

11/05/2009

**CONSTITUTION**  
**of**  
**WEST BEACH SURF LIFE SAVING CLUB**  
**INCORPORATED**

**May 2009**

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March 2009

## CONSTITUTION

of

### WEST BEACH SURF LIFE SAVING CLUB INCORPORATED

#### PART I - INTERPRETATION

##### 1. NAME OF ASSOCIATION

The name of the Association is West Beach Surf Lifesaving Club Incorporated (“**WBSLSC**”).

##### 2. VISION STATEMENT

WBSLSC is committed to providing and developing the best possible lifesaving, surf sports, youth development, education and community facilities for its members, the West Beach community and all beach users and the beach environment as a key beach custodian.

##### 3. OBJECTS OF WBSLSC

WBSLSC is a charitable community service based institution. The objects for which WBSLSC is established are to:

- (a) participate as a member of Surf Life Saving **South Australia** and Surf Life Saving Australia Limited (“SLSA”) through and by which surf life saving and the preservation of life in the aquatic environment can be conducted, encouraged, promoted, advanced and administered;
- (b) provide for the conduct, encouragement, promotion and administration of surf life saving throughout **West Beach**;
- (c) ensure the maintenance and enhancement of WBSLSC, Surf Life Saving **South Australia**, Affiliated Clubs, SLSA and surf life saving, its standards, quality and reputation for the benefit of the Members and surf life saving;
- (d) at all times promote mutual trust and confidence between WBSLSC, Surf Life Saving **South Australia**, Affiliated Clubs, SLSA and the Members in pursuit of these objects;
- (e) at all times act on behalf of and in the interest of the Members and surf life saving;
- (f) promote the economic and community service success, strength and stability of WBSLSC, Surf Life Saving **South Australia**, Affiliated Clubs, SLSA and surf life saving;
- (g) affiliate and otherwise liaise with Surf Life Saving **South Australia** and SLSA, in the pursuit of these objects and the objects of surf life saving;
- (h) conduct, encourage, promote, advance and control surf life saving in **West Beach**, its many aspects devoted to aquatic safety and management and the preservation of life in the aquatic environment;
- (i) conduct or commission research and development for improvements in methods of surf life saving and surf life saving equipment and in all ways to improve and safeguard the use of the aquatic environment;

- (j) use and protect the Intellectual Property
- (k) apply the property and capacity of WBSLSC towards the fulfillment and achievement of these objects;
- (l) promote the involvement and influence of surf life saving standards, techniques, awards and education with bodies involved in aquatic life saving;
- (m) strive for Governmental, commercial and public recognition of WBSLSC as the authority on aquatic safety and management in **West Beach**;
- (n) promulgate, and secure uniformity in, such rules as may be necessary for the management and control of surf life saving and related activities and the preservation of life in the aquatic environment;
- (o) further extend the operations and teachings of WBSLSC throughout **West Beach**;
- (p) further develop surf life saving into an organised institution and with these objects in view, to foster, regulate, organise and manage examinations, competitions, displays and other activities and to issue badges, medallions and certificates and award trophies to successful Members;
- (q) review and/or determine any matters relating to surf life saving which may arise, or be referred to it, by any Member;
- (r) act as arbiter on all matters pertaining to the conduct of surf life saving in **West Beach**, including disciplinary matters;
- (s) pursue through itself or other such commercial arrangements, including sponsorship and marketing opportunities as are appropriate to further the interests of surf life saving;
- (t) formulate or adopt and implement appropriate policies, including in relation to sexual harassment, equal opportunity, equity, drugs in sport, health, safety, junior and senior programs, infectious diseases and such other matters as arise from time to time as issues to be addressed in surf life saving;
- (u) represent the interests of its Members and of surf life saving generally in any appropriate forum in **West Beach**;
- (v) have regard to the public interest in its operations;
- (w) do all that is reasonably necessary to enable these objects to be achieved and to enable the Members to receive the benefits which these objects are intended to achieve;
- (x) ensure that environmental considerations are taken into account in all surf life saving and related activities conducted by WBSLSC;
- (y) promote the health and safety of Members and all other users of the aquatic environment;
- (z) encourage Members to realise their potential and athletic abilities by extending to them the opportunity of education and participation in surf life saving competition and to award trophies and rewards to successful competitors;
- (aa) encourage and promote performance-enhancing drug free competition;
- (bb) establish, grant and support awards to Members and others, in honorable public recognition of hard and meritorious rescues from the sea, deeds of exceptional bravery from time to time performed in the course of life saving and other distinguished services

and acts;

- (cc) give, and seek where appropriate, recognition for Members to obtain awards or public recognition in fields of endeavor other than surf life saving;
- (dd) seek and obtain improved facilities for the enjoyment of the aquatic environment in **West Beach**;
- (ee) promote uniformity of laws for the control and regulation of the aquatic environment in **West Beach** and to assist authorities in enforcing these laws;
- (ff) effect such objects as may be necessary in the interests of surf life saving and the aquatic environment in **West Beach**; and
- (gg) undertake and or do all such things or activities which are necessary, incidental or conducive to the advancement of these objects.

#### 4. **POWERS OF WBSLSC**

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

- (a) acquire by purchase, exchange or otherwise, whether for an estate in fee simple or for any less estate, lands, tenements or hereditaments of any tenure whether subject or not to any charges or encumbrances and to erect, replace, maintain, reconstruct, adapt and furnish any offices or other buildings thereon and to sell, let, alienate, mortgage, charge or deal with all or any such lands, tenements or hereditaments or any part of them;
- (b) take over the whole or any part or parts of the real and personal property belonging to and to undertake all or any of the liabilities of WBSLSC;
- (c) purchase, take on lease or in exchange or otherwise acquire any real or personal estate which may be deemed necessary or convenient for any of the objects of WBSLSC and to sell, manage, lease, mortgage, give in exchange, dispose of or otherwise deal with the same or any part thereof;
- (d) construct, maintain and alter any houses, buildings, or works necessary or convenient for the objects of WBSLSC;
- (e) borrow and raise money in such manner as WBSLSC thinks fit;
- (f) raise or borrow money on bonds or mortgage or other security of any property held for or on behalf of WBSLSC or without any such security and upon such terms as the Committee shall think fit;
- (g) receive money on deposit with or without allowance of interest thereon;
- (h) invest any monies of WBSLSC, not immediately required for the objects of WBSLSC, in such manner as may from time to time be determined by the Committee;
- (i) do all or any of the matters authorised either alone or in conjunction with any person, company or unincorporated body or by or through any factors, trustees or agents;
- (j) take any gift of property whether subject to any special trust or not for any one or more of the objects of WBSLSC;
- (k) take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds

of WBSLSC in the form of donations, annual subscriptions or otherwise;

- (l) subscribe to, become a member of or co-operate with any other organisation whether incorporated or not whose objects are similar, in whole or in part, to those of WBSLSC, so long as that other organisation prohibits the distribution of its income and property amongst its members at least to the extent provided under this Constitution;
- (m) print and publish any newspapers, periodicals, books or leaflets that WBSLSC may think desirable for the promotion of its objects;
- (n) appoint, hire, employ, remove, replace or reinstate secretaries, managers, servants, employees and other persons in and for the carrying out of the objects of WBSLSC and to pay them in return for services rendered to WBSLSC, salaries, wages and gratuities;
- (o) subscribe to any charities and to grant donations for any public purpose;
- (p) produce, develop, create, license and otherwise exploit, use and protect Intellectual Property;
- (q) establish and maintain corporate entities to carry on and conduct the business affairs and undertakings, or any aspect thereof, of WBSLSC and for that purpose, to utilise any of the assets of or held on behalf of WBSLSC;
- (r) promote any other person or company for any purpose calculated to benefit WBSLSC;
- (s) purchase or otherwise acquire and undertake all or any part of the property, assets and liabilities of any one or more of the companies, institutions, societies or associations whose activities or objects are similar to those of WBSLSC, or with which WBSLSC is authorised to amalgamate or generally for any purpose calculated to benefit WBSLSC;
- (t) take and effect insurance or seek, obtain and in its discretion act on, any professional advice necessary or appropriate; and
- (u) do all such acts and things as are incidental, conducive or subsidiary to all or any of the objects of WBSLSC.

## **5. APPLICATION OF INCOME**

- 5.1** The income and property of WBSLSC shall be applied solely towards the promotion of the objects of WBSLSC as set out in this Constitution.
- 5.2** Except as prescribed in this Constitution:
  - (a) no portion of the income or property of WBSLSC shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise to any Member; and
  - (b) no remuneration or other benefit in money or money's worth shall be paid or given by WBSLSC to any Member who holds any office of WBSLSC.
- 5.3** Nothing contained in **clauses 5.1 or 5.2** shall prevent payment in good faith of or to any Member for:
  - (a) any services actually rendered to WBSLSC whether as an employee or otherwise;
  - (b) goods supplied to WBSLSC 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 WBSLSC;
- (e) any out-of-pocket expenses incurred by the Member on behalf of WBSLSC; 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.

## 6. LIABILITY OF MEMBERS

The liability of the Members of WBSLSC is limited.

## 7. MEMBER'S CONTRIBUTIONS

Every Member of WBSLSC undertakes to contribute to the assets of WBSLSC in the event of it being wound up while the Member, or within one year after ceasing to be a Member for payment of the debts and liabilities of WBSLSC contracted before the time at which it ceases to be a Member and the costs, charges and expenses of winding up WBSLSC, such an amount not exceeding one dollar (\$1.00).

## 8. DISTRIBUTION OF PROPERTY ON WINDING UP

If upon winding up or dissolution of WBSLSC 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 WBSLSC 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 WBSLSC by this Constitution. 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 **South Australia** or other Court as may have or acquire jurisdiction in the matter.

