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# CHAMPION BAY SURF LIFE SAVING CLUB (INC)

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DATED 8/9/15



## CONSTITUTION

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## BYLAWS

**THIS CONSTITUTION WAS ADOPTED AT THE ANNUAL GENERAL  
MEETING OF CHAMPION BAY SURF LIFE SAVING CLUB ON THE  
8 AUGUST 2015.**

# **CHAMPION BAY SURF LIFE SAVING CLUB (INC).**

## **CONSTITUTION**

### **INDEX**

1. Name
2. Objects
3. Powers
4. Income and Property
5. Membership
6. Entrance fees subscriptions and other monies
7. Club Discipline and conduct
8. Resignation
9. Officers
10. Voting
11. Board of Management
12. Annual General Meeting
13. Extraordinary General Meeting
14. Chairperson of General Meeting
15. Minutes of meetings
16. Affiliation
17. By-laws
18. Season and Financial Year
19. Finance
20. Auditor
21. Common Seal
22. Custody of Books and Documents and Inspection
23. Club Colours
24. Alteration
25. Dissolution
26. General

## 1. NAME OF CLUB

The name of the club is the  
“CHAMPION BAY SURF LIFE SAVING CLUB (INC).”

## 2. OBJECTS

The objects of the club are:

- 2.1 To study and practice the methods of surf life saving as specified by Surf Life Saving Australia Ltd. (SLSA)
- 2.2 To be affiliated with Surf Life Saving Western Australia (SLSWA) and to adhere to the amateur status specified by SLSWA.
- 2.3 To minimise the loss of life from drowning and render all possible aid to those in distress by providing beach patrols as specified by SLSWA within the borders of Champion Bay.
- 2.4 To promote demonstrations and arrange classes of instruction in water safety, life saving and resuscitation and to organise and conduct competition and improve the efficiency and lifesaving skills of members.
- 2.5 To co-operate with the local governing authorities in taking such measures as are considered necessary by the club to ensure the safety of users of the beach.
- 2.6 To promote social interaction between members of the club and their friends and to provide conveniences, facilities, premises and accommodation with all the usual privileges and advantages of a club.
- 2.7 To adhere to all other requirements and procedures as laid down in the Constitution of SLSWA and the manuals of SLSA.
- 2.8 To actively seek co-operation with other like-minded community and sporting organisations and associations in an endeavour to promote and advance the objects of Champion Bay SLSC.
- 2.9 The property and income of the association shall be applied solely towards the promotion of the objects of the association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.

## 3. POWERS

For the purpose of achieving or furthering the above objects the club shall have power:

- 3.1 To purchase, sell, hold, lease or rent or otherwise acquire real or personal property.
- 3.2 To borrow, raise or secure the payment of money to secure the repayment or performance of any debt, liability, contract or guarantee incurred or to be entered into by the club.
- 3.3 To enter into any arrangements with any government or local government authority or instrumentality.
- 3.4 To employ, appoint, hire, engage, pay, dismiss or suspend any officer, manager, clerk, secretary, instructor, coach, workman or any other person.
- 3.5 To invest the monies of the club
- 3.6 To receive and make gifts and to give prizes.
- 3.7 To amalgamate or associate with any other surf life saving club or association, emergency services organisation or association and any other sporting club or association.
- 3.8 To procure any permits and licenses from time to time required by the Liquor Act 1970 as amended.
- 3.9 To do all such other things as are incidental or conducive to the attainment of the objects of the club.

#### **4. INCOME AND PROPERTY**

The income and property of the club shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of pecuniary profit to the members, PROVIDED THAT remuneration may be paid in good faith to officers or servants of the club or other persons in return for services actually rendered to the club.

#### **5. MEMBERSHIP**

5.1 Membership of the Club shall be open to all persons interested in surf lifesaving at the absolute discretion of the Board of Management without explanation. In all cases, the ages of persons eligible for membership shall be determined by SLSA and specified in the by-laws. In admitting a person to membership the Board of Management shall take into account the need to maintain a good standard of surf life saving.

5.2 The classes of membership shall include:

5.2.1 Probationary Membership

Probationary membership shall be the designation of any person for the time period between applying for membership and the gaining of an award and /or the granting of a formal category membership by the appropriate Club committee.

5.2.2 Junior Activities Membership

Junior Activities Members shall be a minimum of 5 years of age and up to and including 13 years of age and shall be required to gain the Junior Activities Award relevant to their age group as laid down by the Association.

