



Avoca Beach Surf Lifesaving Club Inc.
Registered Charity No. 2353

PO Box 22, Avoca Beach 2251

**CONSTITUTION
AND
RULES AND REGULATIONS
Of
AVOCA BEACH
SURF LIFE SAVING CLUB INC.**

August 2007

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ASSOCIATIONS INCORPORATION ACT 1984 NEW SOUTH WALES

CONSTITUTION

of

AVOCA BEACH SURF LIFE SAVING CLUB INCORPORATED

PART I - INTERPRETATION

1. NAME OF ASSOCIATION

The name of the Association is **Avoca Beach Surf Life Saving Club Incorporated** (“**Association**”).

2. OBJECTS OF ASSOCIATION

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

- (a) Participate as a member of Surf Life Saving Central Coast, Surf Life Saving NSW and Surf Life Saving Australia Limited (“SLSA”) through and by which surf life saving and the preservation of life in the aquatic environment can be conducted, encouraged, promoted, advanced and administered;
- (b) Provide for the conduct, encouragement, promotion and administration of surf life saving throughout Avoca Beach;
- (c) Ensure the maintenance and enhancement of the Association, Surf Life Saving Central Coast, Surf Life Saving NSW, Affiliated Clubs, SLSA and surf life saving, its standards, quality and reputation for the benefit of the Members and surf life saving;
- (d) At all times promote mutual trust and confidence between the Association, Surf Life Saving Central Coast, Surf Life Saving NSW, Affiliated Clubs, SLSA and the Members in pursuit of these objects;
- (e) At all times act on behalf of and in the interest of the Members and surf life saving;
- (f) Promote the economic and community service success, strength and stability of the Association, Surf Life Saving Central Coast, Surf Life Saving NSW, Affiliated Clubs, SLSA and surf life saving;
- (g) Affiliate and otherwise liaise with Surf Life Saving Central Coast, Surf Life Saving NSW and SLSA, in the pursuit of these objects and the objects of surf life saving;
- (h) Conduct, encourage, promote, advance and control surf life saving in Avoca Beach, its many aspects devoted to aquatic safety and management and the preservation of life in the aquatic environment;
- (i) Conduct or commission research and development for improvements in methods of surf life saving and surf life saving equipment and in all ways to improve and safeguard the use of the aquatic environment;
- (j) Use and protect the Intellectual Property
- (k) Apply the property and capacity of the Association towards the fulfilment and achievement of these objects;
- (l) Promote the involvement and influence of surf life saving standards, techniques, awards and education with bodies involved in aquatic life saving;
- (m) Strive for Governmental, commercial and public recognition of the Association as the authority on aquatic safety and management in Avoca Beach;

- (n) Promulgate, and secure uniformity in, such rules as may be necessary for the management and control of surf life saving and related activities and the preservation of life in the aquatic environment;
Further extend the operations and teachings of the Association throughout Avoca Beach
- (p) Further develop surf life saving into an organised institution and with these objects in view, to foster, regulate, organise and manage examinations, competitions, displays and other activities and to issue badges, medallions and certificates and award trophies to successful Members;
- (q) Review and/or determine any matters relating to surf life saving which may arise, or be referred to it, by any Member;
- (r) Act as arbiter on all matters pertaining to the conduct of surf life saving in Avoca Beach, including disciplinary matters;
- (s) Pursue through itself or other such commercial arrangements, including sponsorship and marketing opportunities as are appropriate to further the interests of surf life saving;
- (t) Formulate or adopt and implement appropriate policies, including in relation to sexual harassment, equal opportunity, equity, drugs in sport, health, safety, junior and senior programs, infectious diseases and such other matters as arise from time to time as issues to be addressed in surf life saving;
- (u) Represent the interests of its Members and of surf life saving generally in any appropriate forum in the Central Coast.
- (v) Have regard to the public interest in its operations;
- (w) Do all that is reasonably necessary to enable these objects to be achieved and to enable the Members to receive the benefits which these objects are intended to achieve;
- (x) Ensure that environmental considerations are taken into account in all surf life saving and related activities conducted by the Association;
- (y) Promote the health and safety of Members and all other users of the aquatic environment;
- (z) Encourage Members to realise their potential and athletic abilities by extending to them the opportunity of education and participation in surf life saving competition and to award trophies and rewards to successful competitors;
- (aa) Encourage and promote performance-enhancing drug free competition;
- (bb) Establish, grant and support awards to Members and others, in honourable public recognition of hard and meritorious rescues from the sea, deeds of exceptional bravery from time to time performed in the course of life saving and other distinguished services and acts;
- (cc) Give, and seek where appropriate, recognition for Members to obtain awards or public recognition in fields of endeavour other than surf life saving;
- (dd) Seek and obtain improved facilities for the enjoyment of the aquatic environment in Avoca Beach;
- (ee) Promote uniformity of laws for the control and regulation of the aquatic environment in Avoca Beach and to assist authorities in enforcing these laws;
- (ff) Effect such objects as may be necessary in the interests of surf life saving and the aquatic environment in Avoca Beach; and
- (gg) Undertake and or do all such things or activities which are necessary, incidental or conducive to the advancement of these objects.