## 9. DEFINITIONS AND INTERPRETATION

### 9.1 Definitions

In this Constitution unless the contrary intention appears:

**"Act"** means the means the Associations Incorporation Act 1985 (SA) as amended from time to time.

**"Affiliated Club"** means a surf life saving club which is a member of or otherwise affiliated with Surf Life Saving **South Australia** or SLSA.

**"By Laws"** means any By-Law enacted in accordance with **Clause 34** of this constitution

**"Club Delegate"** means the person(s) appointed from time to time to act for and on behalf of WBSLSC and to represent WBSLSC at General Meetings of Surf Life Saving **South Australia**.

**"Committee"** means the body consisting of the Committee Members.

**"Committee Member"** means a member of the Committee and includes any person acting in that capacity from time to time appointed in accordance with this Constitution.

**"Constitution"** means this Constitution of WBSLSC.

**"Financial year"** means the year ending 31 March in each year.

**“General Meeting”** means the annual or any special general meeting of WBSLSC.

**“General Member”** means a member of a Club and can only include junior (*“Nipper”*) members; cadet members; active members; reserve active members; general members; long service members; award members; associated members; honorary members; and life members of that club as defined in the By-Laws.

**“Intellectual Property”** means all rights subsisting in copyright, business names, names, trade marks (or signs), logos, designs, equipment, images (including photographs, television, videos or films) or service marks (whether registered or registrable) relating to WBSLSC or any regatta, race, championship, competition, series or event or surf life saving activity of or conducted, promoted or administered by WBSLSC in **West Beach**.

**“Life Member”** means an individual appointed as a Life Member of WBSLSC under **clause 12.2**.

**“Member”** means a member for the time being of WBSLSC under **Part IV** of this Constitution.

**“Objects”** means the objects provided under **clause 3** of this Constitution.

**“President”** means the President for the time being of WBSLSC.

**“Seal”** means the common seal of WBSLSC and includes any official seal of WBSLSC.

**“SLSA”** means Surf Life Saving Australia Limited.

**“Special Resolution”** means a resolution passed:

- (a) at a General Meeting of WBSLSC of which 21 days notice, accompanied by notice of intention to propose a resolution as a special resolution, has been given to the Members in accordance with these Rules; and
- (b) by at least three quarters of those Members who, being entitled to vote, vote in person at the meeting or by another form of visible (including Proxy) or electronic communication approved by WBSLSC from time to time.

**“State”** means and includes a State or Territory of Australia.

**“State Centre”** means an independent entity (including WBSLSC) recognised by SLSA as the body administering surf life saving in its particular State.

**“Surf Life Saving South Australia”** means a State Centre recognised by SLSA as the body administering surf life saving in **South Australia**.

**“WBSLSC”** means West Beach Surf Lifesaving Club Incorporated.

## 9.2 Interpretation

In this Constitution:

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

- (c) words importing the singular include the plural and vice versa;
- (d) words importing any gender include the other genders;
- (e) references to persons include corporations and bodies politic;
- (f) references to a person include the legal personal representatives, successors and permitted assigns of that person;
- (g) a reference to a statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them (whether of the same or any legislative authority having jurisdiction); and
- (h) a reference to "writing" shall unless the contrary intention appears, be construed as including references to printing, lithography, photography and other modes of representing or reproducing words in a visible form, including messages sent by electronic mail.

### 9.3 Severance

If any provision of this Constitution or any phrase contained in them 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.

- 9.4 The specification of the objects of WBSLSC in **clause 3** and the powers set out in **clause 4** of this Constitution, are not in any particular order and are not to be construed so as to lead to the construction that any object or power is more important than any other object or power nor that any object or power which is specified in detail is more important than any object or power which has not been specified in detail, and no particular object or power will be limited by reference to any other and the rule of construction known as the *ejusdem generis* rule shall not apply.

### 9.5 The Act

Except where the contrary intention appears, in this Constitution, an expression that deals with a matter under the Act, has the same meaning as that provision of the Act.

### 9.6 Sole Purpose

WBSLSC is established solely for the objects set out in this Constitution.

## PART II - WBSLSC AS A CLUB

### 10. STATUS AND COMPLIANCE OF ASSOCIATION

#### 10.1 Recognition of Association

Subject to compliance with this Constitution, the Surf Life Saving **South Australia** Constitution, and the SLSA Constitution WBSLSC shall continue to be recognised as a Member of Surf Life Saving **South Australia** and shall administer surf life saving activities in **West Beach** in accordance with the objects of WBSLSC.

#### 10.2 Compliance of Association as a Club

The Members acknowledge and agree WBSLSC shall:

- (a) be or remain incorporated in South Australia;
- (b) appoint a Club Delegate annually to represent WBSLSC at General Meetings of Surf Life Saving **South Australia**;
- (c) nominate such other persons as may be required to be appointed to Surf Life Saving **South Australia** committees from time to time under this Constitution or the Surf Life Saving **South Australia** Constitution or otherwise;
- (d) forward to Surf Life Saving **South Australia** a copy of its constituent documents and details of its committee members;
- (e) adopt the objects of Surf Life Saving **South Australia** (in whole or in part as a re applicable to WBSLSC) and adopt clauses or rules which reflect, and which are, to the extent permitted or required by the Act, generally in conformity with the Surf Life Saving **South Australia** Constitution.
- (f) apply its property and capacity solely in pursuit of the objects of WBSLSC and surf life saving;
- (g) do all that is reasonably necessary to enable the objects of WBSLSC to be achieved;
- (h) act in good faith and loyalty to ensure the maintenance and enhancement of surf life saving, its standards, quality and reputation for benefit of the Members and surf life saving;
- (i) at all times act on behalf of and in the interests of the Members and surf life saving; and
- (j) by, adopting the objects of Surf Life Saving **South Australia**, abide by the Surf Life Saving **South Australia** Constitution.

#### 10.3 Operation of Constitution

WBSLSC and the Members acknowledge and agree:

- (a) that they are bound by this Constitution and that this Constitution, operates to create uniformity in the way in which the objects of WBSLSC and surf life saving are to be conducted, promoted, encouraged, advanced and administered

throughout **West Beach**;

- (b) to ensure the maintenance and enhancement of surf life saving, its standards, quality and reputation for the benefit of the Members and surf life saving;
- (c) not to do or permit to be done any act or thing which might adversely affect or derogate from the standards, quality and reputation of surf life saving and its maintenance and enhancement;
- (d) to promote the economic and community services success, strength and stability of each other and to act interdependently with each other in pursuit of their respective objects;
- (h) to act in the interests of surf life saving and the Members;
- (j) where WBSLSC considers or is advised that a Member has allegedly:
  - (i) breached, failed, refused or neglected to comply with a provision of this Constitution, the By Laws, or any resolution or determination of WBSLSC; or
  - (ii) acted in a manner prejudicial to the objects and interests of WBSLSC] and/or surf life saving; or
  - (iii) brought WBSLSC, any Affiliated Club or surf life saving into disrepute;

WBSLSC may after allowing the Member a reasonable opportunity to explain, adjudicate and if necessary penalise said Member with such penalty as it thinks appropriate.

## PART III – CONSTITUTION

### 11. ASSOCIATION'S CONSTITUTION

#### 11.1 Constitution of WBSLSC

The constituent documents of WBSLSC will clearly reflect the objects of Surf Life Saving **South Australia** and shall generally conform with the Surf Life Saving **South Australia** Constitution, subject to any requirements in the Act, and at least to the extent of:

- (a) the objects of Surf Life Saving **South Australia**;
- (b) the structure and membership categories of Surf Life Saving **South Australia**;
- (c) recognising SLSA as the national peak body for surf life saving in Australia, in accordance with Part II of the SLSA Constitution;
- (d) recognising Surf Life Saving **South Australia** as the peak body for surf life saving in **South Australia**;
- (e) recognising SLSA as the final arbiter on matters pertaining to surf life saving in Australia, including disciplinary proceedings;
- (f) such other matters as are required to give full effect to the Surf Life Saving **South Australia** Constitution;

with such incidental variations as are necessary having regard to the Act.

#### 11.2 Operation of the Surf Life Saving South Australia Constitution

- (a) WBSLSC will take all steps to ensure its Constitution is in conformity with the Surf Life Saving **South Australia** Constitution at least to the extent set out in **clause 11.1** and in respect of those matters set out in **clause 11.1** shall ensure WBSLSC's Constitution is amended in conformity with future amendments made to the Surf Life Saving **South Australia** Constitution, subject to any prohibition or inconsistency in the Act.
- (b) WBSLSC shall provide to Surf Life Saving **South Australia** a copy of its Constitution and all amendments to these documents. WBSLSC acknowledges and agrees that the Surf Life Saving **South Australia** has power to veto any provision in its Constitution which, in Surf Life Saving's opinion, is contrary to the objects of Surf Life Saving **South Australia**

#### 11.3 Register

WBSLSC shall maintain, in a form acceptable to Surf Life Saving **South Australia** and with such details as are required by the Surf Life Saving **South Australia** Committee, a register of all Members of WBSLSC. WBSLSC shall provide a copy at a time and in a form acceptable to Surf Life Saving **South Australia**, of its Register and regular update of it to Surf Life Saving **South Australia**.

#### 11.4 By-Laws

The WBSLSC Committee shall have the power to make, repeal or amend any By-Law as it may from time to time consider necessary for the effective management of the Club. Any such By-Law, repeal or amendment shall have immediate effect providing always that it does not contravene the Act or this constitution or until set aside by the Committee or by members at a General Meeting.

## PART IV - MEMBERSHIP

### 12. MEMBERS

#### 12.1 Classes of Members

The Members of WBSLSC shall consist of:

- (a) Life Members, who subject to this Constitution, shall have the right to be present and to debate and to vote at General Meetings,
- (b) General Members, who shall have the right to be present, to debate and to vote at General Meetings only if they meet those criteria for voting defined in the By-Laws ;
- (c) Social members, who shall have the right to be present and to debate but not vote at General Meetings; and
- (d) Such other classes of membership as determined by the Committee from time to time.

