 – Touring Team Manager/s report to SportsTeam Manager.