3. POWERS OF THE ASSOCIATION (AVOCA BEACH SURF LIFE SAVING CLUB INC)

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

Avoca Beach SLSC Rules & Regulations

- (a) Acquire by purchase, exchange or otherwise, whether for an estate in fee simple or for any less estate, lands, tenements or hereditaments of any tenure whether subject or not to any charges or encumbrances and to erect, replace, maintain, reconstruct, adapt and furnish any offices or other buildings thereon and to sell, let, alienate, mortgage, charge or deal with all or any such lands, tenements or hereditaments or any part of them;
- (b) Take over the whole or any part or parts of the real and personal property belonging to and to undertake all or any of the liabilities of the Association;
- (c) Purchase, take on lease or in exchange or otherwise acquire any real or personal estate which may be deemed necessary or convenient for any of the objects of the Association and to sell, manage, lease, mortgage, give in exchange, dispose of or otherwise deal with the same or any part thereof;
- (d) Construct, maintain and alter any houses, buildings, or works necessary or convenient for the objects of the Association;
- (e) Borrow and raise money in such manner as the Association thinks fit;
- (f) Raise or borrow money on bonds or mortgage or other security of any property held for or on behalf of the Association or without any such security and upon such terms as the Board of Directors shall think fit;
- (g) Receive money on deposit with or without allowance of interest thereon;
- (h) Invest any monies of the Association, not immediately required for the objects of the Association, in such manner as may from time to time be determined by the Board of Directors;
- (i) Do all or any of the matters authorised either alone or in conjunction with any person, company or unincorporated body or by or through any factors, trustees or agents;
- (j) Take any gift of property whether subject to any special trust or not for any one or more of the objects of the Association;
- (k) Take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association in the form of donations, annual subscriptions or otherwise;
- (l) Subscribe to, become a member of or co-operate with any other organisation whether incorporated or not whose objects are similar, in whole or in part, to those of the Association, so long as that other organisation prohibits the distribution of its income and property amongst its members at least to the extent provided under this Constitution;
- (m) Print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects;
- (n) Appoint, hire, employ, remove, replace or reinstate secretaries, managers, servants, employees and other persons in and for the carrying out of the objects of the Association and to pay them in return for services rendered to the Association, salaries, wages and gratuities;
- (o) Subscribe to any charities and to grant donations for any public purpose;
- (p) Produce, develop, create, licence and otherwise exploit, use and protect Intellectual Property;
- (q) Establish and maintain corporate entities to carry on and conduct the business affairs and undertakings, or any aspect thereof, of the

Association and for that purpose, to utilise any of the assets of or held on behalf of the Association;

- (r) Promote any other person or company for any purpose calculated to benefit the Association;
- (s) Purchase or otherwise acquire and undertake all or any part of the property, assets and liabilities of any one or more of the companies, institutions, societies or associations whose activities or objects are similar to those of the Association, or with which the Association is authorised to amalgamate or generally for any purpose calculated to benefit the Association;
- (t) Take and effect insurance or seek, obtain and in its discretion act on, any professional advice necessary or appropriate; and
- (u) Do all such acts and things as are incidental, conducive or subsidiary to all or any of the objects of the Association.

4. APPLICATION OF INCOME

4.1 The income and property of the Association shall be applied solely towards the promotion of the objects of the Association as set out in this Constitution.

4.2 Except as prescribed in this Constitution:

- (a) No portion of the income or property of the Association shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise to any Member; and
- (b) No remuneration or other benefit in money or money's worth shall be paid or given by the Association to any Member who holds any office of the Association.