#### 12.2 Life Members

- (a) The Committee may recommend to the Annual General Meeting that any natural person who has rendered distinguished service to WBSLSC and surf life saving, where such service is deemed to have assisted the advancement of WBSLSC and surf life saving in **West Beach** be appointed as a Life Member.
- (b) A resolution of the Annual General Meeting to confer life membership (subject to **clause 12.2**) on the recommendation of the Committee must be a Special Resolution.
- (c) A person must accept or reject WBSLSC's resolution to confer life membership in writing. Upon written acceptance, the person's details shall be entered upon the register, and from the time of entry on the Register the person shall be a Life Member.

#### 12.3 General Members

- (a) General members shall be as defined from time to time by the By-Laws and shall only hold General Meeting voting rights where they meet the criteria specified in the By-Laws
- (b) General Members who hold an elected or appointed Officer position, as defined in the By-laws, shall have the right to be present, to debate and to vote at General Meetings (without any need to meet any further criteria for voting rights as defined in the By-Laws for General Members).

### 13. SUBSCRIPTIONS AND FEES

The annual membership subscription (if any) and fees payable by Members to WBSLSC, the time for and manner of payment shall be as determined by WBSLSC at the Annual General Meeting.

## 14. APPLICATION

### 14.1 Application for Membership

An application for membership by an individual (“applicant”) must be:

- (a) in writing on the form prescribed (including electronic transmissions) from time to time by the Committee, from the applicant or its nominated representative and lodged with WBSLSC;
- (b) accompanied by the appropriate fee, if any.

### 14.2 Discretion to Accept or Reject Application

- (a) WBSLSC may accept or reject an application whether the applicant has complied with the requirements in **clause 14.1** or not, and shall not be required or compelled to provide any reason for such acceptance or rejection.
- (b) Where WBSLSC accepts an application the applicant shall, subject to notification to Surf Life Saving **South Australia**, become a Member.
- (c) Membership of WBSLSC shall be deemed to commence upon acceptance of the application by WBSLSC. The Secretary shall amend the Register accordingly as soon as practicable.
- (d) If WBSLSC rejects an application, it shall refund any fees forwarded with the application, and the application shall be deemed rejected by WBSLSC.

### 14.3 Re-Application

- (a) Members must re-apply for membership of WBSLSC in accordance with the procedures set down by WBSLSC in By Laws from time to time.
- (b) Upon re-application a Member must provide details of any change in his or her personal details, and any other information reasonably required by WBSLSC.

### 14.4 Deemed Membership

- (a) All individuals which or who are, prior to the approval of this Constitution, members of **West Beach** Surf Life Saving shall be deemed Members, and thus Members of WBSLSC from the time of approval of this Constitution under the Act.
- (b) The Members shall provide WBSLSC with such details as are required by WBSLSC under this Constitution within one month of the approval of this Constitution under the Act.
- (c) Any members of WBSLSC prior to approval of this Constitution under the Act, who are not deemed Members under **Clause 14.4(a)** shall be entitled to carry on such functions analogous to their previous functions as are provided for under this Constitution.

## 15. REGISTER OF MEMBERS

### 15.1 Secretary to Keep Register

The Secretary shall keep and maintain a Register in which shall be entered (as a minimum):

- (a) the full name, address, class of membership and date of entry of the name of each Member; and
- (b) the full name, address and date of entry of the name of each Committee Member and Club Delegate.

Members shall provide notice of any change and required details to WBSLSC within one month of such change.

### 15.2 Inspection of Register

Having regard to confidentiality considerations and privacy laws, an extract of the Register, excluding the address or other direct contact details of any Member, Committee Member or Club Delegate, shall be available for inspection (but not copying) by Members, upon reasonable request.

### 15.3 Use of Register

Subject to confidentiality considerations and privacy laws, the Register may be used by WBSLSC to further the objects of WBSLSC, as the Committee considers appropriate.

### 15.4 Right of Surf Life Saving South Australia to Register

WBSLSC shall provide a copy of the Register at a time and in a form acceptable to Surf Life Saving **South Australia**, and shall provide regular updates of the Register to Surf Life Saving **South Australia**. WBSLSC agrees that Surf Life Saving **South Australia** may utilise the information contained in the Register and the Register itself to further the objects of Surf Life Saving **South Australia**, subject always to reasonable confidentiality considerations and privacy laws.

## 16. EFFECT OF MEMBERSHIP

Members acknowledge and agree that:

- (a) this Constitution constitute a contract between each of them and WBSLSC and that they are bound by this Constitution and By Laws, the Surf Life Saving **South Australia** Constitution and Regulations and the SLSA Constitution and Regulation;
- (b) they shall comply with and observe this Constitution and the By Laws, and any determination, resolution or policy which may be made or passed by the Committee or any other entity with delegated authority;
- (c) by submitting to this Constitution and the By Laws they are subject to the jurisdiction of WBSLSC, Surf Life Saving **South Australia** and SLSA;
- (d) the Constitution and By Laws are necessary and reasonable for promoting the objects of WBSLSC and particularly the advancement and protection of surf life saving as a community service in **West Beach**; and
- (e) they are entitled to all benefits, advantages, privileges and services of Association membership.

## 17. DISCONTINUANCE OF MEMBERSHIP

### 17.1 Notice of Resignation

A Member having paid all arrears of fees payable to WBSLSC may resign or withdraw from membership of WBSLSC by giving notice in writing to WBSLSC and Surf Life Saving **South Australia** and SLSA of resignation or withdrawal.

### **17.2 Discontinuance by Breach**

- (a) Membership of WBSLSC may be discontinued by the Committee upon breach of any clause of this Constitution, including but not limited to the failure to pay any monies owed to WBSLSC, failure to comply with the By Laws or any resolutions or determinations made or passed by the Committee or any duly authorised committee or board.
- (b) Membership shall not be discontinued by the Committee under **clause 17.2(a)** without the Committee first giving the accused Member the opportunity to explain the breach and/or remedy the breach.
- (c) Where a Member fails, in the Committee's view to adequately explain to remedy the breach, that Member's membership shall be discontinued under **clause 17.2(a)** by WBSLSC giving written notice of the discontinuance.

### **17.3 Failure to Re-Apply**

If a Member has not re-applied for Membership with WBSLSC within one month of re-application falling due, that Member's membership will be deemed to have lapsed from that time. The Register shall be amended to reflect any lapse of membership under this **clause 17.3** as soon as practicable.

### **17.4 Member to Re-Apply**

A Member whose membership has been discontinued or has lapsed under **clause 17.3**:

- (a) must seek renewal or re-apply for membership in accordance with this Constitution; and
- (b) may be re-admitted at the discretion of the Committee.

### **17.5 Forfeiture of Rights**

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

### **17.6 Membership may be Reinstated**

Membership which has been discontinued under this **clause 17** may be reinstated at the discretion of the Committee, with such conditions as it deems appropriate.

### **17.7 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.

## **18. DISCIPLINE**

### **18.1 Disciplinary Committee**

- (a) Where the Committee is advised or considers that a Member has allegedly:
- (i) breached, failed, refused or neglected to comply with a provision of this Constitution, the By Laws, the Surf Life Saving **South Australia** Constitution, Regulations, SLSA Constitution or Regulations or any resolution or determination of the Committee, the Surf Life Saving **South Australia** Council or any duly authorised sub-committee; or
  - (ii) acted in a manner unbecoming of a Member, or prejudicial to the objects and interests of WBSLSC, Surf Life Saving **South Australia**, SLSA and/or surf life saving; or
  - (iii) brought WBSLSC, SLSA, Surf Life Saving **South Australia** any other Affiliated Club or surf life saving into disrepute;
- the Committee may commence or cause to be commenced, disciplinary proceedings against that Member, and that Member, will be subject to, and submits unreservedly to the jurisdiction, procedures, penalties and the appeal mechanisms of WBSLSC, Surf Life Saving **South Australia** and SLSA as set out in the By Laws.
- (b) The Committee may appoint a Judiciary Committee to deal with any disciplinary matter referred to it. Such a Judiciary Committee shall operate under the principles and in accordance with the procedures expressed in the By Laws.

## PART V - GENERAL MEETINGS

### 19. ANNUAL GENERAL MEETING

- (a) An Annual General Meeting of WBSLSC shall be held in accordance with the provisions of the Act and on a date and at a venue to be determined by the Committee. If no Annual General Meeting is prescribed by the Act, WBSLSC shall hold an Annual General Meeting in accordance with this Constitution, and in order to comply with any requirements of Surf Life Saving **South Australia** and the Act.
- (b) All General Meetings other than the Annual General Meeting shall be Special General Meetings and shall be held in accordance with this Constitution.

### 20. NOTICE OF GENERAL MEETING

#### 20.1 Notice of General Meetings

- (a) Notice of every General Meeting shall be given to every Member entitled to receive notice, at the address appearing in the Register kept by WBSLSC. The auditor (if any) and Committee Members shall also be entitled to notice of every General Meeting, which shall be sent to their last notified address. No other person shall be entitled as of right to receive notices of General Meetings.
- (b) A notice of a General Meeting shall specify the place and day and hour of meeting and shall state the business to be transacted at the meeting.
- (c) At least 21 days' notice of a General Meeting shall be given to those Members entitled to receive notice, together with:
  - (i) the agenda for the meeting;
  - (ii) any notice of motion received from Members; and
  - (iii) forms of authority in blank for proxy votes.

### 21. BUSINESS

#### 21.1 Business of General Meetings

- (a) The business to be transacted at the Annual General Meeting includes the consideration of accounts and the reports of the Committee and auditors, the election of Committee Members under this Constitution and the appointment and fixing of the remuneration of the auditors.
- (b) All business that is transacted at a General Meeting, and also all that is transacted at an Annual General Meeting, with the exception of those matters set down in **clause 21.1(a)** shall be special business.

