

**NORTH BURLEIGH SURF LIFE SAVING CLUB INC.**

**PART 2**

**THE BY-LAWS**

**SECTION 1**

**The Constituents**

**BY-LAW 1.1 - EXECUTIVE OFFICERS**

The following Executive Officers shall be elected at the Annual General Meeting as provided for in 1/C/1: President, Director of Administration, and Director of Finance

**BY-LAW 1.2 – DIRECTORS**

In addition to the Officers described in 1.1, the following Directors will also be elected at the Annual General Meeting viz Deputy President, Director of Surf Lifesaving, Director of Surf Sports. Director of Junior Activities and Director of Clubhouse Activities are to be ratified

These Directors, together with those officers in 1.1, will constitute the Board of Management as defined in the Constitution and have full voting rights.

No Director shall hold more than one Directorship

Nomination for Director of Junior Activities shall be subject to endorsement by the Junior Activities Committee, refer to By-Law 4.20.

**BY-LAW 1.3 - OTHER OFFICERS**

- a) All or any of the following officers, may be elected at the Annual General Meeting viz.: Patron, Vice Patrons, Chief Training Officer, Fundraiser, Surf Boat Officer, IRB Officer, Board & Ski Officer, Gear & Equipment Officer, Executive Floor Member, First Aid Officer, Marine Stinger Officer, Registrar, Communications Officer, Cadet/Youth Officer, Team Manager(s), Publicity Officer, Safety Officer, Grievance Officer – 1 male 1 female.

In the absence of any of the Directors for the Board of Management meeting, any of his sub-committee, as nominated by the President or Director concerned, may act as proxy at that meeting

- b) Officers, as assistants, may also be elected and eligible to attend relevant sub committee meetings.

Asst. Director of Administration, Asst. Director of Finance, Asst. Director of Surf Lifesaving, Asst Director Surf Sports. Asst Executive Floor Member, Asst Surf Boat Officer, Asst Board & Ski Officer, Asst IRB Officer, Asst Fund Raiser, Asst Clubhouse Director, Asst. First Aid Officer, Asst. Chief Training Officer, Asst. Gear & Equipment Officer, Asst. Grievance Officer. Asst Safety Office, Asst Cadet/Youth Officer Asst Communications Officer, Asst Gear and Equipment Officer, Asst Age Managers (These members so elected may act as proxies in the absence of the officer for whom they act as assistants.)

- c) The Club shall appoint (by invitation) at its Annual General Meeting the Club Auditor and Club Solicitor.

#### **BY-LAW 1.4 - LIFE MEMBERS**

Life Members of the Club shall be entitled to attend Council and Board of Management Meetings and hold Office if elected.

Life Members of the Club may be elected from the members who have rendered ten years distinguished and/or special service to the Club.

#### **BY-LAW 1.5 - MEMBERS**

- a) Membership may be granted to any applicant in any category, subject to the Constitution and By-Laws of the Club and the Association and having completed the prescribed Association Form and submitted the required fee;
- b) Membership shall be limited by category qualifications 1/B/1/1 in the Constitution.

The composition of the Club shall consist of the following members-its Officers. Active, Reserve Active, Long Service, Life, Associate, Award, Honorary, Cadet, Junior Activities (Nipper) and Probationary Members and membership shall be unlimited.

#### **BY-LAW 1.6 COUNCILLORS**

The Club President shall be the Branch Councillor and a member of the Branch Council and an Alternate shall be the Deputy President or a member of the Executive Committee to act as proxy should the need arise.

#### **BY-LAW 1.7 - AUXILIARY ORGANISATION**

Auxiliary Organisations may be formed as Authorised in 1/A/2.2 in the Constitution and activities of such organisations are subject to the approval of the Club and further provided that delegate representation to and from such organisation shall be as determined by the Club from time to time.

Auxiliary organisations may be formed and affiliated to the Club providing such organisations have similar aims and objects as the Club and are subject to the overall control of the Club

### **SECTION 2**

#### **Conditions Pertaining to Officers and Members**

#### **BY-LAW 2.1 - OFFICERS**

- a) Officers of the Club shall be elected from the members of the Club;
- b) The Executive Committee of the Club shall be the President, Director of Administration, Director of Finance, and nominees for these positions should first require an interview by a small panel of selected Club Officers with respect to the applicable work role, the applicant's ability and availability to carry out duties of the office for which the nomination is received;
- c) Chief Training Officer shall hold a current Training Officer's Certificate;
- d) Only current proficient Surf Bronze Medallion awardees shall be eligible for election to the following positions; Director of Surf Lifesaving, Chief Training Officer, and Assistants to these positions;

e) Officers of the Club shall be required to understand the needs of the Club and their legal responsibilities as Officers. Club Officers owe a fiduciary duty to the Club and shall exercise their rights and powers in good faith and for the benefit of the Club;

f) Officers shall comply with the following principle statutory and common law duties:

1. To act honestly and in good faith in the interest of the Club;
2. To exercise a degree of care, skill and diligence that a reasonable person in a like position would exercise in the Club's circumstances;
3. To exercise powers honestly and for the purpose for which they were conferred and not to or collateral purposes;
4. To avoid any actual or potential conflict between their obligations owed to the Club and their personal interests and other duties;
5. To keep confidential information obtained, and not to disclose advantage or business opportunities acquired, in the course of that office;
6. To prevent insolvent trading by the Club.

g) Interests:

An Officer shall not hold any place of profit or position of employment within the Club, or in any company or incorporated association in which the Club is a shareholder or otherwise interested, or from contracting with the Club either as a vendor, purchaser or otherwise except with the express resolution or approval of the Board of Management. Any Such contract or arrangement entered into by or on behalf of the Club in which an Officer is in any way interested will be voided for such reason;

h) Disclosure of Interests:

The nature and interest of an Officer must be declared by such person at the meeting at which the contract or arrangement is first taken into consideration if the interest exists or in any case at the first meeting of the Board of Management after the acquisition of the interest. If an Officer becomes interested in a contract or arrangement after it is made and entered into, the declaration of the interest must be made at the first meeting of the Board of Management held after the Officer becomes so interested;

i) General Disclosures:

A general notice that an Officer is a member of any specified firm or company and is to be regarded as interested in all transactions with that firm or company is sufficient declaration. After such general notice it is not necessary for such Officers to give a special notice relating to any particular transaction with that firm or company;

j) Recording Disclosures:

It is the duty of the Director of Administration to record in the Minutes any declarations made;

k) Conflicts

An Officer notwithstanding an interest, may be counted in the quorum present at any meeting, but cannot vote in respect of any contract or arrangement in which the Officer is interested.

An Officer shall not sign a document where the Officer is interested in the contract or arrangement to which the document relates.

## **BY-LAW 2.2 - VICE PATRONS**

Vice Patrons may be proposed by any member of the Club and no limit shall exist. Such proposals shall be endorsed or rejected at the Annual General Meeting.

#### **BY-LAW 2.3 - DUTIES AND PRIVILEGES OF MEMBERSHIP**

- a) All financial members shall have access to all Club facilities however, Associate members are not permitted to use the gymnasium facilities;
- b) All financial Active, Long Service, Active Reserve, Award (Non Voting) (refer to section B 3 (g) (ii) of the Constitution), Life Members and Officers shall have the right to attend and vote at the Annual General Meeting, General Meetings and Special General Meetings of the Council. All other members may attend such meetings but have no voting rights;
- c) All Active and Cadet members may apply in writing for leave of absence from their duties, stating the reasons and time for such leave;
- d) All members shall abide by the Constitution, By-Laws and Rules of the Club and the Association.

#### **BY-LAW 2.4 - RENEWAL OF MEMBERSHIP**

- a) Members shall apply annually for renewal of membership by submission of the prescribed Association Form and payment of the prescribed fee;
- b) Should the application for renewal of membership be refused the member shall have the right of appeal, in writing through the Director of Administration;
- c) For a member to be eligible to vote at the Annual General Meeting he shall be required to have paid his fees and had his membership application accepted prior to the date of the Meeting;
- d) Any member who fails to renew his subscription by the required date ie. 30 days following the Club's Annual General Meeting shall lose all rights and privileges in the Club and shall cease to be a member. In these circumstances application for membership re-acceptance is permitted, provided the prescribed form is submitted, accompanied by the current fees, and further provided that the BOM shall have the sole right to grant or refuse such application.

### **SECTION 3**

#### **Meetings**

(Refer to Appendix 'B')

#### **BY-LAW 3.1 - ANNUAL GENERAL MEETING**

- a) The Annual General Meeting of the Club shall be held prior to the Annual General Meeting of the Branch on a date determined by the Board of Management, but prior to the 30 June yearly. The purpose of such a meeting shall be the presentation and adoption of the Annual Report and Financial Statement, including the prepared Budget for the ensuing year (1.D.3.1), the Election of Officers for the ensuing year, to deal with Notices of Motion correctly moved and to transact general business;
- b) Notice of the meeting shall be forwarded to each financial member at least 14 days prior to the meeting and the posting of such notice shall be deemed as notice received. (A copy of the annual report and financial statements will be available for collection from the Club Office 7 days prior (postage to away members only);

The order of business shall be:-

- Recording of attendance and apologies
  - Confirmation of the previous Annual General Meeting Minutes
  - Presentation and adoption of the Annual Report and Financial Statements
  - Election of Officers
  - Endorsement of Branch Councillor (Club President)
  - Endorse Junior Activities Committee
  - Endorse Finance, Building, House, Social or any other Committees
  - Announcement of new Life Members (if any)
  - Notice of Motion
  - Affiliation with South Coast Branch
  - General Business, including the selection of list of events for Club Championships.
- b) Any items of General Business shall be submitted to the Director of Administration at least 7 days prior to the Meeting provided that any item of importance may be permitted to be discussed from the floor at the discretion of the Chairperson);
- d) All members may attend and participate as determined by the Chairperson but voting rights are as provided for in Section E 3.1 Constitution.

#### **BY-LAW 3.2 - GENERAL MEETINGS**

General Meetings of the Club or Council shall be called as directed in 1/E/2.6 and are to be held during the months of November and February for the benefit of the Club and the members. The meeting shall follow the Board of Management meeting format provided that all members may ask questions.

#### **BY-LAW 3.3 - SPECIAL GENERAL MEETINGS**

- a) Special General Meetings of the Club or Council shall be called as directed in 1/E/2.6 to deal with Special Business only as detailed in the Notice of the Meeting;
- b) Such meeting shall be held within 21 days of receipt of such request or directive and at least 9 clear days notice on the Club notice board shall be given stating the business to be discussed. Quorum and time limit for such a meeting shall be as detailed 1/E/2/3/4/5.

#### **BY-LAW 3.4 - BOARD OF MANAGEMENT MEETINGS**

- a) The Board of Management shall comprise those Directors as listed in 1/B/10.2.CONSTITUTION;
- b) The Board shall meet at least once in two calendar months or as directed (E/2/.2) and the Meeting dates shall be determined at the first Meeting of the Board and placed on the notice board at least 5 days prior to each meeting;
- c) Should any member of the Board be absent without satisfactory reason for three (3) consecutive meetings, his office shall be declared vacant and the position filled in accordance with 1/C/1.5. Any appeal by the member against the Board's decision shall be in accordance with 1/C/1.7;
- c) The responsibility of the Board of Management shall be to manage the day to day business of the Club, and the allotment of items to Boards, Committees and/or staff;
- e) Issues relation to major policies, constitutional change, incorporation responsibilities and

authority, or major borrowings over \$50,000 per item purchased and strategic issues shall be referred to the Club Council

The order of Business shall be:-

- Apologies and proxies
- Confirmation of Previous Minutes
- Business arising out of Minutes
- Correspondence
- Finance
- Membership
- Directors' Sub-Committee's and other Reports
- Notices of Motion
- General Business

#### **BY-LAW 3.5 - DIRECTORS' COMMITTEE MEETINGS**

Directors' Committee meetings will consist of relevant Officers.

The Director will be the Chairperson of all such meetings, or in his/her absence, his /her deputy or as nominated by the Director.

The Committee shall meet at least once every calendar month during the season, and at least once every 2 calendar months during the off-season.

Recommendations from these meetings will be presented to the Board of Management by the respective Director for the Board's decision and / or implementation.

Any matters of urgency will be referred to the President.

#### **BY-LAW 3.6 - OTHER COMMITTEE MEETINGS**

Other Committees shall meet and operate in the area for which they are specifically created at times and places as required or as decided by the Executive Committee or Committee Chairperson

### **SECTION 4**

#### **Duties of Officers and Others**

##### **BY-LAW 4.1 - THE PRESIDENT shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be a Director and the nominal head of the Club and shall be a member ex-officio of all Committees;
- c) be chairperson of the Council, and Board of Management meetings and Executive Committee meetings;
- d) preside at all meetings of the Club and shall exercise his authority by generally supervising the affairs of the Club in conjunction with the Executive Officers and Board of Managements;
- e) when presiding at a meeting, have a deliberative and a casting vote;

- f) have unlimited authority on every question of order, only to what is equitable and just in the circumstances;
- g) be the Club Representative for the Branch.

**BY-LAW 4.2 - THE DEPUTY PRESIDENT shall -**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be a Director and be chairperson of the Building Committee;
- c) The Deputy President shall assist the President and shall deputise for him/her in his/her absence, and shall carry out special assignments as directed by the President or the Board of Management;

**BY-LAW 4.3 - THE DIRECTOR OF SURF LIFESAVING shall -**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be a member of the Selection Committee, and Chairperson of the Lifesaving Committee;
- c) be responsible for the conduct and discipline of all Active Members in all Club matters, and the general education of Members in Surf Life Saving;
- d) arrange patrols and conferences with Patrol Captains during the season to discuss suggestions and observations made by him/her regarding the general efficiency of the Club in Surf Life Saving, refer to Appendix C;
- e) have the power to refuse the use of Club gear or property to any person;
- f) call upon any members to perform such duties as he deems necessary in the interests of the Club;
- g) ex-officio, be a member of Sub-Committees associated with his/her duties;
- h) be responsible for the general conduct of members in accordance with Clubhouse Rules, The Club By-Laws and Appendix "D"

**BY-LAW 4.4 - THE DIRECTOR OF ADMINISTRATION shall -**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be chairperson of the Planning & Administration Committee;
- c) assisted by the Club Registrar, keep a register of all Members and an up-to-date record of their addresses, and shall file all Application Forms whether or not the nominees have been accepted;
- d) forward notices of all meetings and the business to be transacted thereat to Members in accordance with the By-Laws;
- e) record and keep Minutes of all Annual General, General, Special General, Executive Committee and Board of Management Meetings;
- f) conduct the correspondence of the Club and be responsible for the custody of all documents and instruments of Incorporation belonging to the Club and for the disposition thereof;

- g) be responsible for the drafting of the Annual report to be submitted to the Board of Management for approval before printing and circulation to all Members at least seven (7) days prior to the Annual General Meeting;
- h) carry out all duties arising from decisions of Annual, Special, General and/or Committee Meetings;
- i) Upon receipt of entries for carnivals from the Director of Surf Sports transit these entries to relative destination.