4.3 Nothing contained in **clauses 4.1 or 4.2** shall prevent payment in good faith of or to any Member for:

- (a) Any services actually rendered to the Association whether as an employee or otherwise;
- (b) Goods supplied to the Association in the ordinary and usual course of operation;
- (c) Interest on money borrowed from any Member;
- (d) Rent for premises demised or let by any Member to the Association;
- (e) Any out-of-pocket expenses incurred by the Member on behalf of the Association; or
- (f) Any other reason;

Provided that any such payment shall not exceed the amount ordinarily payable between ordinary commercial parties dealing at arm's length in a similar transaction.

5. LIABILITY OF MEMBERS

The liability of the Members of the Association is limited.

6. MEMBER'S CONTRIBUTIONS

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

7. DISTRIBUTION OF PROPERTY ON WINDING UP

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

8. DEFINITIONS AND INTERPRETATION

8.1. Definitions

In this Constitution unless the contrary intention appears:

“Act” means the Associations Incorporations Act , 1984 NSW

“Affiliated Club” means a surf life saving club which is a member of or otherwise affiliated with Surf Life Saving Central Coast, Surf Life Saving NSW or SLSA.

“Association” means Avoca Beach Surf Life Saving Club Incorporated.

“Club Delegate” means the person(s) appointed from time to time to act for and on behalf of the Association and to represent the Association at General Meetings of Surf Life Saving Central Coast.

“Board of Directors” means the body consisting of the Board of Directors

“Director” means a member of the Board of Directors and includes any person acting in that capacity from time to time appointed in accordance with this Constitution.

“Constitution” means this Constitution of the Association.

“Financial year” means the year ending 30 April in each year.

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

“Individual Member” means a member of a club and can only include junior (“Nipper”) members; cadet members; active members; reserve active members; general members; long service members; award members; associated members; honorary members; and life members of that club which are defined in the Regulations.

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

“Life Member” means an individual appointed as a Life Member of the Association under **clause 11.2**.

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

8.2. “Objects”

means the objects provided under clause 2 of this Constitution.

“Chairperson” means the Chairperson for the time being of the Association.

“Regulations” means any Regulations made by the Board of Directors under **clause 34**.

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

“SLSA” means Surf Life Saving Australia Limited.

“Special Resolution” means a resolution passed:

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

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

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

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

“Surf Life Saving Central Coast” means a Branch centre recognised by SLSA and Surf Life Saving NSW as the body administering surf life saving in the Central Coast.

8.3. Interpretation

In this Constitution:

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

8.4. Severance

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

The specification of the objects of the Association in **clause 2** and the powers set out in **clause 3** of this Constitution, are not in any particular order and are not to be construed so as to lead to the construction that any object or power is more important than any other object or power nor that any object or power which is specified in detail is more important than any object or power which has not been specified in detail, and no particular object or power will be limited by reference to any other and the rule of construction known as the *ejusdem generis* rule shall not apply.

8.5. The Act

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

8.6. Sole Purpose

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

PART II - THE ASSOCIATION AS A CLUB

9. STATUS AND COMPLIANCE OF ASSOCIATION AS A CLUB

9.1. Recognition of Association

Subject to compliance with this Constitution, the Surf Life Saving Central Coast, Surf Life Saving NSW Constitution, and the SLSA Constitution the Association shall continue to be recognised as a Member of Surf Life Saving NSW and shall administer surf life saving activities in the Central Coast in accordance with the objects of the Association.

9.2. Compliance of Association as a Club

The Members acknowledge and agree the Association shall:

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

9.3. Operation of Constitution

The Association and the Members acknowledge and agree:

- (a) That they are bound by this Constitution and that this Constitution, operates to create uniformity in the way in which the objects of the Association and surf life saving are to be conducted, promoted, encouraged, advanced and administered throughout Avoca Beach;
- (b) To ensure the maintenance and enhancement of surf life saving, its standards, quality and reputation for the benefit of the Members and surf life saving;
- (c) Not to do or permit to be done any act or thing which might adversely affect or derogate from the standards, quality and reputation of surf life saving and its maintenance and enhancement;
- (d) To promote the economic and community services success, strength and stability of each other and to act interdependently with each other in pursuit of their respective objects;
- (e) To act in the interests of surf life saving and the Members;
- (f) Where the Association considers or is advised that a Member has allegedly:
 - i. Breached, failed, refused or neglected to comply with a provision of this Constitution, the Regulations, or any resolution or determination of the Association; or
 - ii. Acted in a manner prejudicial to the objects and interests of the Association and/or surf life saving; or
 - iii. Brought the Association, any Affiliated Club or surf life saving into disrepute;