#### 21.2 Business Transacted

No business other than that stated on the notice shall be transacted at that meeting.

### 22. NOTICES OF MOTION

#### 22.1 Notices of Motion to be Submitted

Members shall be entitled to submit notices of motion for inclusion as special business at

a General Meeting. All notices of motion must be submitted in writing to the Secretary not less than 42 days (excluding receiving date and meeting date) prior to the General Meeting.

### **22.2 Unsuccessful Notice of Motion**

A motion of which due notice has been given, if unsuccessful, cannot be resubmitted, nor may any other motion having a similar effect be moved at a subsequent General Meeting for a period of twelve (12) months.

## **23. SPECIAL GENERAL MEETINGS**

### **23.1 Special General Meetings May be Held**

The Committee may, whenever it thinks fit, convene a Special General Meeting of WBSLSC and, where, but for this clause more than 15 months would elapse between Annual General Meetings, shall convene a Special General Meeting before the expiration of that period.

### **23.2 Requisition of Special General Meetings**

- (a) The Secretary shall on the requisition in writing of 10 eligible voting General Members convene a Special General Meeting.
- (b) The requisition for a Special General Meeting shall state the object(s) of the meeting, shall be signed by the Members making the requisition and be sent to WBSLSC and may consist of several documents in a like form, each signed by one or more of the Members making the requisitions.
- (c) If the Secretary does not cause a Special General Meeting to be held within one month after the date on which the requisition is sent to WBSLSC, the Members making the requisition, or any of them, may convene a Special General Meeting to be held not later than three months after that date.
- (d) A Special General Meeting convened by Members under this Constitution shall be convened in the same manner, or as nearly as possible as that, in which meetings are convened by the Committee.

## **24. PROCEEDINGS AT GENERAL MEETINGS**

### **24.1 Quorum**

No business shall be transacted at any General Meeting unless a quorum is present at the time when the meeting proceeds to business. A quorum for General Meetings of WBSLSC shall be 25 per cent of all members eligible to vote at a General Meeting and Members may represent personally or by their proxies.

### **24.2 President to Preside**

The President shall, subject to this Constitution, preside as Chairman at every General Meeting of WBSLSC except:

- (a) in relation to any election for which the President is a nominee; or
- (b) where a conflict of interest exists.

If the President is not present, or is unwilling or unable to preside the Executive Committee shall by majority vote appoint one Committee member to preside as chairman

for that meeting only.

### **24.3 Adjournment of Meeting**

- (a) If within half an hour from the time appointed for the meeting, a quorum is not present the meeting shall be adjourned until the same day in the next week at the same time and place or to such other day and at such other time and place as the Chairman may determine and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting will lapse.
- (b) The Chairman may, with the consent of any meeting at which a quorum is present, and shall, if so directed by the meeting, adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (c) When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.
- (d) Except as provided in **clause 24.3(c)** it shall not be necessary to give any notice of an adjournment or the business to be transacted at any adjourned meeting.

### **24.4 Voting Procedure**

At any meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded:

- (a) by the Chairman; or
- (b) a simple majority of Members.

### **24.5 Recording of Determinations**

Unless a poll is demanded under **clause 24.4**, a declaration by the Chairman that a resolution has on a show of hands been carried or carried unanimously or by a particular majority or lost and an entry to that effect in the book containing the minutes of the proceedings of WBSLSC shall be conclusive evidence of the fact without proof of the number of the votes recorded in favour of or against the resolution.

### **24.6 Where Poll Demanded**

If a poll is duly demanded under **clause 24.4** it shall be taken in such manner and either at once or after an interval or adjournment or otherwise as the Chairman directs and the result of the poll shall be the resolution of the meeting at which the poll was demanded.

## **25. VOTING AT GENERAL MEETINGS**

### **25.1 Members entitled to Vote**

Each Member entitled to vote as set out in **clause 12.1** shall have one vote at General Meetings which, subject to this Constitution, shall be exercised by him or her or his validly appointed proxy. The Committee Members shall have the right to attend and debate, but not vote, at General Meetings.

### **25.2 President May Exercise Casting Vote**

Where voting at General Meetings is equal the Chairman may exercise a casting vote. The Chairman does not have a deliberative vote.

## **26. PROXY VOTING**

### **26.1 Proxy Voting Permitted**

Proxy voting shall be permitted at all General Meetings provided a proxy form in the form approved by the Committee from time to time, has been duly completed and executed and is lodged with the Secretary at or before the commencement of the meeting. Proxies shall only be exercised by Members entitled to vote. No Member entitled to vote shall exercise more than one proxy vote at any one time.

### **26.2 Proxy**

The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a poll. A Member shall be entitled to instruct his proxy to vote in favour of or against any proposed resolutions. Unless otherwise instructed the proxy may exercise the proxy vote as he or she thinks fit.

## PART VI - THE COMMITTEE

### 27. EXISTING COMMITTEE MEMBERS

The members of the administrative body (by whatever name called) of WBSLSC in place immediately prior to approval of this Constitution under the Act shall continue in those positions until the next Annual General Meeting following such approval, and thereafter the positions of the President and other Committee Members shall be filled, vacated and otherwise dealt with in accordance with this Constitution.

### 28. POWERS OF THE COMMITTEE

Subject to the Act and this Constitution, the business of WBSLSC shall be managed, and the powers of WBSLSC shall be exercised, by the Committee. In particular, the Committee as the authority for surf life saving in **West Beach** shall be responsible for acting on local issues in accordance with the objects and shall operate for the benefit of the Members and the community throughout **West Beach** and shall govern surf life saving in **West Beach** in accordance with the objects of WBSLSC, subject always to compliance with the Surf Life Saving **South Australia** Constitution, regulations, policies and directives.

### 29. COMPOSITION OF THE COMMITTEE

#### 29.1 Composition of the Committee

The Committee shall comprise:

- (a) the President;
- (b) the Secretary; and
- (c) **6** other Committee Members;

who must all be General Members and who shall be elected under **clause 30**.

#### 29.2 Portfolios

If the Committee considers it appropriate, in order to further the objects of WBSLSC, it may allocate Committee Members to specific portfolios, with specific responsibilities, as determined in the discretion of the Committee.

#### 29.3 Right to Co-Opt

It is expressly acknowledged that the Committee shall have the right to co-opt any person with appropriate experience or expertise to assist the Committee in respect of such matters and on such terms as the Committee thinks fit. Any person so co-opted shall not be a Committee Member, and shall not exercise the rights of a Committee Member, but shall act in an advisory role only.

#### 29.4 Appointment of Club Delegate

- (a) The Committee shall, from amongst its Members or persons holding other Committee or executive positions, appoint a Club Delegate to attend meetings of the Surf Life Saving **South Australia** Council and general meetings of Surf Life Saving **South Australia** for a term of one year, in accordance with the Surf Life Saving **South Australia** Constitution. The person may be re-appointed in any subsequent year.

- (b) WBSLSC must advise the **State Executive Director** of details of its Club Delegate 28 days prior to each Surf Life Saving **South Australia** Annual General meeting.

### **30. ELECTION OF COMMITTEE MEMBERS**

#### **30.1 Nominations of Candidates**

- (a) Nominations shall be called for by the Secretary forty-two (42) days prior to the Annual General Meeting. When calling for nominations the Secretary shall also provide details of the necessary qualifications and job descriptions for the positions. Qualifications and job descriptions shall be as determined by the Committee from time to time.
- (b) Nominations of candidates for election as Committee Members (including the President) shall be:
  - (i) made in writing, signed by two **WBSLSC** Members and accompanied by the written consent of the nominee (which may be endorsed on the form of nomination); and
  - (ii) delivered to WBSLSC not less than twenty-eight (28) days before the date fixed for the holding of the Annual General Meeting, and WBSLSC shall send the nominations to the Members entitled to receive notice under this Constitution together with the agenda for that General Meeting.
- (c) If insufficient nominations are received to fill all available vacancies on the Committee:
  - (i) the candidates nominated shall, subject to declaration by the Chairman, be deemed elected; and
  - (ii) further nominations may in the Chairman's discretion be received at the Annual General Meeting.
- (d) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (e) If the number of nominations exceeds the number of vacancies to be filled, voting papers shall be prepared containing the names of the candidates in alphabetical order, for each vacancy on the Committee.

#### **30.2 Voting procedures**

The elections shall be by preferential ballot and shall be by secret ballot on papers prepared by the Secretary.

#### **30.3 Term of Office of Committee Members**

Committee Members shall be elected in accordance with this Constitution annually, and subject to this Constitution, shall hold office from the conclusion of the Annual General Meeting at which they were elected until the conclusion of the Annual General Meeting following the expiration of their respective term as detailed in the By-Laws. Committee Members may be re-elected.

## 31. VACANCIES OF COMMITTEE MEMBERS

### 31.1 Grounds for Termination of Office of Committee Member

In addition to the circumstances in which the office of a Committee Member becomes vacant by virtue of the Act, the office of a Committee Member becomes vacant if the Committee Member:

- (a) dies;
- (b) becomes bankrupt or makes any arrangement or composition with his creditors generally;
- (c) becomes of unsound mind or a person whose person or estate is liable to be dealt with in anyway under the law relating to mental health;
- (d) resigns his office in writing to WBSLSC;
- (e) is absent without the consent of the Committee from three (3) meetings of the Committee held during a period of 6 months;
- (f) without the prior consent or later ratification of the Members in General Meeting holds any office of profit under WBSLSC;
- (g) is directly or indirectly interested in any contract or proposed contract with WBSLSC and fails to declare the nature of his interest;
- (h) is removed by Special Resolution;
- (i) has been expelled or suspended from membership (without further recourse under these Rules or the Surf Life Saving **South Australia** Rules); or
- (j) would otherwise be prohibited from being a director of a corporation under the *Corporations Act*.