**BY-LAW 4.5 - THE DIRECTOR OF FINANCE shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be chairperson of the Finance Committee;
- c) receive all monies on behalf of the Club and shall issue receipts for same, and shall be responsible to the Board of Management for such monies. All monies received on behalf of the Club shall be banked within four (4) days of receipt thereof and all payments shall be made by cheque or other technology
- d) keep the necessary books and a minimum number of accounts as required within the State of Queensland, as required by the relevant Government Act as administered by the relevant Government Department, viz., a receipt book to acknowledge collections, a cheque book issued by the Club's bankers for the purposes of payments, and a Ledger to record endowable and non-endowable collections, and expenditure by cheque. Details of cheque payments are to be recorded by him and duly presented to a meeting as set out in 1/D/2/5 He/she shall submit to the Director of Administration for on forwarding to the relevant Government Department an annual statement of endowable collections on the form provided by SLSQ, for the purpose of assessing Government Subsidy, and shall forward a copy of same to SLSQ;
- e) at each Board of Management Meeting, present a report relating to the Club's finances, showing details of receipts and expenditure since the presentation of the previous report and shall produce the Bank statement showing the balance as the debit or credit of the Club's finances, together with Reconciliation Statement;
- f) Be responsible for receiving and overseeing budgets presented by all sections of the Club.

**BY-LAW 4.6 - DIRECTOR OF SURF SPORTS shall:-**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be Chairperson of the Selection Committee;
- c) Be responsible for overseeing and co-ordinating all programs and activities relating to Surf Sports in conjunction with the IRB and Surf Boat Officer and Deputy President;
- d) receive and arrange entries for carnivals and competitions in conjunction with the Selection Committee and forward them to the Director of Administration for transmission to their proper destination;
- e) arrange for the training and preparation of all members for inter and intra Club competition in conjunction with Club Coaches;
- f) present to the Board of Management a combined budget of all financial matters connected with Club teams;



- g) be responsible for the organisation (after selection) in conjunction with Team Managers, Age Managers, of all travel, accommodation and transport of teams to a competition arena;
- h) Organise and co-ordinate any such carnival that may be held on the Club's beach or conducted by the Club.

**BY-LAW 4.7 - THE DIRECTOR OF CLUBHOUSE ACTIVITIES shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be Chairperson of the North Burleigh Supporters Association Inc (hereinafter called the "Supporters");
- c) be Chairperson of the Clubhouse Committee;
- d) be responsible for the general conduct of members in accordance with the Clubhouse Rules, the Club By-Laws and Appendix D;
- e) pursue the interests of the Club by providing acceptable catering to the members and public;
- f) supervise the accommodation facilities of the Club;
- g) be responsible for the maintenance, appearance and presentation of the Clubhouse;
- h) present to the Board of Management a detailed report on the finances of the Supporters and actively pursue the profitability of same;
- i) ensure any necessary legislation / licence required for the Club's operation is held, current and in force;
- j) call a meeting of the Clubhouse Committee when necessary to review the overall position of the Clubhouse, catering and accommodation.

**BY-LAW 4.8 - THE CHIEF TRAINING OFFICER shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) Hold a current Training Officer's Certificate;
- c) arrange classes of Instruction and prepare all Probationary Members for award examinations;
- d) arrange a drill roster and deputise other qualified and trainee-Training Officers to assist in the preparation of such Probationary Members;
- e) arrange for the training and preparation of all Members for inter and intra Club Life Saving competitions;
- f) maintain an up-to-date knowledge of the latest methods of Surf Life Saving and the Training Manuals and impart such knowledge to all qualified Club Training Officers;
- g) be a member of the Surf Lifesaving Selection Committee;

- h) be Chairperson of the Judiciary Committee;
- i) Present to the Board of Management a combined budget of all financial matters.

**BY-LAW 4.9 - THE SURF BOAT OFFICER shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be responsible for the care, maintenance and housing of the surf boat(s) and all gear appertaining thereto, refer to Appendix E/2;
- c) at all times be subject to the direction of the Club Director of Surf Lifesaving, or if in relation to competition, the Director of Surf Sports;
- d) be responsible for the training and supervision of all surf boat crews in consultation with the Director of Surf Sports;
- e) be responsible for the organisation (after selection ) in conjunction with Team Managers arrange of all travel etc, co-ordinate all relevant nominations and responsibility for carnivals;
- f) prepare and present to the Board of Management a combined budget of all financial matters.

**BY-LAW 4.10 - THE IRB OFFICER shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be a qualified and proficient holder of an IRB Driver and IRB Crewperson Certificate;
- c) at all times be subject to the direction of the Director of Surf Lifesaving, or if in relation to competition, the Director of Surf Sports;
- d) be responsible for the care, maintenance and housing of Club IRB refer to Appendix E/3;
- e) be responsible for the training, rostering and supervision of all IRB Drivers and Crew for Patrols in consultation with the Club Director of Surf Lifesaving;
- f) be responsible for the organisation (after selection) in conjunction with Team Managers arrange all travel etc, co-ordinate all relevant nominations and responsibility for carnivals;
- g) In conjunction with the Deputy President coordinate craft and personnel for carnivals;
- h) Present to the Board of Management a combined budget of all financial matters.

**BY-LAW 4.11 - THE BOARD & SKI OFFICER shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be responsible for all the Club's boards & skis and its orderly housing;
- c) be responsible for the housing of boards & skis belonging to members, refer to Appendix E/1;
- d) in consultation with the Director of Surf Lifesaving permit or prohibit the use of any Club craft or Association gear;
- e) assist in the selection and the supervision of the training of individuals and or teams

board & ski competitors;

- f) in consultation with the Boat Officer be responsible for the transport to and from carnivals of Club boards & skis;
- g) maintain Club boards & skis in a serviceable condition;
- h) present to the Board of Management a combined Budget of all Financial Matters.

**BY-LAW 4.12 - THE COMMUNICATIONS OFFICER shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be a proficient Radio Officer and a holder a the Radio Operator's certificate;
- c) at all times be subject to the directions of the Club Director of Surf Lifesaving;
- d) be responsible for the care, maintenance and availability of serviceable radio equipment;
- e) be responsible for training and rostering of members and the radio communications requirements of the Club;
- f) Present to the Board of Management a combined Budget of all Financial Matters.

**BY-LAW 4.13 - THE GEAR & EQUIPMENT OFFICER shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be responsible for all the lifesaving gear (with the exception of boards & skis, surf boat or its gear) belonging to the Club, refer to Appendix E;
- c) keep all such gear in good repair and condition, and report to the Club Director of Surf Lifesaving any damage which he is unable to repair. Any expense shall require the approval of the Board of Management;
- d) at the request of the Director of Surf Sports, prepare gear, other than Boats and Craft, required for carnivals and competitions of all kinds and be responsible for its transport to and from such carnival or competitions;
- e) for the purpose of implementation of such duties and with the approval of the Director of Surf Lifesaving and/or the Director of Surf Sports, have power to call on the services of any member.
- f) Present to the Board of Management a combined Budget of all Financial Matters.

**BY-LAW 4.14 - THE FIRST AID OFFICER shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be a qualified and proficient holder of the Senior First Aid Certificate;
- c) maintain adequate stocks of approved first aid material and equipment provided that he must first obtain the approval of the Board of Management for the purchase of materials;
- d) maintain the first aid room in a clean and orderly condition and for the purpose may, with the approval of the Director of Surf Lifesaving, call on the services of any member;
- e) organise and arrange instruction for First Aid Awards in conjunction with the Association;

- f) keep a record of names and addresses of patients treated for major first aid and also a record of the number of patients treated for minor first aid;
- g) Present to the Board of Management a combined Budget of all Financial Matters.

**BY-LAW 4.15 - THE MARINE STINGER OFFICER (if applicable) shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) have a wide experience and knowledge of the dangers of Marine Stingers and assist in marine animal research programs, co-ordinate spotting techniques, treatment procedures and public education programs in the Club;
- c) liaise with local and public authorities and Medical Practitioners associated with the Club area;
- d) arrange for the supply and maintenance of equipment and gear used for patrol, spotting, test netting, treatment and the use of public signs;
- e) arrange training sessions and the distribution of educational material for the guidance of Club members;
- f) assist researchers with reports of sightings and supervise this activity within the Club;
- g) be responsible for the Club in providing reports to the Branch and State Officers;
- h) present to the Board of Management a combined Budget of all Financial Matters.

**BY-LAW 4.17 - THE ASSISTANT DIRECTOR OF ADMINISTRATION shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) assist the Director of Administration in keeping a register of all Members, and make any necessary notation thereon from time to time;
- c) keep a register of all examinations and inter and intra-club competition results, together with a register of all patrol activities, including rescues effected and patients treated for first-aid;
- d) provide North Burleigh Supporters Association Inc with a list of accepted financial memberships to be registered as full financial members of that body.

**BY-LAW 4.18 - THE TEAM MANAGER(S) shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) prepare and present to the Board of Management, through the Director of Surf Sports, a budget covering all financial matters associated with their particular Club Teams;
- c) be responsible for any outfitting and funding in excess of provision made by the Club Board of Management;
- d) submit progress reports regularly to the Board of Management through the Director of Surf Sports;
- e) as instructed by the Director of Surf Sports, be responsible for the assembly (after selection), transport, accommodation and general behaviour of the team;

- f) in the case of (ANY) financial commitment submit a statement with receipts and invoices within thirty (30) days after the completion of the events;
- g) assist with any displays or demonstrations required, where the Club is involved;
- h) he/she or their appointed proxy attend all official briefings at events where the Club is represented;
- i) represent the Club at any official protest at any carnival;
- j) be a member of the Selection Committee.

**BY-LAW 4.19 - THE YOUTH DEVELOPMENT OFFICER shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be responsible for the supervision of and liaising with members making the transition from Junior Activities Membership and/or for those new members joining the Club under the Cadet Membership category;
- c) at all times be subject to the direction of the Director of Surf Life Saving and/or Director of Surf Sports;
- d) provide educational experiences in a wide range of subjects and skills for members within the cadet/junior ranks;
- e) in conjunction with the Club Director of Administration, Director of Surf Lifesaving, Director of Surf Sports and Chief Training Officer, co-ordinate all matters pertaining to the responsibilities and obligations of youth membership;
- f) assist with the enhancement of membership recruitment and retention through the various age levels;
- g) pursue issues and activities of benefit to cadets/youth;
- h) foster recognition of the important role youth plays within the Club;
- i) oversee cadet/youth recruitment and retention programs/activities within the Club;
- j) promote cadet/youth members' participation in development camps and leadership programs and camps;
- k) pursue any issues of benefit to the safety and enjoyment of youth members;
- l) present to the Board of Management a combined Budget of all Financial Matters.

**BY-LAW 4.20 - THE DIRECTOR OF JUNIOR ACTIVITIES shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be chairperson of the Junior Activities Committee;
- c) be responsible for the conduct and co-ordination of all matters relating to Junior Activities, refer to Appendix F;
- d) in conjunction with the Club Director of Surf Lifesaving and Chief Training Officer provide for Junior Members, an education experience in a wide range of subjects and skills within

the aquatic/marine environment;

- e) prepare junior members (Nippers) for their eventual transition to the marine and patrol environment of Surf Life Saving;
- f) Oversee in all such activities;
- g) be a member of the Club Board of Management;
- h) present to the Board of Management a combined Budget of all Financial Matters.

Note: Where the Club appoints a Committee to manage Junior Activities act as its Chairperson and shall be responsible for the conduct of that Committee and its activities refer to Appendix F.

**BY-LAW 4.21 - COUNCILLOR (OR ALTERNATE):**

- a) The Branch Councillor shall be the Club President and shall:
  - (i) attend all Branch Council Meetings as the Club representative on that body;
  - (ii) act as liaison between the Branch and the Club and fully and regularly report to the Club in writing or in person on the Branch activities;
  - (iii) Appoint the Deputy President or an Executive Committee Officer as proxy as and when required.

**BY-LAW 4.22 – THE GRIEVANCE OFFICER shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be appointed by the Club Council from a recommendation submitted by the Board of Management or nomination from the floor at AGM;
- c) attend to all matters referred to him/her by the Club President and /or Board of Management;
- d) determine matters relating to grievances, harassment, equity and the like;
- e) as soon as practicable after receiving a reference, meet with ,or discuss the issue with the aggrieved party/parties and take whatever steps and conduct whatever investigations are necessary to determine if the grievance is legitimate, including a requirement of members to provide a statement or report;
- f) refer it to the Club President who must then action the grievance within a reasonable time but no longer than three (3) months;
- g) if the grievance is determined to be legitimate, advise the aggrieved part / parties accordingly;
- h) if unable to resolve a grievance or the grievance is considered to be of a very serious nature, he/she shall report the grievance to the Club President/ Judiciary Committee for action;
- i) keep all information surrounding the circumstances of a grievance confidential and communicate such information only to the Club President/ Judiciary Committee and /or an appropriate enforcement body following written authority from the Club President/Judiciary Committee.

**BY-LAW 4.23 – THE SAFETY OFFICER shall:**

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) hold all necessary workplace, health and safety certificates and accreditations;
- c) implement and oversee risk management procedures;
- d) set up, implement and monitor injury reporting system in conjunction with the First Aid Officer and Registrar;
- e) carry out investigations of Surf Club workplace incidents;
- f) set up, implement and monitor OHS Education and training system;
- g) implement systems to review workplace stress and critical incidents;
- h) implement rehabilitation and return to Surf Club duties procedures.