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

10. THE ASSOCIATION'S CONSTITUTION

10.1. Constitution of the Association

The constituent documents of the Association will clearly reflect the objects of Surf Life Saving Central Coast and Surf Life Saving NSW and shall generally conform with the Surf Life Saving Central Coast and Surf Life Saving NSW Constitution, subject to any requirements in the Act, and at least to the extent of:

- (a) The objects of Surf Life Saving NSW;
- (b) The structure and membership categories of Surf Life Saving NSW;
- (c) Recognising SLSA as the national peak body for surf life saving in Australia, in accordance with Part II of the SLSA Constitution;
- (d) Recognising Surf Life Saving NSW as the peak body for surf life saving in NSW;
- (e) Recognising Surf Life Saving Central Coast as the peak body for surf life saving on the Central Coast of NSW.
- (f) Recognising SLSA as the final arbiter on matters pertaining to surf life saving in Australia, including disciplinary proceedings;

- (g) Such other matters as are required to give full effect to the Surf Life Saving NSW Constitution;

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

10.2. Operation of the Avoca Beach Surf Life Saving Inc Constitution

- (a) The Association will take all steps to ensure its Constitution is in conformity with the Surf Life Saving Central Coast Constitution and Surf Life Saving NSW Constitution at least to the extent set out in clause 10.1 and in respect of those matters set out in clause 10.1 shall ensure the Association's Constitution is amended in conformity with future amendments made to the Surf Life Saving Central Coast Constitution and Surf Life Saving NSW Constitution, subject to any prohibition or inconsistency in the Act.
- (b) The Association shall provide to Surf Life Saving Central Coast and Surf Life Saving NSW a copy of its Constitution and all amendments to these documents. The Association acknowledges and agrees that the Surf Life Saving Central Coast & Surf Life Saving NSW has power to veto any provision in its Constitution which, in Surf Life Saving's opinion, is contrary to the objects of Surf Life Saving Central Coast and Surf Life Saving NSW

10.3. Register

The Association shall maintain, in a form acceptable to Surf life Saving Central Coast and Surf Life Saving NSW and with such details as are required by the Surf Life Saving Central Coast and Surf Life Saving NSW Board of Directors, a register of all Members of the Association. The Association shall provide a copy at a time and in a form acceptable to Surf Life Saving Central Coast and Surf Life Saving NSW of its Register and regular update of it to Surf Life Saving Central Coast and Surf Life Saving NSW.

PART IV - MEMBERSHIP

11. MEMBERS

11.1. Classes of Members

The Members of the Association shall consist of:

- (a) Life Members, who subject to this Constitution, shall have the right to be present, to debate and to vote at General Meetings;
- (b) Individual Members, who shall have the right to be present, to debate and to vote at General Meetings;
- (c) Other classes of Members such as but not limiting to Active, Social, Junior, etc as required in the particular circumstances of the Club; and
- (d) Such other classes of membership as determined by the Board of Directors from time to time.

11.2. Life Members

- (a) The Board of Directors may recommend to the Annual General Meeting that any natural person who has rendered distinguished service to the Association and surf life saving, where such service is deemed to have assisted the advancement of the Association and surf life saving in Avoca Beach be appointed as a Life Member.
- (b) A resolution of the Annual General Meeting to confer life membership (subject to clause 11.2) on the recommendation of the Board of Directors must be a Special Resolution.
- (c) A person must accept or reject the Association's resolution to confer life membership in writing. Upon written acceptance, the person's details shall be entered upon the register, and from the time of entry on the Register the person shall be a Life Member.

12. SUBSCRIPTIONS AND FEES

- (a) The annual membership subscription (if any) and fees payable by Members to the Association, the time for and manner of payment shall be as determined by the Board of Directors prior to the AGM.
- (b) All Members must be a financial member in order to vote.

13. APPLICATION

13.1. Application for Membership

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

- (a) In writing on the form prescribed from time to time by the Board of Directors, from the applicant or its nominated representative and lodged with the Association;
- (b) Accompanied by the appropriate fee, if any.

13.2. Discretion to Accept or Reject Application

- (a) The Association may accept or reject an application whether the applicant has complied with the requirements in clause 13.1 or not, and shall not be required or compelled to provide any reason for such acceptance or rejection.
- (b) Where the Association accepts an application the applicant shall, subject to notification to Surf Life Saving Central Coast and Surf Life Saving NSW, become a Member.
- (c) Membership of the Association shall be deemed to commence upon acceptance of the application by the Association. The Director of Administration shall amend the Register accordingly as soon as practicable.
- (d) If the Association rejects an application, it shall refund any fees forwarded with the application, and the application shall be deemed rejected by the Association.