### 31.2 Remaining Committee Members May Act

In the event of a casual vacancy or vacancies in the office of a Committee Member or Committee Members, the remaining Committee Members may act but, if the number of remaining Committee Members is not sufficient to constitute a quorum at a meeting of Committee Members, they may act only for the purpose of increasing the number of Committee Members to a number sufficient to constitute such a quorum.

### 31.3 Casual Vacancy

In the event of a casual vacancy in the office of any Committee Member, the Committee may appoint a Member to the vacant office and the person so appointed may continue in office up to the conclusion of the Annual General Meeting at which the term of the previous appointee would have expired.

## 32. MEETINGS OF THE COMMITTEE

### 32.1 Committee to Meet

The Committee shall meet as often as is deemed necessary in every calendar year for the dispatch of business (and shall be at least as often as is required under the Act) and subject to this Constitution may adjourn and otherwise regulate its meetings as it thinks fit. The

Secretary shall on the requisition of the President or at least 4 Committee Members, convene a meeting of the Committee within reasonable time.

### **32.2 Decisions of Committee**

Subject to this Constitution, questions arising at any meeting of the Committee shall be decided by a majority of votes and a determination of a majority of Committee Member shall for all objects be deemed a determination of the Committee. All Committee Members (except the Chairman) shall have one vote on any question. The Chairman shall have a casting vote where voting is equal, but shall have no deliberative vote.

### **32.3 Resolutions not in Meeting**

- (a) A resolution in writing, signed or assented to by telegram, cablegram, radiogram, facsimile, telex or other form of visible or other electronic communication by all the Committee Members for the time being present in Australia shall be as valid and effectual as if it had been passed at a meeting of Committee Members duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more of the Committee Members.
- (b) Without limiting the power of the Committee to regulate their meetings as they think fit, a meeting of Committee may be held where one or more of the Committee Members is not physically present at the meeting, provided that:
  - (i) all persons participating in the meeting are able to communicate with each other effectively simultaneously and instantaneously whether by means of telephone or other form of communication;
  - (ii) notice of the meeting is given to all the Committee Members entitled to notice in accordance with the usual procedures agreed upon or laid down from time to time by the Committee or these Rules and such notice specifies that Committee Members are not required to be present in person;
  - (iii) in the event that a failure in communications prevents **clause 32.3(b)(i)** from being satisfied by that number of Committee Members which constitutes a quorum, and none of such Committee Members are present at the place where the meeting is deemed by virtue of the further provisions of this Rule to be held then the meeting shall be suspended until **Clause 32.3(b)(i)** is satisfied again. If such condition is not satisfied within 15 minutes from the interruption the meeting shall be deemed to have terminated or adjourned; and
  - (iv) any meeting held where one or more of the Committee Members is not physically present shall be deemed to be held at the place specified in the notice of meeting provided a Committee Member is there present and if no Committee Member is there present the meeting shall be deemed to be held at the place where the Chairman of the meeting is located.

### **32.4 Quorum**

At meetings of the Committee the number of Committee Members whose presence is required to constitute a quorum is five (5).

### **32.5 Notice of Committee Meetings**

Unless all Committee Members agree to hold a meeting at shorter notice (which agreement shall be sufficiently evidenced by their apology or presence not less than 7 days

written notice of the meeting of the Committee shall be given to each Committee Member. The agenda shall be forwarded to each Committee Member not less than four days prior to such meeting.

### **32.6 Conflict of Interest**

A Committee Member shall declare his interest in any contractual, selection, disciplinary or other matter in which a conflict of interest arises or may arise, and shall absent himself from discussions of such matter and shall not be entitled to vote in respect of such matter. In the event of an uncertainty as to whether it is necessary for a Committee Member to absent himself from discussion or refrain from voting, the issue should be immediately determined by vote of the Committee, or if this is not possible, the matter shall be adjourned or deferred.

## **33. SECRETARY**

### **33.1 Appointment of Secretary**

The Secretary, who may be referred to by an alternate title as defined in the By-laws, shall be elected in accordance with the Constitution

### **33.2 Secretary to Act as Public Officer**

The Secretary shall act as and carry out the duties of Secretary and Public Officer of WBSLSC and shall administer and manage WBSLSC in accordance with this Constitution.

### **33.3 Specific Duties**

The Secretary shall:

- (a) as far as practicable attend all Committee meetings and all General Meetings of WBSLSC;
- (b) prepare the agenda for all Committee and General Meetings of WBSLSC;
- (c) record and prepare minutes of the proceedings of all meetings of the Committee and WBSLSC, and shall use its best endeavors to distribute those minutes to Members promptly from the date of the meeting;
- (d) regularly report on the activities of, and issues relating to, WBSLSC.

## PART VII - MISCELLANEOUS

### 34. DELEGATIONS

#### 34.1 Committee may Delegate Functions

The Committee may by instrument in writing create or establish or appoint from amongst its own members, or otherwise, special committees, sub-committees, boards, individual officers and consultants to carry out such duties and functions, and with such powers, as the Committee determines.

#### 34.2 Delegation by Instrument

The Committee may in the establishing instrument delegate such functions as are specified in the instrument, other than:

- (a) this power of delegation; and
- (b) a function imposed on the Committee or the Secretary or Public Officer by the Act or any other law, or this Constitution or by resolution of WBSLSC in General Meeting.

#### 34.3 Delegated Function Exercised in Accordance With Terms

A function, the exercise of which has been delegated under this clause, may whilst the delegation remains unrevoked, be exercised from time to time in accordance with the terms of the delegation.

#### 34.4 Procedure of Delegated Entity

The procedures for any entity exercising delegated power shall, subject to this Constitution and with any necessary or incidental amendment, be the same as that applicable to meetings of the Committee under **clause 32** above. The entity exercising delegated powers shall make decisions in accordance with the objects and objects of WBSLSC, and shall promptly provide WBSLSC with details of all material decisions and shall provide any other reports, minutes and information as WBSLSC may require from time to time.

#### 34.5 Delegation may be Conditional

A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function or at the time or circumstances as may be specified in the delegation.

#### 34.6 Revocation of Delegation

The Committee may by instrument in writing, revoke wholly or in part any delegation made under this clause, and may amend or repeal any decision made by such body or person under this clause.

### 35. BY LAWS

#### 35.1 Committee to Formulate By Laws

The Committee may formulate issue, adopt, interpret and amend such By Laws for the property advancement, management and administration of WBSLSC, the advancement of the objects of WBSLSC and surf life saving in **West Beach** as it thinks necessary or

desirable. Such By Laws must be consistent with the Constitution of WBSLSC, the Surf Life Saving **South Australia** Constitution, SLSA Constitution any Regulations made by Surf Life Saving **South Australia** or SLSA and any policy directives of the Committee.

**35.2 By Laws Binding**

All By Laws made under this clause shall be binding on WBSLSC and Members of WBSLSC.

**35.3 By Laws Deemed Applicable**

All clauses, rules, by-laws and By Laws of WBSLSC in force at the date of the approval of this Constitution insofar as such clauses, rules, by-laws and regulations are not inconsistent with, or have been replaced by this Constitution, shall be deemed to be By Laws under this clause.

**35.4 Bulletin Binding on Members**

Amendments, alterations, interpretations or other changes to By Laws shall be advised to Members of WBSLSC by means of Bulletins approved by the Committee and prepared and issued by the Secretary.

**36. RECORDS AND ACCOUNTS**

**36.1 Secretary to Keep Records**

The Secretary shall establish and maintain proper records and minutes concerning all transactions, business, meetings and dealings of WBSLSC and the Committee and shall produce these as appropriate at each Committee or General Meeting.

**36.2 Records Kept in Accordance with Act**

Proper accounting and other records shall be kept in accordance with the Act. The books of account shall be kept in the care and control of the Secretary.

**36.3 Association to Retain Records**

WBSLSC shall retain such records for 7 years after the completion of the transactions or operations to which they relate.

**36.4 Committee to Submit Accounts**

The Committee shall submit to the Members at the Annual General Meeting the Statements of Account of WBSLSC in accordance with this Constitution.

**36.5 Accounts Conclusive**

The Statements of Account when approved or adopted by an Annual General Meeting shall be conclusive except as regards any error discovered in them within 3 months after such approval or adoption.

**36.6 Accounts to be Sent to Members**

The Secretary shall cause to be sent to all persons entitled to receive notice of Annual General Meetings of WBSLSC in accordance with this Constitution, a copy of the Statements of Account, the Committee's report, the auditor's report (if any) and every other document required under the Act (if any).

**36.7 Negotiable Instruments**

All cheques, promissory notes, bankers, drafts, bills of exchange and other negotiable instruments, and all receipts for money paid to WBSLSC, shall be signed, drawn, accepted, endorsed or otherwise executed, as the case may be, by the Secretary and any one duly authorised Committee Member or any two duly authorised Committee Members or in such other manner as the Committee determines.

**37. AUDITOR**

- (a) A properly qualified auditor or auditors shall be appointed by WBSLSC in General Meeting, and the remuneration of such auditor or auditors fixed. The auditor's duties shall be regulated in accordance with the Act, or if no relevant provisions exist under the Act, in accordance with the *Corporations Act* and generally accepted principles, and/or any applicable code of conduct. The auditor may be removed by WBSLSC in General Meeting.
- (b) The accounts of WBSLSC shall be examined and the correctness of the profit and loss accounts and balance sheets ascertained by an auditor or auditors at the conclusion of each Financial Year.