5.2.3 Cadet Membership

Cadet Members shall be a minimum of 13 years of age but under 15 years and shall be required to gain the Surf Life Saving Association Lifesaving Certificate within prescribed time. Cadet Members shall be liable for Patrol Duty upon attaining his/her Surf Lifesaving Certificate.

5.2.4 Active Membership

An Active Member shall be a minimum of 15 years of age, a SLSA bronze medallion holder and qualify in an annual proficiency test unless the member has obtained their Bronze Medallion in that season and fulfil patrol duty.

5.2.5 Reserve Active Membership

This class of membership may be granted to members following written application to the Board of Management who have satisfactorily completed ten years of active service. Extenuating circumstances may also prevail. Reserve active members shall complete the annual proficiency test.

5.2.6 Long Service Membership

This class of membership may be granted to members following written application to the Board of Management, who have satisfactorily completed five years of Reserve

Active Membership. Long service members shall complete the annual proficiency test and may be exempt from the performance of any Patrol duties.

- 5.2.7 Award Membership  
This class of membership is available to any member holding a current Surf Lifesaving Association Award other than the Bronze Medallion. Such members may be called upon to perform patrol and/or other club obligations within the ability of their qualifications.
- 5.2.8 Associate Membership  
Associate membership may be granted to persons who may or may not hold an SLSA award and be approved by the Board of Management.
- 5.2.9 General Membership  
General Membership may be granted by the Board of Management to persons who may or may not hold a SLSA award but wish to be involved in Champion Bay SLSC activities.
- 5.2.10 Honorary Membership  
The Board of Management shall have the power to elect Honorary Members of the Club.
- 5.2.11 Fellow Membership  
The Board of Management shall have the power to elect Fellow Members who have rendered special and outstanding service to the Club and have completed at least five years consecutive membership. The Board will be the sole judge of what constitutes 'service' and will make decisions on a case by case basis.
- 5.2.12 Life Membership  
Life Members - may be elected from members who have rendered special and outstanding service to the Club and have completed at least 10 years consecutive membership from at least the age of 18 years. Life Members shall only be elected at an annual general meeting upon attaining by secret ballot a four fifths majority of those personally present and eligible to vote. The nomination must first be submitted to a meeting of the Board of Management and approved by a four fifths majority vote at that meeting.
- 5.3 The Board of Management shall have power to create or modify the classes of membership within the above classes with ratification at the next General Meeting.
- 5.4 Restrictions on Membership.
  - 5.4.1 Active, junior activities, cadet, active reserve, long service, and life members shall be the only classes of membership eligible for entry in club competition. Associate members may only compete at the invitation of the Board of Management.
  - 5.4.2 Conditions of entry in SLSA competitions shall be as stipulated in the relevant SLSA Handbook;

5.4.3 Probationary members shall be required to complete an application form and satisfactorily pass a test swim. In addition, applicants for Junior Activity and Cadet Membership must produce a Birth Certificate or Extract of Birth entry, or alternatively, Statutory Declaration confirming their date of birth.

5.4.4 As per SLSA procedures the board of management can request that specific members be required to supply a National Police clearance and or a Working With Children check card for Western Australia.  
These members shall include but not be limited to:

- Board of management members
- Patrol captains
- Coaches
- Junior age group managers
- Touring team managers
- Junior award trainers

## 5.5 Register

5.5.1 The administrator, on behalf of the association, must comply with section 27 of the act by keeping and maintaining-  
In an up to date condition a register of the members of the association and their postal or residential addresses and, upon the request of a member of the association, shall make the register available for the inspection of the member and the member may make a copy of or take an extract from the register but shall have no right to remove the register for that purpose.

5.5.2 The register must be so kept and maintained at the administrators place of residence, or at such other place as the members of the board of management decide.

5.5.3 The administrator must cause the name of a person who dies or who ceases to be a member under rule 9 to be deleted from the register of members referred to in sub rule 5.5.1 .

## 6. SERVICE AWARDS

6.1 Long service awards

6.1.1 Members who have given five years of active patrol service will be presented with a suitably inscribed badge and be recognised on a club honour board.

6.1.2 Members who have given ten years of active patrol service will be presented with a suitably inscribed badge and be recognised on a club honour board.

6.1.3 The Board of Management will nominate club members for 'National Patrol Service' awards as applicable and will recognise these members on a club honour board.