13.3. Re-Application

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

13.4. Deemed Membership

- (a) All individuals which or who are, prior to the approval of this Constitution, members of Avoca Beach Surf Life Saving shall be deemed Members, and thus Members of the Association from the time of approval of this Constitution under the Act.
- (b) The Members shall provide the Association with such details as are required by the Association under this Constitution within one month of the approval of this Constitution under the Act.
- (c) Any members of the Association prior to approval of this Constitution under the Act, who are not deemed Members under Clause 13.4(a) shall be entitled to carry on such functions analogous to their previous functions as are provided for under this Constitution.

14. REGISTER OF MEMBERS

14.1. Director of Administration to Keep Register

The Director of Administration shall be responsible for the Register in which shall be entered (as a minimum):

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

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

14.2. Inspection of Register

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

14.3. Use of Register

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

14.4. Right of Surf Life Saving NSW to Register

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

15. EFFECT OF MEMBERSHIP

Members acknowledge and agree that:

- (a) This Constitution constitute a contract between each of them and the Association and that they are bound by this Constitution and Regulations, the Surf Life Saving Central Coast Constitution and Surf Life Saving NSW Constitution and Regulations and the SLSA Constitution and Regulation;
- (b) They shall comply with and observe this Constitution and the Regulations, and any determination, resolution or policy which may be made or passed by the Board of Directors or any other entity with delegated authority;
- (c) By submitting to this Constitution and the Regulations they are subject to the jurisdiction of the Association, Surf Life Saving Central Coast and Surf Life Saving NSW and SLSA;
- (d) The Constitution and Regulations are necessary and reasonable for promoting the objects of the Association and particularly the advancement

and protection of surf life saving as a community service in Avoca Beach and

- (e) They are entitled to all benefits, advantages, privileges and services of Association membership.

16. DISCONTINUANCE OF MEMBERSHIP

16.1. Notice of Resignation

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

16.2. Discontinuance by Breach

- (a) Membership of the Association may be discontinued by the Board of Directors upon breach of any clause of this Constitution, including but not limited to the failure to pay any monies owed to the Association, failure to comply with the Regulations or any resolutions or determinations made or passed by the Board of Directors or any duly authorised Board of Directors or board.
- (b) Membership shall not be discontinued by the Board of Directors under clause 16.2(a) without the Board of Directors first giving the accused Member the opportunity to explain the breach and/or remedy the breach.
- (c) Where a Member fails, in the Board of Director's view to adequately explain to remedy the breach, that Member's membership shall be discontinued under clause 16.2(a) by the Association giving written notice of the discontinuance.

16.3. Failure to Re-Apply

If a Member has not re-applied for Membership with the Association within three (3) months of re-application falling due, that Member's membership will be deemed to have lapsed from that time. The Register shall be amended to reflect any lapse of membership under this **clause 16.3** as soon as practicable.

16.4. Member to Re-Apply

A Member whose membership has been discontinued or has lapsed under **clause 16.3**:

- (a) Must seek renewal or re-apply for membership in accordance with this Constitution; and
- (b) May be re-admitted at the discretion of the Board of Directors.

16.5. Forfeiture of Rights

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

16.6. Membership may be Re-Instated

Membership which has been discontinued under this **clause 16** may be reinstated at the discretion of the Board of Directors, with such conditions as it deems appropriate.

16.7. Refund of Membership Fees

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

17. DISCIPLINE

17.1. Disciplinary Board of Directors

- (a) Where the Board of Directors is advised or considers that a Member has allegedly:
 - iv. Breached, failed, refused or neglected to comply with a provision of this Constitution, the Regulations, the Surf Life Saving Central Coast Constitution and Surf Life Saving NSW, Constitution, Regulations, SLSA Constitution or Regulations or any resolution or determination of the Board of Directors, the Surf Life Saving NSW Council or any duly authorised sub-Board of Directors; or
 - v. Acted in a manner unbecoming of a Member, or prejudicial to the objects and interests of the Association, Surf Life Saving Central Coast and Surf Life Saving NSW, SLSA and/or surf life saving; or
 - vi. Brought the Association, SLSA, Surf Life Saving Central Coast and Surf Life Saving NSW any other Affiliated Club or surf life saving into disrepute;
 - vii. The Board of Directors may commence or cause to be commenced, disciplinary proceedings against that Member, and that Member, will be subject to, and submits unreservedly to the jurisdiction, procedures, penalties and the appeal mechanisms of the Association, Surf Life Saving Central Coast and Surf Life Saving NSW and SLSA as set out in the Regulations.
- (b) The Board of Directors may appoint a Judiciary Committee to deal with any disciplinary matter referred to it. Such a Judiciary Committee shall operate under the principles and in accordance with the procedures expressed in the Regulations.