**38. NOTICE****38.1 Manner of Notice**

- (a) Notices may be given by the Secretary to any person entitled under this Constitution to receive any notice by sending the notice by pre-paid post or facsimile transmission or where available, by electronic mail, to the Member's registered address or facsimile number or electronic mail address.
- (b) Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, prepaying and posting the notice. Service of the notice is deemed to have been effected three days after posting.
- (c) Where a notice is sent by facsimile transmission, service of the notice shall be deemed to be effected upon receipt of a confirmation report confirming the facsimile was sent to/or received at the facsimile number to which it was sent.
- (d) Where a notice is sent by electronic mail, service of the notice shall be deemed to be effected upon receipt of a confirmation report confirming the electronic mail message was received at the electronic mail address to which it was sent.

**38.2 Notice of General Meeting**

Notice of every General Meeting shall be given in the manner authorised in this Constitution.

**39. SEAL****39.1 Safe Custody of Seal**

The Secretary shall provide for safe custody of the Seal.

**39.2 Affixing Seal**

The Seal shall only be used by authority of the Committee and every document to which the seal is affixed shall be signed by two Committee Members or one Committee Member

and the Secretary.

#### 40. ALTERATION OF CONSTITUTION

- (a) The Constitution of WBSLSC shall not be altered except by Special Resolution in accordance with the Act, and in compliance with all other procedures under the Act (if any).
- (b) In addition, there shall be no alteration or amendment to **clauses 42 or 43** without the consent of the relevant Minister or other authorised person under the Act.
- (c) An amendment which affects the special rights of any particular class of Members must be approved by a majority of Members of that class, present at a meeting, and need not be approved by any other class. Provided that the foregoing shall not apply to these classes of Members who have no special rights under this Constitution and hence there shall be no necessity to obtain majority approval from them on any issue unless the resolution purports to impose additional obligations on them, other than any increased annual subscription.

#### 41. INDEMNITY

##### 41.1 Committee Members to be Indemnified

Every Committee Member, officer, auditor, manager, employee or agent of WBSLSC shall be indemnified out of the property or assets of WBSLSC against any liability incurred by him or her in his capacity as Committee Member, officer, auditor or agent in defending any proceedings, whether civil or criminal, in which judgement is given in his favour or in which he or she is acquitted or in connection with any application in relation to any such proceedings in which relief is, under the Act, granted to him or her by the Court.

##### 41.2 Association to Indemnify Committee Members

WBSLSC shall indemnify its Committee Members, officers, managers and employees against all damages and costs (including legal costs) for which any such Committee Member, officer, manager or employee may be or become liable to any third party in consequence of any act or omission except wilful misconduct:

- (a) in the case of a Committee Member or officer, performed or made whilst acting on behalf of and with the authority, express or implied of WBSLSC; and
- (b) in the case of an employee, performed or made in the course of, and within the scope of his employment by WBSLSC.

#### 42. DISSOLUTION

Subject to **clauses 7 and 8**, WBSLSC may be wound up in accordance with the provisions of the Act.

#### 43. AUTHORITY TO TRADE

WBSLSC is authorised to trade in accordance with the Act.

#### 44. GRIEVANCE PROCEDURES

Where a Member of WBSLSC has a grievance with another Member or with WBSLSC (but not being any of the grounds set out in **clause 18**) and that Member considers the grievance warrants investigation and action by WBSLSC that Member shall follow the following procedure.

**44.1 Grievances Officer**

The Member shall contact, either by telephone or in writing, WBSLSC's Grievances Officer, appointed by the Committee (but not a member of the Committee), and advise they have a grievance which they wish to discuss. The identity of the nominated Grievances Officer will be communicated to all Members of WBSLSC by written notice. Where a grievance is to be submitted in writing it should be addressed clearly to the Grievances Officer and marked "Private & Confidential".

**44.2 Action by Grievances Officer**

- (a) Where a grievance has been received by the Grievances Officer she or he shall, as soon as practicable, meet with, or discuss the grievance with the aggrieved Member. The Grievances Officer may take whatever steps and conduct whatever investigations necessary to determine whether the grievance is legitimate.
- (b) Where the Grievances Officer determines the grievance is legitimate she or he shall take all reasonable steps to resolve the grievance.
- (c) Where the Grievances Officer determines the grievance is not legitimate she or he shall advise the aggrieved Member accordingly. If the aggrieved Member is not satisfied with the Grievances Officer's determination they may take whatever further action they consider necessary or appropriate.
- (d) Where the Grievances Officer is unable to resolve a grievance or considers the grievance of a very serious nature they shall report the grievance to the Secretary and/or the Committee for action.
- (e) All grievances received by the Grievances Officer, and all information surrounding the circumstances of a grievance which is discovered by the Grievances Officer on investigation shall be confidential and may be communicated only to the Secretary and/or the Committee.

Revised May 2009

Adopted 30th May 2009 by the Members of the Club at the Annual General Meeting.

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Peter Zuill  
President  
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Sarah Price  
Secretary  
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**WEST BEACH SURF LIFE SAVING CLUB INC. BY-LAWS****1. MEMBERSHIP CATEGORIES**

Membership shall consist of the following members;

**1.1 GENERAL MEMBERS**

1.1.1 Shall be available to any person over the age of thirteen (13) years. Such members, other than those conferred with voting rights in accordance with Clause 1.1.1.1 and Clause 1,1,1,2 of these By Laws , will not have voting rights unless elected to Office or position which is provided with voting rights by the Club Constitution or By Laws. Currently active General Members shall be conferred with voting rights they:

1.1.1.1 Hold an Association Award of Bronze medallion or A.R.C. or First Aid or Radio Officer or Defibrillation or Official (Levels 1, 2 or 3) or Coach (Levels 1, 2 or 3) or are:

1.1.1.2 Appropriately qualified Age Marshalls

1.1.2. In order to participate in general patrol activity, a member will:

1.1.2.1 In between the ages of thirteen (13) and fifteen (15) years and have gained Surf Life Saving Certificate accreditation in that season or have passed the annual Association Proficiency requirement for that award.

1.1.2.2 If over the age of fifteen (15) years and have gained Surf Life Saving Bronze Medallion accreditation for that season, or have passed the annual Association Proficiency requirements for that award.

1.1.3 In order to participate in auxiliary patrol activity, a member will:

1.1.3.1. Be of the age as defined in the Association's Manual who has gained Radio, Resuscitation, Advanced Resuscitation or First Aid accreditation and be current as required by the Association in that discipline.

1.1.3.2. Members in this category may only participate in activity pertaining to the scope of the said accreditation requirement.

1.1.4. In order to participate in competition activity, a member will:

1.1.4.1 If between the ages of five (5) and thirteen (13) years be accredited for their age group as identified in the Association Junior Activity Manuals.

1.1.4.2. If between the ages of thirteen (13) and fifteen (15) years be accredited with the Association Surf Life Saving Certificate in that season, or be a holder of the Association Surf Life Saving Certificate and have passed the annual Association Proficiency requirement for that award.

1.1.4.3. Must be accredited with the Association Bronze medallion in that season, or be a holder of the Association Bronze Medallion and have passed the annual Association Proficiency requirement for that award.

1.1.4.4 Must not be in default or arrears of patrol duties in excess of those allowed by the SLS SA Constitution unless Exempt from this provision in accordance with the following subclauses i), ii) and iii).

i) Active Reserve Members. Active Reserve Membership shall be considered by the Executive Committee after the member has completed eight (8) consecutive years of satisfactory patrol and Club obligations as provided by the Association and Club Constitution and By-Laws, since the gaining of the Bronze Medallion. Members can apply for this privilege which can only be granted by the Executive Committee.

ii) In the case of any Member having completed ten (10) non consecutive years of patrol and Club obligations as provided by the Association and Club Constitution and By-Laws, since the gaining of the Bronze medallion and such service is recognised by resolution of the Executive Committee, the Member may be granted exemption from all patrol obligations. This privilege shall only be granted under exceptional circumstances by the Executive Committee.

iii) Life members who are holders of the Association Bronze Medallion and have passed the annual Association Proficiency requirement for that award, and in the case of State / National Championships competition participation, need not carry out any personal patrol hours.

#### 1.1.5 **HONORARY MEMBERSHIP:**

Shall be appointed from time to time by the Executive Committee.

#### 1.1.6 **LIFE MEMBERSHIP:**

May be appointed from members, who have rendered outstanding service and have completed at least 10 years service with the Club as a Senior Member. Of the ten (10) year period, three (3) years must have been served on a committee, or such other equivalent outstanding service as may be considered appropriate by the Committee.

#### 1.1.7 **JUNIOR MEMBERSHIP:**

Shall range in the age of five (5) and thirteen (13) years, and be accredited for their age group as identified in the Association Junior Activity Manuals.

### 2. **SUBSCRIPTIONS**

2.1 All subscriptions shall fall due on or before the first (1<sup>st</sup>) day of the season.

2.2 The Executive Committee has the power to refuse the renewal of the membership of any Club member, but such member shall have the right of appeal, addressed in writing to the Secretary to a decision of a Special General Meeting called for that purpose.

### 3. **DUTIES OF OFFICERS – EXECUTIVE**

3.1 The **President** shall preside at all Annual, Special, and Executive meetings of the Club. The President shall maintain order and see that the duties of the other Officers are properly performed.