6.2 The Champion Bay SLSC Board of Management will nominate club members for 'National Long Service' awards as applicable to recognise terms of membership of Champion Bay SLSC. These members will be recognised on a club honour board.

The Board of Management will be sole judge of what constitutes "service" and will make decisions on a case by case basis.

## **7. ENTRANCE FEE SUBSCRIPTIONS AND OTHER MONIES**

- 7.1 The entrance fee and subscription for each class of member shall be determined by the Board of Management.
- 7.2 Any person wishing to become a member shall submit an application on a form approved by the Board of Management together with a membership fee for one year, and the Board of Management may accept with or without conditions or reject any application without being required to give reasons.

## **8. CLUB DISCIPLINE AND CONDUCT**

- 8.1 Minor disciplinary matters can be handled by the patrol captain with a report to be submitted to the Board of Management for ratification or delegation to the disciplinary committee.
- 8.2 The Disciplinary Committee shall be made up of Deputy President, Director of Lifesaving and Director of Junior Activities.
- 8.3 The Disciplinary Committee shall be convened to hear all matters referred to it in writing and determine action to be taken in accordance with the Constitution and By-Laws and in the best interests of the Club and report on its findings to the Board of Management.
- 8.4 The Disciplinary Committee may expel, or, for any period or indefinitely, suspend from the privileges of membership, or otherwise penalise any member who violates a rule or by-law of the Club or who is found guilty of misconduct or who acts contrary to the general policy of the Club, provided that such member has had the opportunity to state his/her case either personally or through another member, to the Committee before it arrives at its decision.
- 8.5 A Director of the Club may suspend any member who disobeys instructions when given in time of emergency or who is considered to have committed an act of misconduct. The incident shall be immediately reported in writing to the Board of Management who will call a meeting of the Disciplinary Committee within 7 days to hear the case. The member concerned is to be advised of the date of the meeting in writing at least 3 days before the set meeting time and he/she may state his/her case personally or through another member.
- 8.6 The findings of the Disciplinary Committee shall be presented for confirmation or otherwise to the next or a special meeting of the Board of Management. The member concerned shall be given at least 3 days notice of the time of the meeting in writing to allow him/her if he/she desires, to appeal to the Board of Management either personally or through another member. The Board of Management may revoke or endorse the penalty or otherwise increase or decrease the penalty as seen fit by the Board.
- 8.7 Any further rights of appeal shall be as governed by the Constitution and rules of SLSA and/or SLSWA.

## **9. RESIGNATION**

Any person who wishes to resign membership shall do so in writing by letter addressed to the Administrator. The Administrator will make arrangements for the return of outstanding Club property.

## **10. OFFICERS**

- 10.1 The Officers of the Club shall be Patron, Vice Patrons, President, Deputy President, Administrator, Treasurer, Registrar, Director of Lifesaving, Director of Education and Training, Director of Junior Activities, Director of Youth, Director of Competition and Coaching, Director of Gear and Maintenance, Director of Social Activities, Director of House, Inflatable Rescue Boat (IRB) Officer, First Aid Officer and Water Safety Officer.
- 10.2 Other positions may be appointed by the Board of Management and shall be included in the By-laws.
- 10.3 All nominees for a position of officer must conform with the following conditions:
- 10.3.1 Nominees for the office of Director of Lifesaving and Director of Education and Training must hold a current SLSA Bronze Medallion. In addition the Director of Education and Training must hold a SLSA Training Officer's Certificate;
  - 10.3.2 Nominees for office of First Aid Officer shall hold a current recognised First Aid Certificate or equivalent.
  - 10.3.3 Nominees for the office of IRB Officer must hold a current SLSA Bronze Medallion and Silver Medallion (IRB) Certificate.
- 10.4 No person shall be an officer of the Club unless that person is a financial, honorary or life member of the club.

## **11. VOTING**

Voting at all general meetings shall be restricted to Elected Officers (Excluding Patron and Vice-Patrons) Active (Bronze Holder), Long Service, Reserve Active, Award (16 years +), Life Members and Associate Members.

All members must be financial to vote at all general meetings. At every general meeting a resolution put to the vote shall be decided by a show of hands by a numerical majority of members personally present.