**SECTION 5**

**Staff & Employees**

**BY-LAW 5.1 - STAFF APPOINTMENTS**

The Board of Management, pursuant to 1/D/4 may appoint an Administrator and/or other paid employees for specific assignments.

**BY-LAW 5.2 THE EXECUTIVE OFFICER (if applicable)**

The Executive Officer is a paid Officer position and subject to the provisions of the Constitution and to the directions from time to time of the Council, Board of Management and Executive Committee, he/she shall:

- a) be subject to the duties as per contract of employment.

**BY-LAW 5.3 - THE ADMINISTRATOR (if applicable)**

The Administrator is a paid Officer position and subject to the provisions of the (Section B 10.5 a) and to the directions from time to time of the Council and Board of Management shall:

- a) carry out and implement all decisions of the Council Meetings and the Board of Management and within the scope of such decisions use his best endeavours to further the policies of the Club and the advancement of Surf Life Saving;
- b) co-ordinate the activities of the Club Officers and assist wherever possible or as directed;
- c) attend meetings and act as Minute\_Secretary for all Council General or Special Meetings as well as the Board of Management Meetings and/or Executive Committee Meetings;
- d) be responsible to the President on matters of day to day routine business;
- e) be available at all reasonable times for consultation with and assistance in matters which are within the jurisdiction of the Club to the Officers and members;
- f) maintain close contact with Branch and the State levels of the Association including

regular visits provided that he shall inform the Committee of proposed visits;

- g) approach and develop Club donors and sponsors with the assistance of the Executive Committee and oversee all fund raising activities as directed by the Board of Management;
- h) in all aspects of his activities observe and comply with existing procedures of the Club as regards correspondence and communications;
- i) prepare and issue notices and agendas for General Meetings of the Council, and the Board of Management and Executive Meetings;
- j) attend to the preparation and presentation of the Annual Report, or any other prepared matter for Club distribution.

## **SECTION 6**

### **Committees**

#### **BY-LAW 6.1 - GENERAL**

- a) Composition and membership shall be as prescribed in the respective By-Laws;
- b) Membership must be drawn from members of the Club;
- c) A member appointed to a Committee shall retain his appointment only whilst he/she retains their membership of the Club. The Council may, (and OR at the discretion of the BOM), remove any member from membership of a Committee;
- d) In the event of the absence of the Chairperson from any meeting the meeting shall appoint one of its members to act during such absence;
- e) It shall be the duty of the Club Director of Administration to refer for consideration and recommendation all matters as properly relate to the jurisdiction of each Committee;
- f) In the event of any matter coming within the jurisdiction of two or more Committees, the President may direct such Committees to jointly consider and report and/or recommend to the Board of Management thereon;
- g) A quorum for a meeting of a Committee shall be a simple majority of the members thereof.
- h) A Committee may, at its discretion, co-opt the services of any member of the Club or other person to assist in its deliberations, but such co-opted member or person shall have no voting rights, except as may be determined by the Committee;
- i) Reports and recommendations of the Committees shall be presented in writing to the Director of Administration or appointing body.

#### **BY-LAW 6.2 - JUNIOR ACTIVITIES COMMITTEE**

- a) Comprise those members interested in:
  - (i) the conduct and co-ordination of all matters relating to Junior Activities;
  - (ii) providing for Junior members an educational experience in a wide range of



subject and skills within the aquatic/marine environment;

(iii) preparing Junior members for their eventual transition to the marine and patrol environment of the Senior movement;

(iv) participating in such activities.

b) Be represented on the Club Board of Management by the Director Junior Activities;

c) Operate as provided for in Appendix F.

#### **BY-LAW 6.3 – LIFE SAVING COMMITTEE**

a) The Life Saving Committee shall comprise the Director of Life Saving (Chairperson) Assistant Director of Life Saving, Chief Training Officer, Patrol Captains and other Officers as determined by the Board of Management;

b) It shall be responsible for:

1. Maintaining and improving life saving patrols and services;
2. Conducting training, instructional and proficiency programs for members;
3. Disseminating life saving information;
4. Dealing with matters referred to it from the Board of Management or Council;
5. Making recommendations relating to life saving to the Board of Management.

#### **BY LAW 6.3 A – LIFE SAVING SELECTION COMMITTEE**

The Lifesaving Selection Committee shall consist of the Director of Surf Life Saving, the Assistant Director of Surf Life Saving and the Chief Training Office and shall select Patrol Captains and Patrol Vice Captains and teams for all patrol, intra and inter Club competitions and shall notify members of all selections by placing same on the Club Notice Board. Such selections shall be final and binding.

#### **BY-LAW 6.4 – SURF SPORTS COMMITTEE**

a) The Surf Sports Committee shall comprise the Director of Surf Sports (Chairperson) Club Coaches, Team Manager(s), and other Officers as determined by the Board of Management;

b) It shall be responsible for:

1. Promoting involvement in Surf Sports activities;
2. Conducting training and coaching programs for members;
3. Dealing with matters referred to it from the Board of Management or Council;
4. Making recommendations related to surf sports to the Board of Management.

#### **BY-LAW 6.4 B – SURF SPORTS SELECTION COMMITTEE**

The Surf Sports Selection Committee shall comprise of the Director of Surf Sports, (Chairperson) Team Manager plus (2) other members elected by the Board of Management.

a) The Committee shall be responsible for selecting individuals and/or teams for Surf Sports competition;

b) The committee's selections shall be subject to the approval of the Board of Management.

#### **BY-LAW 6.5 - CLUBHOUSE COMMITTEE**

The Clubhouse Committee shall consist of the Director of Clubhouse Activities (Chairperson), the Assist. Clubhouse Director, Safety Officer and two elected members by the BOM.

It shall be responsible to the Board of Management for all functions conducted within the Clubhouse and the care and maintenance of the building and facilities.

The affiliated Supporters Club shall be responsible for providing meals catering and functions, then these responsibilities will rest with that body and that body shall report to the Board of Management via the Director of Clubhouse Activities.

This Committee will also through the Director of Clubhouse Activities, submit to the Board of Management, details of any building defects that is the responsibility of the Club, to ensure Building appearance and safety is maintained.

#### **BY-LAW 6.6 – JOINT FINANCE COMMITTEE**

The Joint Finance Committee shall comprise of Presidents of Surf Life Saving and Supporters Club together with the Treasurer of Supporters Club and Director of Finance of Surf Life Saving Club and the Financial Officers of the Surf Life Saving and Supporters Clubs and shall meet on a bi monthly basis.

This Committee shall be responsible for financial well being of the Club, its assets and property.

**(Supporters Club to add to their Constitution/By-Laws)**

#### **BY-LAW 6.7 - BUILDING COMMITTEE**

The Building Committee shall comprise the Deputy President, the Director of Clubhouse Activities and three other elected members who shall act on and investigate matters relative to the Club's buildings and surrounds when so directed by the Club Board of Management.

#### **BY-LAW 6.8 - FUNDRAISING COMMITTEE**

The Fundraising Committee shall organise and account for all social activities of the Club.

#### **BY-LAW 6.9 - MEMBERSHIP COMMITTEE**

The Membership Committee shall comprise the Board of Management and shall review, and if necessary interview nominees for membership. This Committee shall also have the power to investigate and penalise, if necessary, patrol defaulters and those accused of misdemeanours provided that such penalties may be the subject of an appeal 1/C/1.7.

#### **BY-LAW 6.10 - JUDICIARY COMMITTEE**

The Judiciary Committee shall be appointed by the Council at the Annual General Meeting following a recommendation of persons submitted by the Board of Management and shall comprise the Chief Training Officer who will act as Chairperson, a Secretary (who shall keep records of findings and decisions) and three members. It shall function in accordance with the Rules of Procedure attached to the By-Laws as Appendix "A" and act on matters referred to it under By-Law 11.1.

Note: Directors of the Board of Management cannot be members of the Judiciary Committee.

#### **BY-LAW 6.11 LIFE MEMBERS COMMITTEE**

Shall be appointed by the Board of Management as per C/2.2 in the Constitution.

#### **BY-LAW 6.12 OTHER COMMITTEES**

- a) The Board of Management may appoint other Committees, Sub-Committees, panels or groups to deal with particular items or projects from time to time;
- b) In such circumstances, the Board of Management shall clearly define the composition, responsibilities and terms of reference of such Committees, panels, groups etc.

### **SECTION 7**

#### **Procedures and Rules**

#### **BY-LAW 7.1 ASSOCIATION POLICIES, RULES, REGULATIONS**

Association policies, rules and regulations, as issued from time to time by SLSA, SLSQ and/or the Branch are accepted as By-Laws of the Club.

Without limiting the current and future scope of SLSA AND SLSQ Policies, Rules and Regulations, the Club acknowledges and accepts the following SLSA and /or SLSQ Policies, Rules and Regulations:

Surf Life Saving Training Manual  
Competition Manual  
Capital Expenditure  
Business Development/Venture  
Member Protection  
Competitive Rights, Obligations and Qualifications  
Trophies, Prizes and Eligibility  
Team Management  
Membership Categories and Restrictions  
Membership Clearances  
Competitive Rights and Transfers  
Intellectual Property  
Sponsorship  
Visits and Tours.

#### **BY-LAW 7.2 - AUXILIARY ORGANISATIONS**

- a) The Club may authorise the formation and/or affiliation of auxiliary organisations, e.g. -Old Boys Club, Supporters Club, etc. with the approval of SLSQ;
- b) Each organisation's formation and function shall be reviewed annually and shall be compatible with the provisions contained in 1/A/3 of the Constitution;
- c) The Constitution of any such organisation and any amendments thereto shall at all times be subject to the endorsement of the Council;
- d) The Club must be represented on any such organisation by an Officer or member of the Club appointed annually for the purpose;
- e) Such organisations shall be registered incorporated bodies subject to 1/A/2.2.

### **BY-LAW 7.3 - CORRESPONDENCE**

- 1) All correspondence from SLSQ to the Club, or from the Club to SLSQ, shall in the first place be transmitted through the Branch and no such correspondence shall be considered and/or attended to by SLSQ unless and until it has been so transmitted; provided that the provisions of this By-Law shall not apply to correspondence which has been copied by SLSQ to the Branch and Club for attention and/or action on the following subject matters:
  - (i) Government subsidy and/or subsidy returns;
  - (ii) State or Local Government matters;
  - (iii) Workers' Compensation, Public Risk and general Insurance matters;
  - (iv) Large financial investments or borrowings;
  - (v) Clubhouse buildings, extensions or alterations;
  - (vi) Cancellation or suspension of membership;
  - (vii) Purchasing orders;
  - (viii) Hire of SLSQ gear, equipment or premises;
  - (ix) Constitutional matters;
  - (x) Response to Circulars;
  - (xi) Any other matter which SLSQ or Branch may from time to time direct be exempted from this By-Law as a matter of expediency.
- 2) Upon receipt of any correspondence from a Club, which is required to be transmitted through a Branch, the State General Manager shall, at his discretion, either forward such letter to the Branch concerned for appropriate action or return it to the Club concerned for transmission through the Branch.
- 3) Any correspondence emanating from the Club will be signed off by the Director of Administration, or in his absence, one of the Executive Committee or as authorised by the Director of Administration.

### **BY-LAW 7.4 - GOVERNMENT AUDIT**

- a) The books and accounts of the Club and affiliated auxiliary organisation shall be audited at such intervals as may be required by the appropriate State Government Department or SLSQ, by an approved auditor in the State of Queensland;
- b) Auditors shall be appointed annually;
- c) To ensure the independence of the audit and therefore the integrity of the accounts, the following rules govern the appointment of an individual as an auditor;
  - 1) Must be formally qualified;
  - 2) Must be a member of a recognised professional accounting body;
  - 3) Must not be a past or present employee of the entity being audited;
  - 4) Must not be related to the Club Director of Finance or President of the entity being audited;
  - 5) Must not be related to any person employed as the Executive Officer, Administrator or Accountant of the entity being audited;
  - 6) Must declare if they are a past or present member of the entity being audited, and such declaration must be included in the minutes at which the auditor was appointed.
- d) Professional Indemnity Insurance;
- e) A Professional Indemnity policy shall be negotiated by SLSQ to cover members whilst engaged in authorised Association activities;

- f) The indemnity covers claims the insured is legally liable to pay for, eg: breach of professional duty or by reason of gross negligent act, error or omission.

#### **BY-LAW 7.5 - COLLECTION SANCTION**

- a) The Club and/or auxiliary organisation shall comply with the provisions relevant Government Acts or any subsequent amendments gazetted from time to time;
- b) The Club shall make application to the relevant Government Department for entitlement under the "Approved Association Registration". When Registration is approved and a "number" issued, all relevant requirements to maintain Registration shall be complied with in every detail.

#### **BY-LAW 7.6 - FUND RAISING**

- a) The Club and any affiliated auxiliary organisation shall comply with the law with respect to fundraising;
- b) Approval for all fundraising events of the Club and its members rests in the BOM. The Board of Management may delegate this authority to the Fundraising Committee;
- c) The Club is authorised to solicit monetary donation, sell art union ticket by door to door, canvass to any company, firm, newspaper or other business operation or trading or any person within the area of the Club as defined. Similar fund raising shall be permitted outside these areas after prior negotiation and with approval of SLSQ Manager – Projects;
- d) The area of the Club referred to in (c) above is all that area designated by the Branch;
- e) The Branch shall determine, from time to time, areas from within the area prescribed in (c) above, which shall be referred to as "Club" Fund Raising Areas" and it shall be incumbent upon the Club to adhere to this area in relation to fund raising activities within the Branch area;
- f) In the event of any breach of the foregoing provisions of this By-Law, it shall be a condition of continuance of affiliation and/or membership that the Club, member or group of members concerned shall forthwith surrender to the Branch all such monies, and their right thereto, obtained as a result of such breach and the Branch shall thereupon, at its discretion, determine how, and in what proportions (if any) such monies shall be applied. A right of appeal against any decision shall lie with the Branch.

#### **BY-LAW 7.7- INSURANCE**

- a) General

It is mandatory that the Clubs and auxiliary organisations hold insurances approved by the Council. In cases where SLSQ has appointed an Insurance Broker, then Branches and Clubs which do not insure through such Broker shall submit such policies to SLSQ for approval.