- 3.1.1 The President will hold office following any election for a period of no less than 2 years.
  - 3.1.2 After ratification the President shall sign as a true record the minutes of the Annual, Special, and Executive Meetings.
  - 3.1.3 Any member of the **Committee** may assist the President in the performance of these duties as may be required and the President shall deputise a Committee Member of his or her choosing in his or her absence.
- 3.2. The **Secretary**, (who shall be referred to as **Director Member Services**) in addition to all responsibilities defined in the Constitution, shall, be responsible for exhibiting all instructions and notices on the board. The Secretary shall be responsible for the preparation of the Annual Report.
- 3.2.1 The Director Member Services will hold office following any election other than the initial election following adoption of these By Laws, for a period of no less than 2 years. The initial term following adoption of these By Laws shall be for a period of 1 year.
  - 3.2.2 The Director Member Services shall be responsible for the general conduct of the members.
- 3.3. The **Director Finance** shall nominally be responsible for the control of, advice of cash flow and of finance generally.
- 3.3.1 The Director Finance will hold office following any election for a period of no less than 2 years.
  - 3.3.2 Be concerned with fundraising to ensure that the Club can fulfill its program of projects.
  - 3.3.3 Ensure that correct auditing and controls are maintained at any level of the Club's receivable income.
  - 3.3.4 Be responsible for presentation to each meeting of the Executive Committee of a Financial Statement and an account of the finances, accompanied by the Bank Statement and a reconciliation with the Cash Book and in addition a Statement showing the status of each separate fund which is held for accounting convenience. Such statements shall be circulated with the minutes of that meeting.
  - 3.3.5 Be responsible for the presentation to the Auditors for audit of an Annual Balance Sheet and Statement of Income and Expenditure. Such Balance Sheet shall, when duly certified by the Auditor, be presented at the Annual Meeting or prior thereto.
  - 3.3.6 If directed by the Executive Committee prepare a summary of the financial situation of the club, especially those areas that may be showing concern and in need of assistance.
- 3.4. The **Director Lifesaving Services** shall be responsible for all surf lifesaving activities performed by members of the Club. He or she shall also have jurisdiction over all members in all surf lifesaving activities.

- 3.4.1 The Director Lifesaving Services will hold office following any election for a period of no less than 2 years.
- 3.4.2 The Director Lifesaving Services shall be responsible for the efficiency of patrols. He or she shall record and log all patrol hours and their activities, and shall in conjunction with the Registrar submit to State Centre such details as may be required from time to time.
- 3.4.3. The Director Lifesaving Services shall submit a report to each meeting of the Executive Committee.
- 3.5. The **Director Facilities Management** shall be responsible for the maintenance, care, cleaning and hire of the Top Room including the operation and control of the bar and kitchen.
  - 3.5.1 The Director Facilities Management will hold office following any election for a period of no less than 2 years
  - 3.5.2. The Director Facilities Management must ensure that all the conditions of the Liquor License are complied with.
  - 3.5.3. The Director Facilities Management shall submit a report to each meeting of the Executive Committee.
- 3.6. The **Director Training and Education** shall formulate, in accordance with State Centre requirements, Probationary Members into squads for training and instruction for examination for the appropriate awards under competent instructors.
  - 3.6.1 The Director Training and Education will hold office following any election other than the initial election following adoption of these By-laws, for a period of no less than 2 years. The initial term following adoption of these By-laws shall be for a period of 1 year.
  - 3.6.2. The Director Training and Education shall also arrange such other instruction for existing members as considered necessary for their overall betterment and/or the gaining of additional S.L.S.A awards.
  - 3.6.3. It is recommended that the Director Training and Education hold the Surf Life Saving Australia Training Officers Certificate.
  - 3.6.4 The Director Training and Education shall submit a report to each meeting of the Executive Committee.
- 3.7. The **Director Surf Sports** shall be responsible for all Surf Sports activities performed by members of the Club. He or she shall also have jurisdiction over all members in all Surf Sports activities.
  - 3.7.1 The Director Surf Sports will hold office following any election for a period of no less than 2 years

- 3.7.2 The Director Surf Sports shall be responsible for the nomination of competitors for all carnivals, the distribution to area captains of information on training courses for coaches, and the overall training of competitive members.
  - 3.7.3 All competition Area Captains shall report to the Director Surf Sports.
  - 3.7.4 The Director Surf Sports shall ensure that all competitors are eligible, in respect of membership, proficiency and patrol hours requirements, to compete at carnivals.
  - 3.7.5 The Director Surf Sports has the power to disallow nominations of members of competition events.
  - 3.7.6 The Director Surf Sports shall submit a report at each meeting of the Executive Committee
- 3.8. The **Director Youth Development** shall be responsible for all Youth and Junior Activities within the club.
- 3.8.1 The Director Youth Development will hold office following any election other than the initial election following adoption of these By-laws, for a period of no less than 2 years. The initial term following adoption of these By-laws shall be for a period of 1 year.
  - 3.8.2 The Director Youth Development shall submit a report at each meeting of the Executive Committee.
- 4. DUTIES OF OFFICERS – NON-EXECUTIVE**
- 4.1 The **Assistant Secretary** shall act under the direction and instruction of the Director Member Services and during the absence of the Director Member Services, shall act in the Director Member Service's stead.
  - 4.2 The **Bar Manager** shall be responsible for the bar and the adherence to the trading hours and license laws as designated under the liquor license.
    - 4.2.1. The Bar Manager shall at all times act under the direction of the Director Facilities Management in consultation with the Licensee.
  - 4.3 The **Beach Captain** shall arrange coaching and instruction for suitable members in beach competition work, and shall familiarise all Club Members with the use and care of relevant equipment.
    - 4.3.1. The Beach Captain shall act under the instruction of and report to the Director Surf Sports.
  - 4.4 The **Boat Captain** shall be responsible for the maintenance and care of the Club's Surf Boats and associated equipment.
    - 4.4.1 The Boat Captain shall coach and arrange instruction for suitable members for boat crews and familiarise all club members with the use of the surf boat and equipment and will arrange all transportation to and from Carnivals.

- 4.4.2 The Boat Captain shall at all times act under the instruction of and report to the Director Surf Sports.
- 4.5 The **Board Captain** shall arrange coaching and instruction for suitable members for craft competition work and shall familiarise all Club members with the use and care of relevant equipment.
  - 4.5.1 The Board Captain shall be responsible for the maintenance and care of the Club's competition boards and will arrange all necessary transportation to and from carnivals.
  - 4.5.2 The Board Captain shall at all times act under the instruction of and report to the Director Surf Sports.
- 4.6 The **Ski Captain** shall arrange coaching and instruction for suitable members for craft competition work and shall familiarise all Club members with the use and care of relevant equipment.
  - 4.6.1 The Ski Captain shall be responsible for the maintenance and care of the Club's competition skis and will arrange all necessary transportation to and from carnivals.
  - 4.6.2 The Ski Captain shall at all times act under the instruction of and report to the Director Surf Sports.
- 4.7 The **First Aid Officer** shall be responsible for the care, maintenance, stocking of all first aid equipment and the upkeep of the First Aid Room.
  - 4.7.1 The First Aid Officer shall act under the instruction of and report to the Director Lifesaving Services and shall liaise with the Director Education and Training.
- 4.8 The **Fundraising Officer** shall be responsible for all lotteries, competitions and spinning wheels etc. and ensure all relevant laws are abided by.
  - 4.8.1 The Fundraising Officer shall act under the instruction of and report to the Director Finance.
- 4.9 The **Gear Steward** shall be responsible for the upkeep and maintenance of all surf life saving equipment with the exception of the IRB's, surfboats, and competition craft and associated equipment.
  - 4.9.1 The Gear Steward shall be responsible for proper presentation of all gear and equipment, and reports for gear inspections when carried out by State Centre.
  - 4.9.2 The Gear Steward shall act at all times under the instruction of and report to the Director Lifesaving Services.
- 4.10 The **Hall Hire Officer** shall be responsible for the hiring of the Top Room to members and non members and ensure that the premises is hired to suitable hirees and that the hirees present the Top Room in a reasonable state after such engagement.
  - 4.10.1 The Hall Hire Officer shall at all times act under the direction of the Director Facilities Management.

- 4.11 The **Honorary Auditor** shall carefully audit the books and accounts prepared by the Director Finance for submission at the Annual General Meeting and other meetings where required, and to certify the correctness of thereof.
- 4.12 The **Junior Development Officer** shall be responsible for the fostering and encouragement of the interest of junior members and to see that they are usefully integrated into all Club activities, in particular, ensure that they are trained and instructed in all aspects of surf life saving.
- 4.12.1 The Junior Development Office shall act under the direction of the Director Youth Development.
- 4.13 The **Kitchen Manager** shall be responsible for the kitchen and ensure that it is presented in a manner conducive to proper preparation of food stuff.
- 4.13.1. The Kitchen Manager shall at all times act under the instruction of and report to the Director Facilities Management.
- 4.14 The **Maintenance Officer** shall be responsible for the upgrade and maintenance of the building and associated areas.
- 4.14.1. The Maintenance Officer shall at all times act under the instruction of and report to the Director Facilities Management.
- 4.15 The **Publicity Officer** shall obtain all possible publicity for the Club and its activities through the press, TV. and radio.
- 4.15.1 The Publicity Officer shall act under the instruction of and report to the Director Member Services.
- 4.16 The **Power Craft Officer** shall be responsible for the care and maintenance of the Club's IRB motor and accessories.
- 4.16.1. The Power Craft Officer shall at all times act under the instruction of and report to the Director Lifesaving Services.
- 4.16.2 The **Power Craft Officer** shall liaise with the Director Education and Training (or their nominee) to arrange instruction for suitable members in all phases of IRB work as described in the Training and Examination Manual
- 4.17 The **R & R Captain** shall arrange coaching and instruction for suitable members in R & R event areas, and shall familiarise all club Members with the use and care of relevant equipment.
- 4.17.1. The R & R Captain shall be responsible for the maintenance and care of the Club's equipment required for water events and will arrange all necessary transportation to and from carnivals.
- 4.17.2. The R & R Captain shall act under the instruction of and report to the Director Surf Sports.