## **12. BOARD OF MANAGEMENT**

- 12.1 The management and operational activities of the Club shall be the responsibility of the Board of Management, which shall consist of President, Deputy President, Administrator, Treasurer, Director of Lifesaving, Director of Education and Training, Director of Competition and Coaching, Director of Junior Activities, Director of Youth, Director of Gear and Maintenance, Director of House and Director of Social Activities.
- The Board of Management may appoint a Minute Secretary to attend meetings for the purpose of minute taking, however, the appointee will not have voting rights at any meeting. Similarly, guests, members or invitees attending meetings may be invited to address the Board of Management on specific issues but have no voting rights on any matter on the Agenda.



12.2 Board of Management members must be elected to membership of the board at an Annual General Meeting or appointed during the year by a majority vote of the remaining members of the Board of management.

12.3 The Board of management terms of office shall be from the completion of the AGM until the following AGM, when all positions shall be declared vacant.

12.4 The Deputy President, shall assume all rights and responsibilities of the President in his/her absence.

12.5 The Board of Management shall meet at least once every month or as decided by the Board of Management and shall have the power to conduct all business of the Club, make or amend By-laws (to be presented for ratification at the next Annual General Meeting), appoint sub-committees and appoint office bearers in the case of vacancies arising during the year.

12.6 All Board of Management meetings shall be chaired by the President or Deputy President or in their absence any Director so nominated by those members in attendance. The meeting shall where practicable be conducted in order of the circulated Agenda and shall conform to the principles of normal business procedure and/or the rules of debate. Five (5) Board persons shall form a quorum.

Each Board person shall be given at least seven (7) days verbal or written notice of Board of Management meetings.

12.7 Should a member of the Board of Management be absent from two (2) consecutive or a total of three (3) Board of Management meetings during the year without submitting a reasonable explanation to the Board of Management, the office and seat occupied by the member may be declared vacant.

12.8 A member of the Board of Management who is duly elected or appointed to more than one Board of Management position that member shall be entitled to only one vote in respect of each matter of business.

12.9 In determining all matters, the Chairperson shall have a deliberative as well as a casting vote.

12.10 Minutes shall be kept in writing by the nominated Administrator of all proceedings at each meeting and presented to each Board person at least seven (7) days prior to the next meeting. Minutes of the Board of Management meetings shall at the request of any Club member eligible to vote be made available to be read by any such member or members.

12.11 The President, Administrator, Treasurer and Directors shall be responsible to carry out duties as determined by the Board of Management and shall be required to report annually in the Club's Annual Report. They shall carry out the duties required of them to ensuring the efficient and effective administration of the Club with regard to the welfare of all members and promotion and adherence of the stated Club objectives.

12.12 The Board of Management may appoint sub-committees to consider and report upon or carry out any Club activities referred to them.

### **13. ANNUAL GENERAL MEETING**

- 13.1 The Annual General Meeting shall be held on a day and a time to be arranged by the Board of Management. The date of the AGM shall be before the end of September, being less than 4 months after the end of the association's financial year at 31<sup>st</sup> May.
- 13.2 Annual General Meeting shall be advertised twenty one (21) days prior to the date of the Annual General Meeting.
- 13.3 The administrator must give to all members not less than twenty one (21) days notice of an Annual general meeting and that notice must specify:
- 13.3.1 When and where the AGM is to be held.
  - 13.3.2 Particulars and order in which business is to be transacted.
  - 13.3.3 Notice of any special business to be discussed.
- 13.4 Notice shall be given by advertisement in the local papers and or by direct electronic Communications and or by post if post is the preferred method of contact by the member.
- 13.5 The business of the Annual General meeting shall include:
- 13.5.1 Confirmation of the minutes and matters arising;
  - 13.5.2 President's Report;
  - 13.5.3 Other Reports
  - 13.5.4 Receive and adopt the Annual Report, and Financial Statements
  - 13.5.5 The election of members of the Board of Management and other Committees;
  - 13.5.6 The election of a patron and honorary officials;
  - 13.5.7 Receive motions to amend the Constitution and By-Laws of which due notices has been given
  - 13.5.8 General business.
- 13.6 Twenty percent of members with the right to vote and personally present shall form a quorum at the Annual General Meeting.

### **14. EXTRAORDINARY GENERAL MEETING**

- 14.1 An Extraordinary General Meeting may be called in one of the following ways:
- 14.1.1 By resolution of the Board of Management.
  - 14.1.2 By petition in writing by at least thirty percent of members of the club with the right to vote;
  - 14.1.3 By the President; or
  - 14.1.4 By resolution at a previous Annual General Meeting or Extraordinary General Meeting.
- 14.2 Thirty percent of members with the right to vote and personally present shall form a quorum at any general meeting.
- 14.3 At least 7 days notice shall be given by letter to all members and only business outlined in the notice shall be dealt with at the Extraordinary General Meeting.