- b) Personal Accident Insurance

- i) Paid Staff and Employees -

Clubs who utilise the services of paid staff shall each affect their own accident insurance policy with Work Cover Queensland to cover all such paid staff. This requirement is to be enacted under State Government legislation.

- ii) Members -

Personal Accident Insurance is granted under the Work Cover policy to all registered members of Surf Life Saving Queensland (except Junior members aged 7 to 15 years - non BM holders) whilst engaged in Surf Life Saving activities.

(iii) Cover/Benefits

The benefits applying under the policy are as described in the relevant government act and/or contracts of insurance. An application for compensation is valid and enforceable only if the application is lodged accordance with policy requirements.

iv) Time Limit for Lodgment of Claims –

1. An injured member or official has to lodge his claim within a prescribed time;
2. An application for compensation is valid and enforceable only if the application is lodged within 6 months after the entitlement to compensation arises.
3. If an application is lodged more than 28 days after the entitlement to compensation arises, the extent of Work Cover's liability to pay compensation starts on the day the valid application is lodged.
4. Paragraph 2 does not apply if death is, or results from, the injury.
5. Work Cover may waive paragraph 1 for a particular application if it is satisfied that special circumstances of a medical nature, decided by a medical assessment tribunal, exist.
6. Work Cover may waive paragraph 2 for a particular application if it is satisfied that special circumstances exist.
7. All claims must be lodged with The Branch, as the employer, together with all relevant documentation within seven (7) days following the date the injury occurred.

(v) Junior Members (7-15 years)

A Personal Accident Policy shall be affected by State Centre to cover all financial Junior members (non BM holders). The benefits cover exceptional items (refer Insurance Manual), e.g. death, liability, medical (restricted), dental, ambulance. Also includes non competitive members 5years (green caps)

vi) Volunteer Workers

A Personal Accident Policy shall be arranged by SLSQ to cover all persons engaged in work for the Club, Branch or SLSQ and/or who are not eligible for Workers' Compensation. The benefits cover exceptional items (refer Insurance Manual), e.g. death, liability, medical (restricted), dental, ambulance which should be signed by all volunteer workers prior to commencement of work.

c) Public Liability Insurance

- i) A Public Liability policy is negotiated to cover the State Centre, its affiliated Branches, Clubs, Auxiliary Organisations and its members against legal action instigated by a member of the public.
- ii) Whilst the cover will apply to normal Surf Life Saving activities, it is suggested that a separate cover be taken out by the Branch, Club or Auxiliary Organisation entering into some activity away from their clubhouse or beach, such as a display or fund raising activity where the public are involved.

d) Insurance on Property

- i) State Centre shall negotiate insurance policies to cover loss or damage to its own property, or upon goods in transit destined for one of its affiliated bodies. Reassessments of values shall be carried out regularly;

- ii) It is mandatory for all Branches, Clubs and Auxiliary Organisations to hold Insurances with a reputable Insurance Company, and it is a requirement that such policies be submitted to State Centre for its endorsement to ensure that the protection provided is adequate and serves the interest of the Association;
  - iii) Branches, Clubs and Auxiliary Organisations shall make their own arrangements with regard to this type of insurance and shall be well advised to reassess values at least every second year.
- e) Directors and Officers Insurance
- i) A Directors & Officers policy shall be negotiated to by SLSQ to cover officers of SLSQ, and its affiliated Branches and Clubs, against any claim first made against an officer during the policy period for a wrongful act committed before or during the policy period legal action instigated by a member of the public;
  - ii) It is noted that this is a claims made policy, e.g. no claim can be made against the policy once it has expired or has been cancelled. Also, if a case exists where a claim may be possible, notification must be given to SLSQ's Insurance Broker at the earliest.
- g) Professional Indemnity Insurance;
- i) A Professional Indemnity policy shall be negotiated by SLSQ to cover members whilst engaged in authorised Association activities;
  - i) The indemnity covers claims the insured is legally liable to pay for, eg: breach of professional duty or by reason of gross negligent act, error or omission.

#### **BY-LAW 7.8 - FEES AND CHARGES**

Fees may be payable annually for affiliation, examination, registration ,carnival entry and other general lifesaving costs for the Club, and shall be determined by the Branch from time to time:

- a) Affiliation fees shall be included in the annual credit contribution that accompanies the application for Affiliation Form 1/B/2. This contribution shall be determined by the Branch from time to time;
- b) Examination, Registration and Carnival Entry Fees and other general lifesaving costs for the Club shall be debited to a credit and debit ledger account maintained by the Branch Director of Finance. The amounts shall be balanced as at 1st April each year and the Club shall pay or receive an amount to bring their account to a Nil Balance. This system may be subject to change, from time to time, by the Branch.

#### **BY-LAW 7.9 - AFFILIATION**

The Club and its affiliates agree:

- a) that they are bound by this Constitution and By-Laws and that this Constitution and By-Laws operate to create a single, uniform entity through and by which the objects of the Club and surf life saving are to be conducted, promoted and administered;
- b) In all other respects the provisions of the Club Constitution Part A Section B/9 shall apply

#### **BY-LAW 7.10 - HONORARIUM**

An Honorarium may be granted to an Officer on the decision of the Board of Management. Any such Honorarium paid would be subject to income tax.

## **BY-LAW 7.11 - DISSOLUTION OF AFFILIATED BODIES**

- a) The Constitution of every affiliated body shall contain a dissolution clause similar to that set out in 1/E/15 and should any affiliated body fail to make any such specific provision 1/E/15 of this Constitution is deemed to be included in the Constitution of such affiliated body;
- b) In the event of any affiliated body becoming inactive, going into recess or having its affiliation terminated, the Club is empowered to require such body to implement the requirements of 1/E/15 regarding dissolution. Should there be no remaining responsible Officers of such affiliated body capable of carrying out the required procedures for dissolution; the Club is empowered by its Constitution to dissolve the affiliated body;
- c) Upon the dissolution of an affiliated body in terms of the preceding Clauses, the books, accounts and assets of the affiliated body shall be handed over to or taken possession of by the Club to deal with as it may, in its absolute discretion, see fit.

## **BY-LAW 7.12 - CAPITAL EXPENDITURE**

- (a) The Club shall notify SLSQ of any Proposed capital expenditure over \$50,000 per item purchased;
- (b) Capital expenditure includes alterations, additions or improvements to existing facilities acquisition of any land, buildings or other property, the building of any new facilities, the building or refurbishment of any other facilities either singularly or in partnership;
- (c) Capital expenditure also includes capital expenditure to purchase or invest in any business venture, community project, or other project using Club (including affiliated Supporters Club) funds or borrowings;
- d) Such notification is to include:
  - 1 A brief outline of the proposed expenditure clearly stating the intended purpose;
  - 2. Details of architectural plans (where necessary);
  - 3 Cost estimates with recommendation and justification (3 quotes);
  - 4. Details of recommendation of the above proposal in General Meeting Minutes;
  - 5. Latest financial information (profit & loss and Balance sheet) prepared in accordance with accrual accounting requirements; and
  - 6. Any other information considered relevant.
- e) Where financing is required to support the capital expenditure, the Club must provide details of the proposed financing arrangement and appropriate financial data supporting the capacity to service the proposed debt;
- f) In the situation where future anticipated income (eg future distributions from Supporters Clubs including gaming, meals and bar revenue) is being relied upon to service the debt, an independent professionally prepared analysis will also be required, including the following:
  - 1. A detailed business plan;
  - 2. Cash flow projections for at least five (5) years;
  - 3. Market survey/sensitivity analysis confirming the feasibility of the proposal;
  - 4. Funding arrangements.
- g) Such proposal shall be dealt with in the following manner:
  - 1. Proposals shall be assessed by SLSQ Board of Finance and Property upon receipt of all relevant information. The Board may seek external advice. Any such approval (which



may be granted or withheld conditionally or unconditionally at SLSQ discretion) forms part of SLSQ Policy of encouraging responsible financial and asset management, but should not be construed as express or implied advice, or any guarantee, that the proposal is technically, financially or otherwise feasible or responsible;

- 2 If SLSQ declines to issue an Approval to proceed it may give reasons for doing so. However, in determining whether to take further action which might result in a subsequent approval by SLSQ (for example following SLSQ'S recommendation or conditions of approval), if the applicant must undertake any professional advice. Should the applicant proceed with the expenditure based on any recommendations or conditions made by SLSQ, the risk that might be appropriate for your circumstances is accepted by the applicant.

#### **BY-LAW 7.13 - BUSINESS DEVELOPMENT/VENTURE**

- a) In order to protect and enhance the Association's objective, the Club (including Supporter's Club and related entities) shall inform and consult with SLSQ about any developments or redevelopments, or any developments or commercial or non-commercial venture- on existing property or elsewhere- which involve expenditure over \$50,000;
- b) Examples of such developments or ventures where SLSQ need to be consulted include:
  1. Major development or re-development of a clubhouse;
  2. Development or re-development of any property;
  3. Land and/or property acquisition (free or lease);
  4. Negotiation and/or renewal of lease;
  5. A commercial or non-commercial venture (eg at the clubhouse) or offsite, either singularly or in partnership.
- c) The Club shall notify SLSQ immediately when considering any development or venture outside the existing scope of operations of Surf Life Saving Club;
- d) SLSQ may request further information such as plans, contractual arrangements, financial and feasibility studies ( as per the Capital Expenditure Policy ) etc to ensure the project/venture is in keeping with the aims and objects of the Association and are financially sound;
- e) SLSQ shall review all such information (with external expert advice if necessary) and if considered appropriate issue an approval to proceed (as per existing Capital Expenditure Policy);
- f) No development or venture shall proceed until SLSQ has issued an Authority to Proceed;
- g) SLSQ shall be kept informed on a regular basis where such developments/ventures have been given approval to proceed;
- h) SLSQ shall respect and comply with any commercial in confidence issues.

#### **BY-LAW 7.14 INTELLECTUAL PROPERTY**

- a) The Policy and Procedure for the use of "red and yellow" Surf Life Saving Imagery and Property shall be as determined by SLSA;
- b) No one shall be permitted to inappropriately exploit Surf Life Saving Imagery such as the red and yellow cap, flags. Patrol uniforms, logos/trademarks etc;
- c) The following procedures shall apply where the Club wishes to use "red and Yellow" imagery/property:

1. The Club shall obtain SLSQ' s approval to use or allow someone else to use images or pictures of lifesavers wearing "red and yellow" patrol caps, or patrol uniforms .or patrol flags;
2. SLSQ has the authority to approve the use of such 'red and Yellow imagery if the promotion is restricted to the Club's local area;
3. SLSQ has the authority to approve the use of red and yellow imagery in advertisements/promotions that go beyond the Club's area if the use of the imagery is in good taste, not conflicting with a State and National sponsor. There may be a licence fee attached;
4. The Club has every right to use its own Club caps, uniforms and imagery in Queensland.

## **SECTION 8**

### **Membership**

#### **BY-LAW 8.1 MEMBER PROTECTION**

- a) The Club is committed to the health, safety and well being of all members and shall use its best endeavours to ensure a safe environment exists for all members participating in surf life saving activities;
- b) The Club shall not condone any form of discrimination, harassment or abuse of, or by, members;
- c) All members shall abide by the relevant SLSA policies with respect to Member Protection, Equity and Harassment and the Codes of Conduct as determined from time to time;
- d) All members involved, either directly or indirectly in leading, chaperoning, coaching, instructing, examining or supervision (or the like) youth members shall be screened in accordance with legislative and Association requirements as determined from time to time;
- e) All members shall immediately report any suspected breaches of the SLSA Membership Protection or Equity Policies or Codes of Conduct to the appropriate authority with their Club, Branch, or SLSQ's Chief Executive Officer. The Chief Executive Officer shall, in accordance with Association Policies and Procedures, determine the most appropriate method of dealing with such reports.

#### **BY-LAW 8.2 CODES OF CONDUCT**

All members, Officers and staff shall comply with the following Codes of Conduct:

- a) Individual members shall:
  1. Respect the rights, dignity and worth of others;
  2. Be fair, equitable, considerate and honest in all dealings with others;
  3. Be aware of, and maintain an uncompromising adherence to SLSA standards, rules regulations and policies;
  4. Be professional in, and accept responsibility for actions;
  5. Make a commitment to provide quality service;
  6. Use facilities and equipment for their proper purposes, and care for and maintain such facilities and equipment correctly;
  7. Refrain from anything which may abuse, intimidate or harass others;

8. Preserve and protect the standing and reputation of the Association;
  9. Understand the consequences of any breach of SLSA 'S Member Protection Policy or Codes of Conduct.
- b) Team Managers/Age Managers/Chaperones shall:
1. Abide by the Code of Conduct for members;
  2. Be responsible for the overall welfare and well-being of team members and Officials when travelling with a team and throughout competition;
  3. Maintain a duty of care towards team members and an accountability for the management of the team;
  4. Have a sound knowledge of SLSA policies, responsibilities) and competition rules where necessary) and ensure that the conduct of the team is in accordance with these policies and guidelines;
  5. Foster a collaborative approach to management of the team.
- c) Coaches/Officials shall:
1. Abide by the Code of Conduct for members;
  2. Be responsible for matters concerning the coaching, training, development and competition of surf lifesavers;
  3. Maintain a duty of care towards others and an accountability for matters relating to training and competition;
  4. Have a sound working knowledge of SLSA policies, rules and regulations, Officiating and coaching techniques;
  5. Ensure that any physical contact with others is:
    - a) Appropriate to the situation;
    - b) Necessary for the person's development;
  6. Provide a safe environment for training and competition;
  7. Be a positive role model for surf lifesavers and SLSA.
- d) Administrators/Directors/Officers shall:
1. Abide by the Code of Conduct for members;
  2. Be fair, considerate and honest with others;
  3. Operate within the rules of SLSA;
  4. Be professional in all actions, Language, presentation, manner and punctuality should reflect high standards;
  5. Resolve conflicts fairly and promptly throughout established procedures;
  6. Maintain strict impartiality;
  7. Maintain a safe environment for others;
  8. Show concern and caution towards others;
  9. Be a positive role model.
- e) Youth Leaders Shall:
1. Abide by the Code of Conduct for members;
  2. Recognise the importance of and encourage the development of members, encompassing camaraderie and team work;
  3. Treat members with respect and accept the duty of care for the welfare, safety, healthy and happiness of members and conduct themselves responsibly;
  4. Be a role model to all members and conduct themselves in a manner befitting a leader with Surf Lifesaving;
  5. Adhere to all Association Policies and ensure that the duty of care to all members is met in these areas;
  6. Accept that adults in Surf Lifesaving do not involve themselves in unobserved activities with individual Youth members;
  7. Realise that physical and verbal abuse, neglect or any other type of abuse, is

- unacceptable conduct by any member of the Association;
8. Allow members the opportunity and access to gain valuable leadership qualities and skills through lifesaving and surf sports activities;
  9. Provide the best possible lifesaving and sporting activities for members with the view to encourage and promote long term active participation;
  10. Be reasonable in demands on member's time, energy, enthusiasm and commitment;
  11. Ensure young members are involved in planning, leadership, evaluation and decision making processes at various levels within that Association;
  12. Ensure that equal opportunities for participation in lifesaving are made available to all members regardless of ability, race, colour, religion or sex.