- 4.18 The **Radio Officer** shall be responsible for the care and maintenance of all of the Club's radios and related equipment.
- 4.18.1 The Radio Officer shall act under the instruction of and report to the Director Lifesaving Services.
- 4.19 The **Registrar** shall keep a record of all members and Offices of the Club together with the details of all Awards, Competition Results, Patrol Hours, and any other Surf Life Saving activities of such members.
- 4.19.1. The Registrar shall also arrange the registration and insurance of all members as required by State Centre.
- 4.19.2 The Registrar shall act under the instruction of and report to the Director Member Services.
- 4.20 The **Sponsorship Officer** shall be responsible for the promotion of the Club amongst sponsors and donors.
- 4.20.1. The Sponsorship Officer shall at all times act under the instruction of and report to the Director Finance.
- 4.21 The **Swim Captain** shall arrange coaching and instruction for suitable members in water event areas, and shall familiarise all Club Members with the use and care of relevant equipment.
- 4.21.1. The Swim Captain shall be responsible for the maintenance and care of the Club's equipment required for water events and will arrange all necessary transportation to and from carnivals.
- 4.21.2. The Swim Captain shall be responsible for the organization and running of the Club Swim
- 4.21.3. The Swim Captain shall at all times act under the instruction of and report to the Director Surf Sports.

## 5. **COMMITTEES**

The Executive Committee shall meet monthly and record reports from all attending members and where appropriate, Sub-Committees, as defined in Clause 5 of the By Laws.

- 5.1 The **Budget Sub-Committee** shall consist of the Director Finance, Director Lifesaving Services and Director Surf Sports and the Director Finance shall be Chairperson.
- 5.1.1 The Budget Sub-Committee shall report and advise on all financial matters and aspects in relation thereto referred to them and shall submit an annual budget of income and expenditure for the current season by the beginning of August.
- 5.1.2 The Budget Sub-Committee shall submit a report to the Executive Committee as required.

- 5.2 The **Building Sub-Committee** shall consist of the Director Facilities Management, Maintenance Officer and three (3) members all of whom shall be appointed by the Executive Committee and the Director Facilities Management shall be Chairperson.
- 5.2.1 The Building Sub-Committee shall be responsible to the Executive Committee for such alterations and additions as may be considered necessary and for the general repair and maintenance of existing facilities comprising in and around the Club premises. Three (3) shall form a quorum.
- 5.3 The **Constitutional Review Sub-Committee** shall consist of the President, Secretary and one (1) other Committee Member appointed by the Committee and the President shall be the Chairperson.
- 5.3.1 The Constitutional Review Sub-Committee shall deal with all matters affecting the Constitution that may be referred to it for report and recommendations to the Executive Committee.
- 5.4 The **Disciplinary Sub-Committee** shall consist of the Director Member Services and 2 Life Members and an Active Member of Longstanding (10 years standing). The 2 Life members and the long standing member shall be appointed by the Committee. The chairperson shall be the Director Member Services.
- 5.4.1 Three (3) shall form a quorum of the disciplinary Sub-Committee.
- 5.4.2 The disciplinary Sub-Committee shall be convened to hear all matters referred to it pursuant to Clause 15 and determine action to be taken in the best interest of the Club.
- 5.4.3 The Disciplinary Sub-Committee shall give written notice of the charge to the member and notify him or her of the date, time and place for the hearing and determination of the matter.
- 5.4.4 The Disciplinary Sub-Committee may expel, or for any period, suspend, or reprimand and/or penalise any member who violates a rule of the club or shall be found guilty of misconduct, breach of discipline or act contrary to the general policy of the club, provided such member shall have the opportunity to state his case either personally or through another member, to the Disciplinary Sub-Committee before it arrives at its decision.
- 5.4.5 The Disciplinary Sub-Committee shall forthwith report its findings and determinations in writing to the Executive Committee. The member affected by the findings and determination of the Disciplinary Sub-Committee shall have the right of appeal against such findings and determination to the Executive Committee and the following provisions shall apply:
- i) The member shall within Fourteen (14) days of the findings and determinations of the Disciplinary Sub-Committee inform the Secretary, in writing, of the grounds of such appeal.
  - ii) The Secretary shall forthwith convene a meeting of the Executive Committee to hear and determine the appeal of the member against the findings and determinations of Disciplinary Sub-Committee.

- iii) At such hearing the member may appear personally or through another member.
  - iv) The Executive Committee shall hear and determine the appeal. The Director Member Services must be excused of all involvement of this appeal due to his/her chairing the Disciplinary Sub-Committee.
  - v) The determination of the Executive Committee in respect of the appeal can and may amend the findings of the Disciplinary Sub-Committee. If the member is still dissatisfied with the findings of the Executive Committee he or she may appeal to the next higher authority. ie; State Centre and/or Australian Council.
- 5.5 The **Fundraising Sub-Committee** shall consist of the Director Finance, Fundraising Officer and other elected personnel and the Director Finance shall be the Chairperson.
- 5.5.1 The Fundraising Sub-Committee shall be concerned with all matters with fundraising.
- 5.5.2 The Fundraising Sub-Committee may submit a report at each meeting of the Executive Committee or as required.
- 5.6 The **Life Membership Sub-Committee** shall consist of the President, and two (2) Life Members, one of whom shall be a Life Member of Longstanding. The Life Member and Life Member of Longstanding (10 years) shall be appointed by the Executive Committee. The President shall be the Chairperson of the committee. Total membership of the Life Member Committee shall form a quorum.
- 5.6.1 The Life Membership Sub-Committee shall be convened in accordance with By-Law 1 of the Constitution.
- 5.6.2 All nominations for life membership shall be referred to the Life Membership Sub-Committee for review. The recommendation of the Life Member Sub-Committee shall be presented at the next general meeting for endorsement by club members.
- 5.7 The **Life Saving Services Sub-Committee** shall consist of the Director Lifesaving Services, the Technical Officers (IRB Captain, First Aid Officer and Radio Officer) and two Patrol Captains (appointed by the Director Lifesaving Services) and the Director Lifesaving Services shall be the Chairperson.
- 5.7.1 The Life Saving Services Sub-Committee shall be responsible for all matters regarding patrols, including the patrol equipment.
- 5.8 The **Social Sub-Committee** shall consist of the Director Member Services and a minimum of three (3) members all of whom may be appointed by the Director Member Services and the Director Member Services shall be the Chairperson.
- 5.8.1 The Social Sub-Committee shall be responsible for all social activities undertaken for the benefit of the members
- 5.9 The **Sponsorship Sub-Committee** shall consist of the Director Finance, Sponsorship Officer and other personnel appointed by the Director Finance and the Director Finance shall be the Chairperson.

- 5.9.1 The Sponsorship Sub-Committee shall be concerned with all matters concerned with sponsorship.
- 5.9.2 The Sponsorship Sub-Committee may submit a report at each meeting of the Executive Committee or as required.
- 5.10 The **Top Room Sub-Committee** shall consist of the Director Facilities Management, Bar Manager, Kitchen Manager and Hall Hire Officer and the Director Facilities Management shall be Chairperson.
  - 5.10.1 The Top Room Sub-Committee may submit a report at each meeting of the Executive Committee or as required.
- 5.11 The **Trophy Sub-Committee** shall consist of the Director Member Services, Director Surf Sports and Director Lifesaving Services and the Director Member Services shall be Chairperson.
  - 5.11.1 The Trophy Committee shall be responsible for the co-ordination and determining the awards to be presented to members for the season.
- 5.12 The **Junior Activities Sub-Committee** shall consist of the Director Youth Development and personnel appointed by the Director Youth Development and the Director Youth Development shall be the Chairperson.
  - 5.12.1 The Sub-Committee shall have the following Officers:
    - Chairperson (Director Youth Development)
    - Vice Chairperson.
    - Secretary.
    - Chief Instructor.
    - Gear Steward.and other office bearers as considered necessary from time to time.
  - 5.12.2 The Junior Activities Sub-Committee will be responsible through the Director Youth Development for all matters directly relating to the Junior Members.
  - 5.12.3 The Junior Activities Sub-Committee shall report monthly to the Management Committee on their activities.

## **6. PATROLS**

- 6.1 Patrols shall be rostered in accordance with the Patrol Contract established with State Centre.
- 6.2 Members rostered for patrol shall attend at the beach at the specified times, and shall patrol the area allocated to the Club.
- 6.3 Patrols shall be under the direction of the Patrol Captains, who shall be responsible to the Director Lifesaving Services.
- 6.4 Members on patrol shall wear the standard patrol uniform in accordance with State Centre regulations.

- 6.5 Patrol members shall not leave the beach during their tour of duty without the sanction of the Patrol Captain.
- 6.6 A patrol record book shall be kept by the Director Lifesaving Services and therein will be kept complete details of every patrol carried out during the season.
- 6.7 On Inclement Weather Patrols, the patrol rostered shall carry out duties in the Club-House under the direction of the Patrol Captain.
- 6.8 Members absenting themselves from a rostered patrol without prior permission from the Patrol Captain and arranging for a substitute may be reported in terms of Clause 18 of the Constitution. Members will also be reported for any misconduct whilst on patrol.
- 6.9 All breaches of patrol duty shall be handled by the Director Lifesaving Services. Repetitive breaches will be reported in terms of Clause 18 of the Constitution.

## **7. EXEMPTIONS FROM PATROLS**

- 7.1 The club must recognise the obligation of all active members to perform patrol duties and/or other duties within the Surf Life Saving structure.
- 7.2 Exemptions from patrol, or other duties, may only be granted in the most exceptional of circumstances.
- 7.3 The Club may provide exemptions for senior Club officers, and persons whose Club duties are such that exemption is provided in the Club by Special Resolution of a General Meeting of the Club.
- 7.4 The Association may provide exemption from all or part of Club patrol duties for members of the Board of Examiners, senior Association officers or membership of Association patrols or rescue services.
- 7.5 Under no circumstances shall competitors be granted patrol or club duty exemptions, solely upon competition reasons.
- 7.6 Any patrol or duty exemption, granted by the Club, except those stated in 7.3 and 7.4, must be immediately submitted for ratification to the Association, stating names and reasons for exemption.