PART V - GENERAL MEETINGS

18. ANNUAL GENERAL MEETING

- (a) An Annual General Meeting of the Association shall be held in accordance with the provisions of the Act and on a date and at a venue to be determined by the Board of Directors. If no Annual General Meeting is prescribed by the Act, the Association shall hold an Annual General Meeting in accordance with this Constitution, and in order to comply with any requirements of Surf Life Saving Central Coast and Surf Life Saving NSW and the Act.
- (b) All General Meetings other than the Annual General Meeting shall be Special General Meetings and shall be held in accordance with this Constitution.
- (c) Nomination for office bearers must be received by the Director of Administration 7 days prior to the Annual General Meeting.
- (d) If no nominations is received 7 days prior the Chairperson may call for nominations from the floor.

18.1. Notice of Annual General Meetings

- (a) Notice of every Annual General Meeting shall be given to every Member entitled to receive notice, at the address appearing in the Register kept by the Association. The auditor (if any) and Board of Directors Members shall also be entitled to notice of every General Meeting, which shall be sent to their last notified address. No other person shall be entitled as of right to receive notices of General Meetings.
- (b) A notice of an Annual General Meeting shall specify the place and day and hour of meeting and shall state the business to be transacted at the meeting.
- (c) At least 21 days' notice of an Annual General Meeting shall be given to those Members entitled to receive notice, together with:
 - viii. The agenda for the meeting;
 - ix. Any notice of motion received from Members; and
 - x. Forms of authority in blank for proxy
 - xi. Nomination for office bearer forms

19. NOTICE OF GENERAL MEETING

19.1. Notice of General Meetings

- (a) Notice of every General Meeting shall be given to every Member entitled to receive notice, at the address appearing in the Register kept by the Association. The auditor (if any) and Board of Directors and Board of Directors Members shall also be entitled to notice of every General Meeting, which shall be sent to their last notified address. No other person shall be entitled as of right to receive notices of General Meetings.

- (b) A notice of a General Meeting shall specify the place and day and hour of meeting and shall state the business to be transacted at the meeting.
- (c) At least 21 days' notice of a General Meeting shall be given to those Members entitled to receive notice, together with:
 - xii. The agenda for the meeting;
 - xiii. Any notice of motion received from Members; and
 - xiv. Forms of authority in blank for proxy votes.

20. BUSINESS

20.1. Business of General Meetings

- (a) The business to be transacted at the Annual General Meeting includes the consideration of accounts and the reports of the Board of Directors and auditors, the election of Board of Directors Members under this Constitution and the appointment and fixing of the remuneration of the auditors.
- (b) All business that is transacted at a General Meeting, and also all that is transacted at an Annual General Meeting, with the exception of those matters set down in clause 20.1(a) shall be special business.

20.2. Business Transacted

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

21. NOTICES OF MOTION

21.1. Notices of Motion to be Submitted

Members shall be entitled to submit notices of motion for inclusion as special business at a General Meeting. All notices of motion must be submitted in writing to the Director of Administration not less than 42 days (excluding receiving date and meeting date) prior to the General Meeting.

21.2. Unsuccessful Notice of Motion

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

22. SPECIAL GENERAL MEETINGS

22.1. Special General Meetings May Be Held

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

22.2. Requisition of Special General Meetings

- (a) The Director of Administration shall on the requisition in writing of 20 (twenty) Members convene a Special General Meeting.
- (b) The requisition for a Special General Meeting shall state the object(s) of the meeting, shall be signed by the Members making the requisition and be sent to the Association and may consist of several documents in a like form, each signed by one or more of the Members making the requisitions.
- (c) If the Director of Administration does not cause a Special General Meeting to be held within one month after the date on which the requisition is sent to the Association, the Members making the requisition, or any of them, may convene a Special General Meeting to be held not later than three months after that date.
- (d) A Special General Meeting convened by Members under this Constitution shall be convened in the same manner, or as nearly as possible as that, in which meetings are convened by the Board of Directors.