### **BY-LAW 8.3 - MEMBERSHIP CLEARANCES**

- a) Any member who desires to join another Affiliated Club but still retain membership of his existing Club(s), and any person who has ceased to be a member of an Affiliated Club but who desires to join another Affiliated Club, shall first obtain from his present Affiliated Club(s) or from the Affiliated Club of which he was last a member, a Clearance Certificate in the prescribed form which shall clearly indicate -
  - any awards that may be held by such person;
  - that such person is not in debt in any way to such Affiliated Club(s);
  - that such person is not expelled or under suspension from such Affiliated Club(s);
  - the destination of such person's competition rights.
- b) The member desiring the clearance shall obtain the prescribed duplicate controlling authority clearance form, and after entering the relevant details lodge the original with the "losing" Club and the duplicate with the relevant controlling authority;
- c) The "losing" Club or its Executive shall, within fourteen (14) days of receiving the original, approve or reject the application and after recording its decision on the application, immediately forward the original with the club's decision to the controlling authority;
- d) If the "losing" Club approves the application, the controlling authority shall record the approval on the original form and return same to the member. The duplicate shall be retained by the controlling authority with a notation of the decision;
- e) If the "losing" Club objects to the application, the application shall be considered at the next meeting of the controlling authority for a decision. Such controlling authority decisions shall be final. The decision shall be recorded on the original and returned to the member forthwith. The duplicate shall be retained by the authority with a notation of the decision. The "losing" club shall be advised, in writing, of the controlling authority decision;
- f) If the controlling authority does not receive a decision or the original form from the "losing" Club within twenty-one (21) days of the receipt of the duplicate form, the application shall be dealt with at the next meeting of the controlling authority for a decision. Any decision made at the meeting shall be final. The "losing" Club and the member shall be advised of such decision in writing;
- g) Clearance of transferring members shall automatically take effect from the date when the application is approved by the controlling authority.

## **SECTION 9**

### **Club Colours/Badges, Competitive Conditions**

#### **BY-LAW 9.1 - COLOURS AND BADGES**

- a) The existing Club's colours, badges and competition cap design shall not be altered without re-endorsement of SLSQ and the approved Association.

#### **BY-LAW 9.2 - COMPETITIONS**

- a) The SLSQ shall have power to regulate all competitions between Club, Branches and/or directly affiliated Clubs within its boundaries;
- b) The Branch shall have power to regulate competitions between Clubs affiliated with the Branch;
- c) The Club shall only participate in competitions endorsed by Branch, SLSQ OR SLSA;
- d) No Inter-Club competition within the Branch shall be held without the approval of the Branch;
- e) Wagering and/or gambling by persons competing or participating (eg as a competitor, coach, official, manager, organiser etc) in events conducted by the Association is not permitted. Such members proven to have gambled on an Association competitor event, in which they are involved, will be liable to appropriate disciplinary action.

#### **BY-LAW 9.3 - COMPETITIVE RIGHTS, OBLIGATIONS AND QUALIFICATIONS**

Members and competitors acknowledge and agree that competing in lifesaving events, contests, carnivals and competitions attracts certain rights and obligations, and requires certain qualifications. In relation to rights, obligations and qualifications the following shall apply:

- a) Inherent in membership of SLSA, but subject always to gaining the appropriate qualification as prescribed by SLSA and complying with the competition rules issued by SLSA, is the right to enter, participate in events, contests, carnivals and competitions conducted by SLSA;
- b) Members are obliged to ensure they obtain and maintain the appropriate qualifications, including but not limited to, awards, age limits, patrols, proficiency tests, equipment and limiting disabilities, to enable them to enter and participate in events, contests, carnivals and competitions conducted by SLSA;
- c) Members acknowledge and agree that should they participate in, and/or use any SLSA equipment in any event, contest, carnival and competition, which has not been licensed, sanctioned or otherwise authorised by SLSA that they will attract disciplinary action under the Regulations which may result in forfeiture of their competitive rights set out in By-Law 9.3 (a) above.

#### **BY-LAW 9.4 - CLUB CHAMPIONSHIPS**

- a) The Club Championships shall be conducted annually on a date determined by the Club's Board of Management;
- b) The list of events to be conducted at the Championships shall also be decided at the Annual General Meeting.

#### **BY-LAW 9.5 - TROPHIES, PRIZES AND ELIGIBILITY**

In relation to trophies, prizes whether cash or kind and the eligibility of Individual Member/s representing a section of the Association to compete for or accept such trophies or prizes the following shall apply: E/ 13 of the Constitution

- a) The Association shall reserve unto itself the authority to determine, from time to time,

conditions relative to the acceptability of trophies or prizes, reimbursement of accommodation, travel and other expenses, and eligibility to compete for trophies or prizes;

- b) Wagering or gambling on any competition conducted by the Association, State, Branch or Club is not permitted;
- c) The Association shall be the authority to approve competitions involving "cash prizes" and therefore any Affiliated Club or other section of the Association wishing to allocate any "cash prizes" for competition events shall seek the approval of their respective Branch, State Centre or in the case of events involving international or interstate competitors, the Association;
- d) "Cash prizes" shall not be awarded for any event at a National, State or Branch championship carnival;
- e) "Cash prizes" shall not be made available from Affiliate Club general funds, however, sponsor income may be distributed utilising the club banking account;
- f) Notwithstanding the foregoing, sponsors should be strongly encouraged to provide items of lifesaving gear as prizes rather than cash but where "cash prizes" are presented they shall be portrayed as coming direct from the sponsors.

#### **BY-LAW 9.6 - TEAM MANAGEMENT**

- a) The Club when participating in any carnival or similar function shall appoint a Manager of its competitors and other members of the Club selected to represent and/or assist the Club at such carnival;
- b) Every Manager so appointed shall be responsible for the proper conduct of himself and of the members under his control, and attend all briefings;
- c) A Manager shall, as far as practicable, remain with the party under his/ her control during the entire period of his/ her managership. In the event of the party under his control separating into sections the Manager shall be responsible for appointing a member of each and every section to act as his Manager of the section;
- d) In the case of a carnival or similar function conducted under the control of the Branch, the name of the Manager so appointed shall be notified to the Branch with the Carnival entries, or, at the latest, before the commencement of the carnival;
- e) The Manager shall remain in attendance with his team during the course of such carnival or similar function and shall take action to ensure that competitors under his/ her control report to the Check Marshal immediately they are called upon to do so;
- f) The Manager shall report to the Carnival Referee or other nominated official whenever called upon to do so by the Carnival Announcer or other authorised official and shall comply with the directions given;
- g) In the case of mixed gender teams including minors, a chaperone or chaperones shall also be appointed.

#### **SECTION 10**

#### **Visits and Tours**

In relation to visits and tours by Association Individual Members or teams who shall include all

persons who travel with or under the arrangements made by the Association, State Centre, Branch or Affiliated Club, the following directions shall be mandatory requirements.

#### **BY-LAW 10.1 - INTER-CLUB/INTERSTATE VISITS**

In relation to affiliated clubs or a member or members of an affiliated club wishing to visit other clubs within Australia, the following shall apply:

- a) Visits within a State, Territory or Branch shall be subject to the control of that Centre or Branch providing any such control provides for the appointment of a Manager in all circumstances;
- b) With the exception of national surf carnivals, interstate visits shall be subject to advice to SLSQ and Branch by the intending touring party at least twenty-one (21) days prior to such visits;
- c) Such advice shall detail the proposed destination and dates of the visit, method of travel, the number intending to travel and the name and address of the Team Manager's who shall be deemed responsible in the event of necessity for future reference;
- d) Providing there are no grounds for objection, the State Centre of the intending touring party shall forthwith advise the relevant State Centre/s of the proposed visit to their region.

#### **BY-LAW 10.2 - INTERNATIONAL TOURS POLICY**

When individuals or teams are identifiable as Association members by uniform or insignia or the purpose of the tour is to compete in events using Association type equipment or attend Association conferences or matters identifiable with Association activities, then the following policies and conditions apply:

- a) At least six months notice of the proposed departure date shall be given by a Club, Branch or State Centre before permission to tour shall be granted, unless under special circumstances as approved by the Australian Council;
- b) SLSQ shall not, in any way, be responsible financially for any part of the expenses attributable to any tour by a Club or Branch;
- c) Appointment of officials, size and composition of the team and selection policies shall be a matter for the body making the tour, however, the Association strongly recommends the inclusion of Educational Officers in any team to tour overseas;
- d) No Club or Branch shall knowingly select in an overseas touring team any member who is under any form of suspension or is financially indebted to any Club, Branch or SLSQ;
- e) The Association shall reserve the right to set special conditions under which permission will be granted to a Club, Branch or State team to tour overseas countries in the same season that an Australian Representative Team shall be visiting those same countries;
- f) At least one month prior to the departure of any Club or Branch team, SLSQ and Australian Council shall be supplied with a copy of the final itinerary, points of contact, full details of the composition of the team, names and addresses of team members and the team manager;
- g) Any Club, Branch or State team to tour overseas shall have an appointed Team Manager who will be responsible for all matters concerning the team. In the event of any incident, complaint or otherwise adverse reaction to the team as a whole, or members individually, the manager shall be automatically responsible to the Association and may be called before the Branch, State or Australian Council to face judiciary inquiry and possible disciplinary action;

- h) Comprehensive reports and recommendations (if any) on any tour (together with a team photograph wherever possible) must be supplied to SLSQ within ten (10) weeks of the completion of the tour.

#### **BY-LAW 10.3 - INTERNATIONAL TOURS - WITHOUT INVITATION**

A Club, Branch or State Centre seeking to tour overseas without having received a specific invitation shall:

- a) make application to its Branch, SLSQ or Australian Council (whichever is its immediate controlling body) for permission to conduct a tour which shall include the following:
- (i) proposed itinerary;
  - (ii) duration of the tour;
  - (iii) proposed composition of the team (a detailed composition of team members, names, capacities, etc., should be supplied as soon as it is completed);
  - (iv) details of how the tour will be financed including any proposals of sponsorship;
  - (v) aims and objectives of the tour, having regard to surf life saving;
  - (vi) an undertaking that the Branch, SLSQ or Association will not in any way be financially responsible for the tour;
  - (vii) the method of selection to be used.
- b) If the application by the club is endorsed at branch level, the branch shall then forward the application to SLSQ requesting endorsement of same and on forwarding to Australian Council, and in the case of an application to tour by a club affiliated directly to SLSQ, SLSQ shall, if it endorses the application, forward same to Australian Council;
- c) The Australian Council upon receipt of the application, and if satisfied all conditions have been met, may then seek from the overseas country, district or club concerned, permission for the tour to take place and give the Club, Branch or SLSQ permission to correspond direct with the overseas body.

#### **BY-LAW 10.4 INTERNATIONAL TOURS - WITH INVITATION**

A Club, Branch or State Centre seeking to tour overseas after having received a specific invitation shall:

- a) if the invitation is accepted, make application for permission to conduct the tour, to its Branch, SLSQ and the Australian Council setting out all details as required by the Association's Regulations 7.10.1(c) and 7.10.3(a) accompanied by full details and a copy of the invitation received;
- b) if the Branch and/or SLSQ endorse the application, it shall be forwarded to the Australian Council seeking final approval for the tour to be conducted;
- c) the Australian Council, upon receipt of the application and having satisfied itself all conditions have been met, may grant permission for the tour to take place and give the Club, Branch or SLSQ permission to correspond direct with the overseas body. Before granting this permission, the Australian Council will ascertain from the national overseas body that the invitation has been endorsed by them.

#### **BY-LAW 10.5 - TOURS TO AUSTRALIA**

In relation to tours by overseas Life Saving organisations to a Club, Branch or SLSQ in Australia, the following conditions shall apply:

- a) If any Club, Branch or SLSQ wishes to issue an invitation to any overseas lifesaving body to tour in Australia, it must firstly make an application to the Australian Council through its Branch/SLSQ. Such application shall include all details of the proposed tour including accommodation, financial obligations of the host body, proposed itinerary and details of



any appointed Liaison Officer/s;

- b) Branches and/or State Centres receiving such applications shall, before endorsing the application, consider the following:
  - i) the ability of the Club and/or Branch to host such a tour having in mind the membership and financial situation of the hosting Club and/or Branch;
  - ii) that the proposed visit will not seriously disrupt any programming of the Club, Branch or SLSQ;
  - iii) that qualifications of the host body's liaison officer/s are satisfactory to properly carry out the required duties;
  - iv) such tours may be referred to as "domestic tours" and once authority has been given by the applicable Branch, SLSQ and Australian Council these authorities shall not bear any responsibility, financial or otherwise, in connection with the tour.
- c) The Australian Council upon receipt of the endorsed application, and provided that all the necessary conditions have been met, will consider the application, and if approved, the Australian Council shall notify the overseas Association concerned. However, the tour should not be considered confirmed until the overseas Association has advised the Australian Council of the invitation's acceptance;
- d) Within eight (8) weeks of the completion of any tour by an overseas body, the host Club, Branch or SLSQ shall supply the Australian Council with a comprehensive report detailing the activities and achievements of the tour;
- e) Despite a tour being classified as a "domestic tour" it is anticipated that the host Club, Branch or SLSQ will take such opportunities to invite the Branch, SLSQ and the Australian Council representatives to be present at receptions and to be given the opportunity of having discussions with overseas visitors.