**15. CHAIRPERSON OF GENERAL MEEETING**

- 15.1 The President or, in the absence of, the President the Deputy President shall preside at the Annual General Meeting and at an Extraordinary General Meeting;
- 15.2 In the absence of the President or Deputy President, the meeting shall elect any Director of the club to preside.

**16. MINUTES OF MEETINGS**

- 16.1 The Administrator shall keep minutes or in the absence of the Administrator another member shall keep minutes of all General Meetings and Board meetings.
- 16.2 Subject to the discretion of the majority of Directors of the Board, minutes of all meetings shall be open to inspection by any member at a time and place convenient to the Administrator.

**17. AFFILIATION**

The Club shall be affiliated with Surf Life Saving WA.

**18. BY-LAWS**

The Board of Management shall have the power to make amend adopt and rescind any By-Laws for “the club” from time to time and the duties of all officers of the club shall be defined in those By-Laws.

**19. SEASON AND FINANCIAL YEAR**

- 19.1 The financial year shall be the 1st day of June to the 30th day of May in the following year.
- 19.2 The season for the club shall be determined from time to time by the Board of Management of the Club.
- 19.3 Subscriptions shall be due and payable from the 1st day of September and no un-financial member at the annual general meeting shall be eligible to vote.

**20. FINANCE**

- 20.1 The Board of Management shall cause true accounts to be kept of the monies received and expended. Accounts are to be presented to the Board of Management monthly meetings.
- 20.2 A balance sheet containing a summary of the assets and liabilities of the Club as at May 31<sup>st</sup> together with a statement of profit and loss for the preceding year shall be made out and submitted to the Annual General Meeting;
- 20.3 The accounts shall be audited by the Auditor who shall make a report on the accounts;
- 20.4 The Board of Management shall conduct its financial statements through a bank or other financial institution.

20.5 All cheques shall be signed by any two of the following:

- (i) the President;
- (ii) the Administrator
- (iii) the Deputy President or
- (iv) 1 nominated Director

20.6 Subject to the discretion of the majority of Directors of the Board the accounts shall be open to inspection by any member at a time convenient to the Treasurer.

## **21. AUDITOR**

The Auditor shall be appointed by resolution at the Annual General Meeting to audit the accounts and he shall not be a member of the Board of Management. The Auditor may attend the Annual General Meeting and take part in discussions.

## **22. COMMON SEAL**

The club shall have and use a common seal inscribed with the name of the club which shall be held in the custody of the Administrator and it shall be used or affixed to any document after authority has been given by the Board of Management. The affixation of the seal shall be witnessed by the President and any two Directors of the Board.

## **23. CUSTODY OF BOOKS AND DOCUMENTS AND INSPECTION**

The Administrator shall hold all books, documents, other papers and electronic information relating to the club affairs. Subject to the discretion of the President these shall be open to inspection by any member at a time and place convenient to the Administrator.

## **24. CLUB COLOURS**

The club colours shall be Blue, Red and Yellow.

All designs, logos, uniforms and badges shall be approved by the Board of Management. Approval must also be given in writing prior to the use of club designs, logos, uniforms or badges for any promotional purposes either by club members or the public.

## **25. ALTERATION**

25.1 Notice of any such alteration, addition or amendment to this constitution shall be given in writing to the Board of Management. The Board of Management shall then ensure that this notice is circulated with the notice of the general meeting to which the matter is referred. No alteration addition or amendment of these Rules shall be made unless and until carried by a resolution at any general meeting called for such purpose by 75% of members voting at a meeting to amend the constitution.

25.2 Minor wording changes to this constitution that improve clarity, without alteration to meaning or intent, can be made by the Board of Management.

**26. DISSOLUTION**

The Club may at any time with the consent of 75% of voting members present at a General Meeting dissolve the Club. If upon the dissolution or winding up of the Club there remains after the satisfaction of all its debts and liabilities any property whatsoever. **This property** shall not be paid to or distributed among the members of the club but shall be distributed by the Board of Management to SLSWA affiliated surf life saving clubs, **or associated not for profit organisations.**

**27. GENERAL**

Any matter not provided for in these Rules or any matter requiring clarification shall be governed by the constitution and by-laws of Surf Life Saving WA as amended from time to time.