23. PROCEEDINGS AT GENERAL MEETINGS

23.1. Quorum

No business shall be transacted at any General Meeting unless a quorum is present at the time when the meeting proceeds to business. A quorum for General Meetings of the Association shall be 20 (twenty) represented personally or by their proxies.

23.2. Chairperson to Preside

The Chairperson shall, subject to this Constitution, preside as Chairperson at every General Meeting of the Association except:

- (a) In relation to any election for which the Chairperson is a nominee; or
- (b) Where a conflict of interest exists.

If the Vice Chairperson is not present, or is unwilling or unable to preside the Members shall appoint one of their number to preside as Chairperson for that meeting only.

23.3. Adjournment of Meeting

- (a) If within half an hour from the time appointed for the meeting, a quorum is not present the meeting shall be adjourned until the same day in the next week at the same time and place or to such other day and at such other time and place as the Chairperson may determine and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting will lapse.
- (b) The Chairperson may, with the consent of any meeting at which a quorum is present, and shall, if so directed by the meeting, adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

- (c) When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.
- (d) Except as provided in clause 23.3(c) it shall not be necessary to give any notice of an adjournment or the business to be transacted at any adjourned meeting.

23.4. Voting Procedure

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

- (a) By the Chairperson; or
- (b) A simple majority of Members.

23.5. Recording of Determinations

Unless a poll is demanded under **clause 23.4**, a declaration by the Chairperson that a resolution has on a show of hands been carried or carried unanimously or by a particular majority or lost and an entry to that effect in the book containing the minutes of the proceedings of the Association shall be conclusive evidence of the fact without proof of the number of the votes recorded in favour of or against the resolution.

23.6. Where Poll Demanded

If a poll is duly demanded under **clause 23.4** it shall be taken in such manner and either at once or after an interval or adjournment or otherwise as the Chairperson directs and the result of the poll shall be the resolution of the meeting at which the poll was demanded.

24. VOTING AT GENERAL MEETINGS

24.1. Members entitled to Vote

Each Member entitled to vote as set out in **clause 11.1** shall have one vote at General Meetings which, subject to this Constitution, shall be exercised by him or his validly appointed proxy.

24.2. Chairperson May Exercise Casting Vote

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

25. PROXY VOTING

25.1. Proxy Voting Permitted

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

one time.

25.2. Proxy

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

PART VI - THE BOARD OF DIRECTORS

26. EXISTING BOARD OF DIRECTORS

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

27. POWERS OF THE BOARD OF DIRECTORS

Subject to the Act and this Constitution, the business of the Association shall be managed, and the powers of the Association shall be exercised, by the Board of Directors Members. In particular, the Board of Directors as the authority for surf life saving at Avoca Beach shall be responsible for acting on local issues in accordance with the objects and shall operate for the benefit of the Members and the community throughout Avoca Beach and shall govern surf life saving in Avoca Beach in accordance with the objects of the Association, subject always to compliance with the Surf Life Saving Central Coast Constitution and Surf Life Saving NSW Constitution, regulations, polices and directives.

28. COMPOSITION OF THE BOARD OF DIRECTORS

28.1. Composition of the Board of Directors and Club Office Bearers

The Board of Directors shall comprise of the following positions with the majority being holders of the Bronze Medallion whilst others being Award Members.

The Board of Directors shall comprise:

- (a) The Chairperson;
- (b) 2 x The Vice Chairperson
- (c) The Director of Administration (Secretary);
- (d) The Director of Finance (Treasurer);
- (e) The Director of Life Saving (Club Captain);
- (f) The Director of Competition
- (g) The Director of Youth Development

The Club Office Bearers shall comprise of, but not limited to:

- (a) 2 x Vice Director of Life Saving (Vice Club Captain)
- (b) Education Officer (Chief Instructor)
- (c) Registrar
- (d) Youth Training Captain
- (e) IRB Captain
- (f) Boat Captain

- (g) Board Captain
- (h) Ski Captain
- (i) Beach Captain
- (j) Water Captain
- (k) Carnival Entry Coordinator
- (l) Special Events Coordinator
- (m) First Aid Officer
- (n) Bar Manager
- (o) Radio Officer
- (p) Gym Coordinator
- (q) Competition Team Manager
- (r) Life Membership Committee (5 plus reserves)

who must all be Individual Members and who shall be elected under **clause 29.**

28.2. Portfolios

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

28.3. Right to Co-Opt

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

28.4. Appointment of Club Delegate

- (a) The Board of Directors shall, from amongst its Members or persons holding other Board of Directors or executive positions, appoint a Club Delegate to attend meetings of the Surf Life Saving Central Coast Branch and general meetings of Surf Life Saving Central Coast for a term of one year, in accordance with the Surf Life Saving Central Coast Constitution.
- (b) The Association must advise the Branch Director of details of its Club Delegate 28 days prior to each Surf Life Saving Central Coast and Surf Life Saving NSW Annual General meeting.