## **SECTION 11**

### **Discipline, Penalties and Appeals**

(Refer Appendix A)

#### **BY-LAW 11.1 - JURISDICTION**

- a) The penalising authority for the Club shall be vested in the following:
  - ✕ The Council
  - ✕ The Board of Management
  - ✕ The Judiciary Committee
- b) Should the Club decide the alleged offence is beyond the responsibility of the Club, the matter may be referred to the Branch for determination.

#### **BY-LAW 11.2 - DISCIPLINE**

- a) General
  - i) The Club may penalise or refer to the Judiciary Committee, any Club or Auxiliary Organisation within its jurisdiction or any member of such, whether a competitor or not, who, in the opinion of the Club has practised or counselled any unbecoming conduct or conduct which reflects upon the good name of the Club or any or all of its Officers, whether at any competition, meeting, function or other activity, or at any other time;
  - ii) Penalty decisions shall be promptly conveyed in writing to the body or member concerned and it shall be incumbent on such body to give immediate effect to such

decision, and to notify SLSQ.

- b) Carnivals/Competitions/Conferences
  - i) Any Club conducting a carnival, competition, seminar, congress or other Association activity shall advise the Branch of such activity and request the appointment of a Disciplinary Committee.

### **BY-LAW 11.3 - PENALTIES**

- a) Without limiting the scope of penalties that may be imposed, the form a penalty may take includes:
  - i) Reprimand - with the offence being recorded in the books of the penalising body;
  - ii) Suspension - may be applied as a complete or partial suspension of a member's privilege for a definite period of time or until a definite pre-set goal is reached, and partial suspension could well require the member to carry out all or part of his duties in the Club without being able to avail himself of the normal facilities and privileges of a member, the extent or limit of the penalty must be set by the body imposing the said penalty, provided that the period of suspension shall not be longer than 5 calendar years from the date of the order.
  - iii) Termination - Club membership may be terminated because of the prevailing circumstances, and when the extreme action of expulsion is not warranted. A member whose membership is terminated may re-apply for membership of the Association at some later time;
  - iv) Expulsion - from "Club Membership" would be applied only as a response to a very serious offence against the Club, the Association or their principles or ideals;
  - v) Fines-imposed in such amounts as the penalising authority thinks fit;
  - vi) Such combinations of any of the above as the penalising authority thinks fit;
  - vii) Such other penalty or penalties as the penalising body thinks fit.
- b) Where an individual Club member is suspended by the Club, he shall forfeit either completely or partially, as may be decided, all privileges as a member of an affiliated Club during the period of his suspension. In the case of complete suspension, a member shall forfeit all rights during the currency of his suspension. Partial suspension shall limit such member's participation in inter-Club or Association activities but shall not interfere with his rights as a Club member.

### **BY-LAW 11.4 - APPEALS**

- a) Any member penalised by a penalising authority for the Club shall have the right to lodge an appeal against such penalty to the next highest penalising authority within the Club provided that the appeal shall be lodged in writing to Club within fourteen (14) days of the notification of the penalty and shall set out clearly the grounds of the appeal. The appeal shall be placed before the next highest penalising authority within the Club, and shall be dealt with in the following manner:
  - ⌘ dismissed and the penalty upheld;
  - ⌘ dismissed and a heavier penalty imposed;
  - ⌘ upheld and a lighter penalty imposed;
  - ⌘ upheld and the appellant exonerated;
- b) Any member penalised by the Club shall have the right to appeal to the Branch against the penalty, provided that:
  - i) the appeal shall be allowed only after the party concerned has properly availed itself of any right of appeal to the Club as may be contained in the Constitution and By-Laws of the Club;
  - ii) the appeal shall be made within fourteen (14) days of the imposition of the penalty, or if the party concerned has exercised its right of appeal to the Club within fourteen (14)

- days of the notification of the decision of such appeal;
- iii) the appeal shall be made through the Club who shall forthwith refer the appeal to the Branch, provided that the Club may at the same time submit any representations on the appeal which it may wish to make;
  - iv) upon the setting of an appeal hearing, the Branch shall either itself or by its Judiciary Committee or by a Committee appointed for the purpose, hear the appeal and communicate its decision in writing to the appellant;
  - v) pending and appeal hearing by the Branch or by the Branch Judiciary Committee or by a Branch Committee appointed for the purpose, the President of the Branch, after written application by the appellant and only after good cause is shown, may suspend the operation of the penalty until the appeal is heard by the Branch.

#### **BY-LAW 11.5 - REFERENCES**

- a) In addition to the matters set out in By-Law 11/11.1- 11.4 which are of a disciplinary nature, any interested party may submit a Reference or Grievance to the Club upon any matter touching the affairs of the Club and its members;
- b) Every Reference or Grievance shall be in writing setting out clearly the matter sought to be investigated by the Club, and the Board of Management shall then decide where such Reference shall be directed;
- c) The hearing of a reference or Grievance shall proceed in accordance with Appendix "A" to these By-Laws;
- d) The hearing of any appeal from a decision on a reference shall proceed in accordance with Appendix "A" to these By-Laws;
- e) The hearing of any appeal from a decision on a Reference shall proceed in accordance with Appendix "A" To these By-Laws.

## **APPENDIX "A"**

### **JUDICIARY COMMITTEE**

#### **Rules of Procedure**

#### **1. DEFINITIONS**

In these Rules:

- 1.1 "The Committee" means the Judiciary Committee.
- 1.2 "Secretary" means the Secretary for the time being of the Judiciary Committee.
- 1.3 "Member" means a member of the Club subject to the jurisdiction of the Club by which the Committee shall have been appointed.
- 1.4 "Reference" includes any complaint against a member of the Club brought by any person, and any dispute under this Constitution and/or rules. The term also includes Grievances brought by a member of the Association against another member.

#### **2. JURISDICTION**

- 2.1 The Committee primarily has jurisdiction to hear a Reference of a disciplinary nature referred to it pursuant to By-Law 11.2.
- 2.2 The Committee may also hear references directed to it by the Executive or Board of Management pursuant to By-Law 11.5.
- 2.3 Every reference directed to the Judiciary Committee shall be dealt with by that Committee or it may refer the conduct of the Reference to the Branch or SLSQ.
- 2.4 Every person bringing a reference shall have a right to be heard by the Board of Management provided that:
  - a) they have an interest in the subject matter of the reference;
  - b) their reference is in clear and unambiguous terms.
- 2.5 In every case the committee is required to proceed in accordance with the rules of natural justice.

#### **3. PROCEDURE**

The following procedures shall be followed by the Committee having conduct of a reference under Rule 2 hereof:

- 3.1 Upon receipt of a reference, the Chairperson of the Committee or his Delegate may appoint an independent person to act as investigator upon the reference. Such appointment shall be in writing, enclosing a copy of the reference and instructing the investigator to make all relevant enquiries and prepare to assist the Committee within fourteen (14) days.
- 3.2 The investigator, if appointed, shall make all relevant enquiries and shall appear at the time and place appointed for the hearing by the Secretary of the Committee.
- 3.3 Upon receipt of a reference the Secretary shall forthwith appoint the time and place for the hearing suitable to the members of the Committee. He shall give at least seven (7) days notice of the hearing to all interested parties and such notice shall be in or to the

effect of the following form:

*“NORTH BURLEIGH SURF LIFE SAVING CLUB*

*To: .....*

*Dear Sir,*

*You are hereby notified that a meeting of the Judiciary Committee of this Club will be held at ..... on .....20 at .....a.m./p.m. to enquire into the following matter, referred to the Committee by the Club.*

*You are required to be (present) (represented) at that time and place together with such witnesses as you may desire to call.*

*(Mr/Ms ..... has been appointed pursuant to the Club Constitution as an independent investigator to make all relevant enquiries and to appear to assist the Committee at the hearing.) - Optional*

*The Secretary will, upon receipt of your request in writing, at least five (5) days before the day appointed for the investigation setting out the names and addresses of members of the Association who you desire to call as witnesses, require such members to be present at the investigation. If the time and place appointed are not suitable to you, you may apply for an adjournment by application in writing, to be in my hands at least three (3) days before the time appointed.*

*In any event, you are required to advise the Committee of your intention to attend or not to attend as the case may be, 3 days before the hearing is due to commence.*

*You are not entitled to legal representation as of right but you may apply at the commencement of the enquiry for such representation, and the Committee may grant or refuse such application as it thinks fit. The same provisions shall apply where representation other than legal representation is required.*

*Yours faithfully,*

*Secretary  
Judiciary Committee.”*

- 3.4 The Committee shall have power to require the attendance of any member at any hearing by the Committee. The Secretary shall give reasonable notice to a member informing him/ her of the time and place of the hearing, and that he/ she is required to attend.
- 3.5 In the case of a complaint against a member of the Club who has been suspended, he/ she shall remain under suspension until the decision of the Committee, unless the Chairperson of the Committee decides otherwise.
- 3.6 The independent investigator if appointed by the Chairperson of the Committee shall make enquiries within a reasonable time.
- 3.7 The Committee shall likewise conduct the enquiry within a reasonable time, subject to any reasonable application for an adjournment in writing and received by the Secretary at least three days before the time fixed for the enquiry.
- 3.8 No interested party shall be entitled to legal representation as of right at the Committee

hearing provided always that an application may be made at the commencement of the hearing for such representation. The Committee may grant or refuse such an application as it sees fit. The same provisions shall apply where an application is made for representation other than legal representation, provided that where a minor (U18) member is charged it shall be mandatory for a parent/s or guardian to be invited to attend at all material times, and every effort should be made to encourage these persons to be in attendance in the interests of the minor (U18) member.

- 3.9 Any notice required by the Rules of Procedure to be given by the Secretary shall be given in writing delivered personally or sent by registered post addressed to the member concerned. A notice given by registered post shall be deemed to have been given on the day following that on which it shall be posted.
- 3.10 Any member who fails without reasonable excuse to comply with the requirements of any notice addressed to him by the Secretary shall be subject to such action as the Board of Management of the Club, shall on the report of the Committee think fit.

#### 4. **AT THE HEARING**

- 4.1 All interested parties shall be present at the hearing, providing that a hearing may proceed in the absence of an interested party only where the committee is satisfied by evidence that the party had due notice and has chosen to be absent from the hearing, or the committee agrees that it is the best interest of the party not to be present.
- 4.2 A quorum of the Committee shall be three (3) members.
- 4.3 In the case of a complaint against a member, all witnesses other than the member concerned must remain out of the hearing until called upon to give evidence.
- 4.4 The independent investigator, if appointed, shall be present to assist the Committee.
- 4.5 The reference to the Committee shall be read by the Chairperson.
- 4.6 The independent investigator, if appointed, shall present relevant evidence, including the calling of witnesses. Any submissions by the investigator, or documentary evidence submitted by him/ her, shall be given whatever weight the Committee thinks fit, subject always to the consideration that oral evidence from a witness may be of more weight than other forms of evidence.

If the independent investigator is not appointed, the Committee itself shall receive the evidence relevant to the reference.

- 4.7 The person, the subject of the reference shall then present relevant evidence on his/ her own behalf.
- 4.8 In all cases, witnesses called shall be examined by the party (if any) on whose behalf he is called, and then cross-examined by the other interested parties to the reference. The party calling the witness shall have the right to re-examine the witness. The Committee members may ask questions of the witness, but no other examination or cross-examination of that witness shall be allowed except by leave of the Chairperson.

Such cross-examination may be conducted through the Chairperson and/or by telephone or other multi-medial as determined by the Committee.

- 4.9 The Committee may, in its discretion, refuse to admit evidence which is irrelevant or of so little weight as to be properly excluded.
- 4.10 At the conclusion of all the evidence, each interested party and the investigator, if appointed, may make submissions to the Committee in such speaking order as the Chairperson may direct. Right of reply by any party shall be at the discretion of the

Chairperson.

## **5. AT THE CONCLUSION OF THE HEARING**

- 5.1 The Committee shall meet after the hearing has been completed and if the reference is found to be proved may deliberate upon an appropriate order or penalty.
- 5.2 The findings of the Committee and the order or penalty agreed upon may be by the majority, with the Chairperson having a casting vote in the event of a tied decision. The minority may furnish separate findings, but the majority findings and order or penalty shall be deemed to be the decision of the Committee.

## **6. DETERMINATION OF ANY PENALTY**

- 6.1 The Chairperson or other member of the Committee shall deliver the Committee's findings in the presence of such interest parties who wish to attend.
- 6.2 If an adverse finding is delivered, the party against whom the finding has been made shall be invited to make submissions on the penalty.
- 6.3 The committee shall make any determinations of penalty as may be required and it sees fit. If necessary, the Committee may meet again to consider a penalty.

## **7. NOTIFICATION**

- 7.1 The Secretary of the Committee shall forthwith give notice of the decision of the Committee to all interested parties, together with notice of any made order or penalty imposed, which upon being confirmed by the appointing authority shall become effective forthwith.
- 7.2 The Committee shall furnish its report at the first meeting of the appointing authority after the hearing is completed. That authority shall either confirm the decision of the Committee or proceed according to the next succeeding paragraph.
- 7.3 The decision of the Committee cannot be altered by the appointing authority, but a two-thirds majority of those present and voting at the meeting may return the reference to the Committee for further consideration or the hearing of additional evidence. The grounds of such return of the reference shall be clearly stated.
- 7.4 A person exonerated by the Committee still start under protest at any Carnival or Association event held before the meeting of the appointing authority at which the Committee's decision is presented for confirmation or return as the case may be.

## **8 APPEALS**

Any person aggrieved by a decision of the Committee upon a Reference has a right to appeal to the next highest authority from that which appointed the committee which conducted the hearing within twenty-eight (28) days of being notified of a decision in writing.

## **APPENDIX "B"**

### **RULES OF DEBATE**

#### **1. GENERAL**

- 1.1 The undermentioned Rules shall apply to the conduct of all meetings of the Council, and Committees.
- 1.2 For the purpose of these Rules, the word "member" shall refer to members of the Club.

#### **2. CHAIRPERSON'S AUTHORITY**

- 2.1 Whenever the Chairperson rises during debate, the member then speaking shall be silent and resume his seat.
- 2.2 In the case of any remark considered by the Chairperson to be offensive or imputing improper motives, the Chairperson may call upon a speaker to withdraw and apologise.
- 2.3 The Chairperson may call a member to order. If such member persists in being disorderly, he may call upon such member to withdraw from the meeting.
- 2.4 It shall not be permissible to dispute the Chairperson's rulings, or move a motion of dissent from his ruling, on matters of procedure and points of order.

#### **3. DEBATE**

- 3.1 Any member desiring to speak shall stand up and address the Chairperson.
- 3.2 If two or more members rise to speak at the one time, the Chairperson shall decide which is entitled to priority.
- 3.3 The meeting may decide that a particular person shall or shall not be heard, provided that a motion of this nature shall not be debated.
- 3.4 No member shall interrupt another while speaking except to raise to a point of order.
- 3.5 No speaker shall digress from the subject under discussion.
- 3.6 No member shall use offensive or unbecoming words.
- 3.7 During the debate, a member may raise a point of order whereupon the member then speaking shall resume his seat until the point of order has been decided.
- 3.8 It shall be competent for any member to move a motion of dissent from the Chairperson's ruling other than on matters of procedure and points of order. The mover of a motion of dissent shall concisely state his point. The seconder and Chairperson only may then speak to the motion;
  - a) At any time during the debate, a member may move "that the question be now put" provided the Chairperson is satisfied that reasonable time for debate of the original motion has been allowed. The motion shall be put without debate - it need not be seconded. This motion may be applied to an amendment, in which case it is the amendment which is immediately put to the vote. It shall not be competent for the mover, seconder or any person who has spoken to the original motion or amendment to move "that the question be now put";



- b) If carried, the original motion shall be put to the vote without further debate except that the mover thereof shall have the right of reply; if lost, the debate may proceed;
- c) A member may move the adjournment of the debate to a subsequent meeting. If the motion for adjournment is lost, the mover thereof shall not be allowed to speak again on the question under debate. If carried, the mover shall have the right of resuming the debate at the ensuing meeting and the mover of the original motion shall have the right of reply.

#### **4. MOTIONS AND AMENDMENTS**

- 4.1 Any member proposing a motion or an amendment shall state its nature before addressing the meeting thereon.
- 4.2 The mover of a motion shall not occupy more than ten minutes nor any other speaker more than five minutes; provided that the meeting may, by resolution, without debate, grant an extension of time to any speaker.
- 4.3 No member may speak more than once to a motion except with the Chairperson's permission, in explanation or reply, or to ask a question provided that he/ she may speak again on any amendment to the motion.
- 4.4 The mover of a motion's right of reply shall be exercisable at the end of the debate.
- 4.5 The mover of an original motion must get the consent of his/ her seconder, and the approval of the meeting, before making any alteration to the wording of his/ her motion.
- 4.6 Any member (other than as provided in Rule 4.7 herein) may move an amendment to a motion, provided it is not a direct negative of the motion proposed.
- 4.7 The mover or seconder of a motion may not move or second an amendment to it but may speak on any such amendment and vote in favour of it.
- 4.8 A particular member may move or second one amendment only to each motion, but may speak on amendments moved by others.
- 4.9 An amendment having been moved, it shall not be competent to move any further amendment, provided that notice may be given of intention to move a further amendment when the previous amendment has been determined. Only one amendment can be considered at the one time.
- 4.10 If there is an indication of more than one amendment to be brought forward, the mover of the original motion may elect to reply at the end of the debate on the first amendment.
- 4.11 The mover of an amendment has no right of reply.
- 4.12 A member who formally seconds a motion or amendment without speaking may speak in support at a subsequent stage of the debate.
- 4.13 Amendments shall be put to the meeting before the motion is put, and shall be committed to the meeting in the order in which they are received.
- 4.14 When an amendment is carried the motion as amended becomes the motion before the meeting.

4.15 Motions and amendments can be withdrawn only when a majority of those present at the meeting consent. A motion for withdrawal is open to debate, which however must be confined to the matter of withdrawal.

4.16 If, after a motion has been determined, it is considered in the general interest that the matter should be re-opened for discussion before the termination of the same meeting, the meeting may, by unanimous vote, order its recommittal.

## **5. VOTING**

5.1 Voting shall be by the voices, or at the discretion of the Chairperson or at the request of any member, by show of hands or by secret ballot.

5.2 Any member, supported by not less than three others, may call for a division, in which case members shall move to the right or left of the Chairperson, as directed by him.

5.3 In the event of a division any member declining to vote shall elect to retire behind the Chairperson or have his vote counted in the negative.

5.4 The Chairperson may appoint tellers to assist him in counting a vote.

## APPENDIX "C"

### Patrol Rules

The patrol season shall be as decided by the Branch, annually. The method of patrol duties shall be determined by the Board of Management prior to the commencement of each Season:

1. Active Members shall attend patrols as rostered or appointed provided that:-
  - a) Active Youth Member shall be eligible for duties only commensurate with their qualifications;
  - b) A member desirous of transferring from one Patrol to another shall do so only with the consent of the Director of Surf Lifesaving of the Club;
  - c) It shall be permissible to appoint a substitute, when unable to attend, the member appointing such substitute to be responsible in the event of the substitute not attending;
  - d) Representation at any Carnival as a Selected Competitor or Carnival Official or at any demonstration or meeting of the Association does not constitute attendance and it shall be the responsibility of the individual to arrange substitution in these instances;
  - e) Exemption for patrol duty may be granted by the Director of Surf Lifesaving in special circumstances but for extended periods of exemption written application shall be made to the Committee who shall decide the issue;
  - f) At each Meeting of the Board of Management a report, taken from the Patrol Register, shall be tabled by the Club Director of Surf Lifesaving or his deputy indicating any breaches that require investigation.
2. The first Patrol on duty shall see that all lifesaving gear including operational IRB is placed in position on the beach and the last Patrol on duty shall return such gear to the clubhouse or gear room.
3. The Patrol shall assemble in the Club Room fifteen (15) minutes before the appointed hour to commence duty unless it is the first patrol of the day, in which case it shall assemble thirty (30) minutes before the appointed hour.
4. A member who is late for Patrol duty or who misses a Patrol without notifying his Patrol Captain or the Club Director of Surf Lifesaving may be allotted a Penalty Patrol or other duties at the discretion of the Club Director of Surf Lifesaving. Failure to attend penalty patrol incurs automatic suspension until the next Club Meeting.
5. Patrol members shall wear Association Caps and other dress as directed by the Association.
6. Before the Patrol commences duty, the Patrol Captain shall detail the position each person is to take in the event of rescues, allocate qualified IRB personnel to the IRB, and shall detail a member to tower or lookout duty.
7. In the absence of the Patrol Captain the Patrol Vice-Captain shall have like power and authority.
8. Members of Patrol and activities of the patrol are under the control and direction of the Patrol Captain, and members are not allowed to leave the patrolled area unless

extenuating circumstances arise and then must first obtain permission from their Patrol Captain.

9. In the event of the Patrol having finished its term of duty, and the succeeding Patrol failing to relieve it, the Patrol Captain shall ensure that an adequate Patrol is maintained, whilst he reports to the Club's Director of Surf Lifesaving.
10. Patrol Captains are held responsible for the efficiency of their Patrols, and are required to record in the Patrol Register the names of absentees from their Patrols, and any irregularity such as being late, leaving early or not being in the regulation dress.
11. Patrol Captains shall regularly test their Patrol on their ability and knowledge of the resuscitation methods and rescue procedures utilising the gear on patrol.
12. A member shall obey his Patrol Captain, either in the actual work of lifesaving, or any other duty associated with the activities of the Patrol within the Club.
13. Clubs are reminded of requirements as per the Association's Memorandum of Association, Articles of Association and Rules & Regulations:

Patrol Exemption Policy

In relation to Patrol duties the following shall apply:

- a) Members, Clubs and the Association generally, must recognise the obligation of all members to perform patrol duties and/or other duties within the Surf Life Saving structure;
  - b) Exemptions from patrol, or other duties, may only be granted in the most exceptional of circumstances;
  - c) Clubs may provide exemptions for senior Club Officers, and persons whose Club duties are such that exemption is provided in the Club Constitution and By-Laws or, by special resolution of a General Meeting of the Club;
  - d) The Association may provide exemption from all - or part - of Club patrol duties for members of the Board of Surf Life Saving, senior Association Officers or, members of Association patrols or rescue services;
  - e) Under no circumstances shall competitors be granted patrol, or Club duty exemptions, solely upon competition reasons;
  - f) Any patrol, or duty exemption, granted by a Club - unless those provided for in (c) and (d) above must be immediately submitted for ratification to the Association (Branch or State) stating names and reasons for exemption.
14. Patrol Captains are required to ensure that the Patrol, Radio and IRB logs are completed.
  15. Patrol Captains are to ensure that motorised equipment is driven only by members with the appropriate licences.

NOTE: Providing the spirit of these Rules are not minimised in any manner, Clubs may see fit to provide for their own problems in relation to patrols.

## APPENDIX "D"

### Clubhouse Rules

#### **GENERAL**

1. The benefits of Club privileges shall be permitted only to members of the Club and such Association visitors as are approved by the Director of Surf Lifesaving and Clubhouse Director and/or written approval of the Director of Administration.
2. Preference in allocation of accommodation shall be determined on the following basis: Active Members, Active Reserve Members, Cadet Members, visiting Association Members.
3. Junior Active members shall be permitted to stay in the clubhouse on weekends during the season providing, there are two or more, and a Senior Active Member or Senior Committee member is present. Junior Active Members shall not be permitted to stay in the clubhouse on weekends during the winter season unless a Senior Active Member or Senior Committee Member is present.
4. Any member who desires to stay at the clubhouse other than weekends and Public Holidays shall make written application to the Director of Administration providing at least ten (10) days notice is given and providing that any such privilege shall not be extended beyond three (3) consecutive weeks.
5. Unseemly conduct likely to interfere with the comfort of other members of the Club shall not be tolerated and members are requested to assist in preventing such conduct.
6. Damage occasioned to clubhouse facilities shall be subject to investigation and decision of liability by the Board of Management.
7. Members shall use their individual efforts in preserving the cleanliness of the Club's quarters.
8. A roster of weekend duties shall be placed on the Notice Board by the Clubhouse Director.
9. Any refusal of clubhouse duties shall be dealt with by the Board of Management.
10. Bad language shall not be tolerated in the clubhouse.
11. Pets shall not be allowed in the clubhouse.
12. Clubhouse keys shall be in the control of the Club's Director of Administration and / or President or delegate.
13. Wet costumes shall not be permitted into the sleeping quarters or kitchen/ kiosk nor allowed to remain in the dressing room.
14. Food stuffs shall not be brought onto Club premises or stored or consumed therein except in the kitchen/ kiosk or such other areas as may be designated from time to time by the BOM.
15. All kitchen and cleaning duties shall be completed as soon as possible after completion of meals and shall be done to the satisfaction of the Clubhouse Director.
16. Liquor may only be consumed in the clubhouse at an organised function arranged by the BOM.

17. The First Aid Officer, his/ her assistants and patients are the only persons permitted in the First Aid Room. First Aid equipment shall be used for first aid purposes only.
18. Junior (Nippers) members may be permitted the use of the upstairs "Club Room" facilities whilst under the supervision of a Club Official.

### **BUNK ROOMS**

1. The use of clean sheets or sleeping bag and clean pillow case shall be compulsory and members who do not provide themselves with a pillow case, sheets or sleeping bag shall be denied the use of the clubhouse premises.
2. Noise, likely to interfere with the sleeping members will not be tolerated.
3. Main lights in sleeping quarters must be extinguished by 12 midnight.
4. All members shall vacate their bunks by 7 am.
5. Quarters shall be swept, beds made, private clothing and belongings left in an orderly manner by 9 am.
6. All lockers shall be cleared of clothing each weekend. Locker inspections shall be carried out by the Clubhouse Director and/or Club Director of Surf Lifesaving.

## APPENDIX "E"

### Gear Rules

#### **1. BOARD & SKI**

- 1.1 Board & Ski owned by the Club or its members shall be stored under the control of the Board & Ski Officer and stored at owner's risk.
- 1.2 Members shall not use other members' Board & Ski without prior approval of the owner.
- 1.3 Members shall not use Club gear without prior approval of the Board & Ski Officer, Gear Steward, Director of Surf Lifesaving, Director of Surf Sports or Chief Training Officer.
- 1.4 The Skis and Boards shall never be launched or brought in near the marked surf bathing area or buffer area, nor where bathers are likely to be encountered.

#### **2. SURF BOAT**

- 2.1 The Surf Boat shall not be used for any other purpose than Surf Life Saving and the practice thereof, and the instruction in rowing, except with the permission of the Board of Management.
- 2.2 No members of the Club shall use the boat unless it is in charge of the Boat Officer, Asst Boat Officer or Director of Surf Lifesaving or Vice Captain, except that if these Officers are unavailable, one of them may grant permission to a member of the Club (who in his opinion is qualified to do so) to take charge of a Boat and such member shall be responsible to the Committee for the conduct of the crew and the manner in which the boat is used while it is under his control and for each breach of the Surf Boat By-Laws.
- 2.3 Save in the case of rescues, no person other than Club members, shall be allowed in a Boat, except with the approval of the Boat Captain or his Deputies.
- 2.4 The Boat shall not be taken away from the area patrolled by the Club without the special permission of the Board of Management except for the express purpose of rescuing persons in danger in the vicinity of that area or for training purposes or for Carnivals.
- 2.5 The Boat and gear shall be housed in the Boat shed provided for that purpose and securely locked up, or a designated storage place approved by the Board of Management. The Officer last in charge of the Boat each day shall be responsible for its return to the shed/storage place and shall report the Board of Management in writing any damage to or loss of gear that may have occurred.
- 2.6 Members, except those on patrol, may be called upon to assist in getting the Boat in and out of the water, and a refusal to do so will be a matter for report to the Board of Management for action thereon.
- 2.7 No more than a boat crew of five (5) or less than that number shall be taken in a Boat unless under special circumstances.

- 2.8 The Boat shall never be launched or brought in near the marked surf bathing area or buffer area, nor where bathers are likely to be encountered.

**3. POWER BOAT RESCUE CRAFT**

**The Power Boat Officer** shall:

- 3.1 hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency.
- 3.2 be responsible for the general maintenance and up-keep of all powered surf rescue craft and equipment.
- 3.3 at all times ensure that the IRB is ready for patrols and adequate fuel is on hand.
- 3.4 in consultation with Director of Surf Life Saving, be in charge of all powered surf rescue craft operations.
- 3.5 have an IRB in attendance at all examinations where directed by the Director of Surf Lifesaving or the Chief Training Officer.
- 3.6 have an IRB in attendance at the buoys on all occasions that surf events or tests are being held.



## APPENDIX "F"

### Junior (Nipper) Activities Rules

#### **1. APPOINTMENTS, OBJECTS, COMPETITION, MEETINGS AND PROCEDURES**

##### 1.1 Appointment

The Club, at its Annual General Meeting shall endorse the appointment of a Junior Activities Committee (hereinafter referred to as the JAC), as provided for in By-Law 6.2 of current financial members of the Club excluding Junior members (Nippers) who are interested in the objects and duties of the JAC. The JAC decisions shall be subject to ratification of the Club and the general rules of the Board of Management as provided for in By-Law 6.1.

##### 1.2 The Objects and Duties of the JAC shall be:

- (a) The responsibility for the conduct and co-ordination of all matters relating to Junior Activities;
- (b) To provide for Junior (Nipper) members an educational experience in a wide range of subjects and skills within the aquatic/marine environment;
- (c) To prepare Junior (Nipper) members for their eventual transition to the marine and patrol environment of the Senior section of the Movement;
- (d) To provide for the instruction and the conduct of examinations of Junior (Nipper) members willing to gain the Junior Age Awards;
- (e) To organise, in conjunction with the Club, the instruction and/or examination of members willing to gain the Resuscitation Certificate, and/or the Surf Life Saving Certificate of the SLSA of A;
- (f) To provide rules and regulations for the conduct of Junior Activities for Junior (Nipper) members for competition who have attained the age of seven (7) but who have not attained the age of fourteen (14) years. (Constitution clause B.3.2);
- (g) To endeavour to raise finance to provide for the foregoing objects;
- (h) Present to the Board of Management a combined budget of all Financial Matters.

##### 1.3 Management and Composition:

- (a) The JAC shall be responsible for the conduct of Junior Activities and shall be comprised of current Financial Members who have applied to the Board of Management for membership of the JAC and have been endorsed at the Senior AGM. Group applications are also acceptable;
- (b) The Chairperson of the JAC shall be a Director of the Club and shall be endorsed at the AGM of the Club following an endorsed nomination from the Annual Meeting of the Junior Activities Section;
- (c) The JAC shall consist of all or any of the following officers to conduct the activities of the JAC - a Deputy Chairperson, a Secretary, Treasurer, Registrar, Education Officer, Chief Instructor, Carnival Nominations Officer, Clothing Co-ordinator, Awards Officer, Team Managers, a Gear Steward, Waters Safety Officer, Fundraiser, Canteen Co-ordinator, Age Group Managers, IRB Co-ordinator and 2 Grievance Officers (1 Male 1 Female);

- (d) An Executive shall be responsible for the JAC decisions between JAC meetings, and shall be comprised of the Chairperson, Deputy Chairperson, Secretary, Treasurer and Registrar, Chief Instructor.

#### 1.4 Meetings of the JAC

- (a) The Annual Meeting of the Junior Activities Section shall be held prior to the Club Annual General Meeting with the following agenda:
- . Attendances
  - . Apologies
  - . Annual Report of Activities
  - . Endorsement of Director of Junior Activities nomination(s)
  - . Elections of Officers
  - . Meeting dates.
- (b) JAC meetings which shall be held at the discretion of the Chairperson of the JAC with the following agenda:
- . Attendances
  - . Apologies
  - . Confirmation of Minutes
  - . Business Arising
  - . Correspondence
  - . Reports
  - . General Business
- (c) Executive Meetings may be held as required to deal with urgent matters providing decisions are subject to ratification by a JAC meeting, and if necessary by the Club;
- (d) Special Meetings with a specific agenda may be held at the discretion of the Chairperson of the JAC;
- (e) A Quorum shall be as provided for in the Club Constitution. Refer 5.1 (page 19/22;
- (f) Voting at the Annual General Meeting of the Junior Activities Section shall be limited to current Active, Reserve Active, Long Service, Award, Life Members, Officers and Associate members of the North Burleigh Surf Life Saving Club.

#### 1.5 Elections

- (a) Nominations for the Election of Officers shall be in writing and signed by the nominee signifying his willingness to stand for election, and lodged with the JA Secretary two (2) weeks prior to the Annual Meeting of the JAC;
- (b) If the number of candidates for any one office exceeds one, a decision shall be determined by secret ballot of the members present, and voting at the meeting. Age Managers are limited to 2 per age group with preference to gender balance.

#### 1.6 Finance

- (a) The Club Director of Finance, and where convenient assisted by the JA Treasurer, shall receive all monies, issue receipts and bank such monies to the account of the Club to be used for Club endorsed Junior Activities;
- (b) Payment of accounts shall be effected by the Club Director of Finances, following

checking of the accounts by the JA Treasurer;

- (c) Credit and Debit ledgers shall be established and maintained by the JAC to determine the financial standing of the JAC in relation to the Club;
- (d) The finance of the JAC shall be supported by means approved by the Club which shall include a Club budget allowance, donations, capitation levies, carnivals, socials and other functions organised.

#### 1.7 Competition

- (a) The JAC shall have power to regulate all intra-Club competitions providing such competition has been approved by the Club;
- b) No inter-Club contest or competition shall be held without the approval of the Club and the Branch;
- (c) All Junior competitors shall wear protective clothing approved by the Association in all water activities as directed by the Branch;
- (d) A Sub-Committee comprised of the Age Managers and Coaches shall select the competitors and teams for all inter/intra Club competitions and carnivals – with accurate reports/results to support Team Selection and may alter such selections at its discretion, and its decision shall be final;
- (e) Competing up: No member will be allowed to compete up an age group if they have not fulfilled their own age group commitment.

#### 1.8 Discipline

The conduct of members who participate in Junior Activities shall be subject to the control of the JAC in the first instance, provided that any disciplinary actions are subject to review by the Club.

#### 1.9 General

- (a) Decisions of the JAC shall be subject to ratification by the Club, and all Junior Activities Committee correspondence, unless otherwise specifically approved, shall be through the Club;
- (b) Any matters not covered in the foregoing shall be in accordance with the current Constitution of the Club, and if not coming within the scope thereof shall be determined by the Branch;
- (c) Correct procedure for members for any Grievance.

## 2. **OFFICERS AND THEIR DUTIES**

The Director of Junior Activities: Shall hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency, chair all Meetings of the Committee at which he/ she is present and shall exercise a general supervision over the affairs of the JAC. He/ she shall be a Director of the Club and shall represent the JAC on the Branch JAB. The Chairperson shall, when presiding at a Meeting, have a deliberative and a casting vote. He/she shall submit an Annual Report of the JAC to the Club and submit regular reports to the Board of Management.

The Junior Activities Deputy Chairperson: Shall hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency. In the absence of the Chairperson, the Deputy

Chairperson shall perform all the duties usually undertaken by the Chairperson.

Junior Activities Secretary: Shall hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency. Shall attend to all the correspondence and attend all Meetings, record the minutes of the Meetings in a Minute Book. and assist in the preparation of the Reports. He/ she shall issue notices of Meetings and any circulars of matters of interest to the JAC in conjunction with the Club's Director of Administration.

The Junior Activities Treasurer: Shall hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency. Shall be responsible for the overall supervision of any financial commitments of the JAC and shall submit reports to the JAC. He/ she shall submit budget of income and expenditure and shall maintain Credit and Debit ledgers of the JAC financial dealings with a view to establishing the standing of the JAC. He/ she shall provide and seek co-operation from the Club's Director of Finance.

The Junior Activities Registrar: Shall hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency. Shall be responsible for keeping a true and correct record of the birth dates of all Juniors (nippers), compiling the registration of all competitors for annual submission to the Registrar of the Branch, and provide other relevant information as required.

The Junior Activities Chief Instructor: Shall hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency. Shall be responsible for the training and examination arrangements for the Junior Age Awards. He shall be responsible to and work in conjunction with the Club Chief Training Officer.

The Junior Activities Age Managers: Shall hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency. Shall prepare programs and work in conjunction with the JA Chief Instructor in his duties and act as an assistant to the Team Manager during the performance of his duties.

Age Managers shall record the attendance of the competitors at Carnivals, He/she shall be responsible for preparing the age competitors and teams as selected by the Selection Committee for their respective events and ensure the competitors are at the Marshalling area at the prescribed time for such events.

Keep accurate reports/ Results of all activities carried out on Nipper Mornings, Points Day and Carnival Results/ Placings to support Carnival Team Selections in conjunction with Coaching Staff.

The Junior Activities Gear Steward: Shall hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency. Shall be responsible for all the JAC equipment, making sure such equipment is in good condition and repair and properly housed and co-ordinate beach setup for training.

The Junior Activities Chief Water Safety Officer: Shall hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency. Shall be responsible for the water safety on JAC training days and Sundays.

The Junior Activities Carnival Nomination Officer: Shall hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency. Shall be responsible for the carnival nominations in conjunction with the JA Age Managers and JA Team Manager.

The Junior Activities Clothing Co-ordinator: Shall hold a current Blue Card or Exemption Notice issued by the Public Safety Business Agency. Shall determine and submit JAC requirements to the Club's Director of Administration and assist in the costumes and clothing to the JAC.

The Junior Activities Team Manager/ s: Shall hold a current Blue Card or Exemption Notice

issued by the Public Safety Business Agency. Shall be responsible for the control and conduct of the competitors and shall submit a team report following each major carnival. He/ she shall be responsible for lodging all protests as per the Association Handbook. He/ she shall be assisted by an Assistant JA Team Manager and the Age Group Supervisors.

- a) The Club when participating in any carnival or similar function shall appoint a Manager of its competitors and other members of the Club selected to represent and/or assist the Club at such carnival;
- b) Every Manager so appointed shall be responsible for the proper conduct of himself/herself and of the members under their control and attend all briefings;
- c) The Manager shall as far as practicable, remain with the party under his/her control during the entire period of his/her management.. In the event of the party under His/her control separate into sections the Manager shall be responsible for appointing a member of each and every section to act as his/her Manager of the section;
- d) In the case of a carnival or similar function conducted under the control of the Branch, the name of the Manager so appointed shall be notified to the Branch with the Carnival entries ,or at the latest, before the commencement of the Carnival;
- e) The Manager shall remain in attendance with his team during the course of such carnival or similar function and shall take action to ensure that competitors under his/her control report to the Check Marshal immediately they are called to do so;
- f) The Manager shall report to the Carnival Referee or other nominated Official whenever called upon to do so by the Carnival Announcer or other authorised Official and shall comply with the directions given;
- g) In the case of mixed gender teams including minors, a chaperone or chaperones shall be appointed.

JAC GRIEVANCE OFFICERS shall:

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) Be appointed by the JAC and a recommendation submitted to the Board of Management;
- c) Attend to all matters referred to him/her by the JAC President and/or Board of Management;
- d) Determine matters relating to grievances, harassment, equity and the like;
- e) As soon as practicable after receiving a reference, meet with/or discuss the issue with the aggrieved party/parties and take whatever steps and conduct whatever investigations are necessary to determine if the grievance is legitimate, including a requirement of members to provide a statement of report;
- f) Refer to the JAC President/Board of Management who must then action the grievance within a reasonable time but no longer than three (3) months;
- g) If the grievance is determined to be legitimate, advise the aggrieved part/parties accordingly;
- h) If unable to resolve a grievance or the grievance is considered to be of a very serious nature, he/she shall report the grievance to the JAC President/Board of Management/Judiciary Committee for action;

- i) Keep all information surrounding the circumstances of the grievance confidential and communicate such information only to the JAC President/Board of Management/Judiciary Committee and or an appropriate enforcement body following written authority from the JAC President/Board of Management/Judiciary Committee.

JAC IRB CO-ORDINATOR shall:

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) be a qualified and proficient holder of an IRB Crewperson Certificate.

THE JUNIOR ACTIVITIES CANTEEN CO-ORDINATOR (OR COMMITTEE) shall:

- a) hold a current Blue Card or Exemption Notice issued by Public Safety Business Agency.
- b) shall be responsible for the provisioning the canteen and subsequent marketing activities.

### **3. MEMBERSHIP**

- 3.1 To participate in Junior Activities at North Burleigh SLSC all shall be members of the North Burleigh Surf Life Saving Club Inc.
- 3.2 All applications for membership of North Burleigh Surf Life Saving Club Inc shall be required to complete the prescribed SLSA form and pay the required fee as determined by the Board of Directors.
- 3.3 Any Junior (Nipper) application for membership shall be accompanied by a Parent or Guardian application for membership of some type depending on their qualifications ie. Associate, Award, Active Reserve etc., provided that one parent or guardian is acceptable for more than one Junior (Nipper) in the same family.

### **4. WATER SAFETY**

#### (a) Sunday Activities

- 4.1 All water safety personnel for Sunday morning Junior Activities must be a proficient Bronze Medallion/Cert II or proficient SRC holder.
- 4.2 All water safety personnel must sign on and off in the required log book for hours to be recorded;
- 4.3 All water safety personnel must report to the Water Safety Officer on Sunday mornings prior to the commencement of Junior Activities;
- 4.4 All water safety personnel will be allocated a water area and must report to that area until the completion of the Junior Activities unless told otherwise. Spot checks in these water areas will be conducted & if there is a need to remove names from the log book due to water safety personnel not performing the required role their name will be removed from the log book;
- 4.5 Once U14's have completed their SRC they will be allowed to perform water safety duties during Sunday morning Junior Activities.

#### (b) Training Days

- 4.1 All water safety for Junior Activities training days must be a proficient Bronze

Medallion/Cert II holder.

**5. JUNIOR CLUB CHAMPIONSHIPS**

- 5.1 A Club Championships Day will be nominated by the JAC at the commencement of each season once the SLSQ carnival calendar has been released.

Club Championship day will be conducted as per Carnival Rules.

Club Championships will be conducted on the day selected and if conditions are unsuitable to compete another day will be chosen and points will be carried over.

**6 ATTENDANCE**

Junior Activities members need to attend 75% Attendance of Junior Attendance Days (not training sessions) to be eligible for Age Champion.

**APPENDIX "G"**

**THE COMMON SEAL**



**CLUB BADGE**



**LIFE MEMBERSHIP BADGE**