29. ELECTION OF BOARD OF DIRECTORS

29.1. Nominations for Board of Directors

- (a) Nominations shall be called for by the Director of Administration twenty-one days prior to the Annual General Meeting. When calling for nominations the Director of Administration shall also provide details of the necessary qualifications and job descriptions for the positions. Qualifications and job descriptions shall be as determined by the Board of Directors from time to time (see Appendix 1)
 - i. Nominations of candidates for election of Board of Directors (including the Chairperson) shall be:
 - ii. Made in writing, signed by two Members and accompanied by the written consent of the nominee (which may be endorsed on the form of nomination); and
 - iii. Delivered to the Director of Administration of the Association not less than 7 days before the date fixed for the holding of the Annual General Meeting, and the Association shall send the nominations to the Members entitled to receive notice under this Constitution together with the agenda for that General Meeting.
- (b) Nominations for Office Bearers will be made in writing, signed by two Financial Members and accompanied by the written consent of the nominee (which maybe endorsed on the back of the nomination form.
- (c) If insufficient nominations are received to fill all available vacancies in the Office Bearers positions:
 - i. The candidates nominated shall, subject to declaration by the Chairperson, be deemed elected; and
 - ii. Further nominations may in the Chairperson's discretion be received at the Annual General Meeting.
- (d) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (e) If the number of nominations exceeds the number of vacancies to be filled, voting papers shall be prepared containing the names of the candidates in alphabetical order, for each vacant Office Bearer position. member nominated for a Board of Directors or an Office Bearers position, if the written nomination is not in the hands of the Director of Administration, before the meeting, the nominated member must be present at the meeting to accept a verbal nomination.

29.2. Voting Procedures

The elections shall be by preferential ballot and shall be by secret ballot on papers prepared by the Director of Administration.

29.3. Term of Office for Office Bearers

The Office Bearers shall be elected in accordance with this Constitution annually, and subject to this Constitution, shall hold office from the conclusion of the Annual General Meeting at which they were elected until the conclusion of the

30. VACANCIES OF BOARD OF DIRECTORS MEMBERS

30.1. Grounds for Termination of Office of Board Member

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

- (a) Dies;
- (b) Becomes bankrupt or makes any arrangement or composition with his creditors generally;
- (c) Becomes of unsound mind or a person whose person or estate is liable to be dealt with in anyway under the law relating to mental health;
- (d) Resigns his office in writing to the Association;
- (e) Is absent without the consent of the Board of Directors from meetings of the Board held during a period of 6 months;
- (f) Without the prior consent or later ratification of the Members in General Meeting holds any office of profit under the Association;
- (g) Is directly or indirectly interested in any contract or proposed contract with the Association and fails to declare the nature of his interest;
- (h) Is removed by Special Resolution;
- (i) Has been expelled or suspended from membership (without further recourse under these Rules or the Surf Life Saving Central Coast and Surf Life Saving New South Wales Rules); or
- (j) Would otherwise be prohibited from being a director of a corporation under the Corporations Act.

30.2. Remaining Board of Directors Members May Act

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

30.3. Casual Vacancy

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

31. MEETINGS OF THE BOARD OF DIRECTORS

31.1. Board of Directors Meet

The Board of Directors shall meet as often as is deemed necessary in every calendar year for the dispatch of business (and shall be at least as often as is required under the Act) and subject to this Constitution may adjourn and otherwise regulate its meetings as it thinks fit. Five (5) Board of Directors may at any time, and Director of Administration shall on the requisition of five (5) Board of

Directors, convene a meeting of the Board of Directors within reasonable time.

31.2. Decisions of the Board of Directors

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

31.3. Resolution not in Meeting

- (a) A resolution in writing, signed or assented to by telegram, cablegram, radiogram, facsimile, telex or other form of visible or other electronic communication by all the Board of Directors for the time being present in Australia shall be as valid and effectual as if it had been passed at a meeting of Board of Directors Members duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more of the Board of Directors Members.
- (b) Without limiting the power of the Board of Directors to regulate their meetings as they think fit, a meeting of Board may be held where one or more of the Board of Directors Members is not physically present at the meeting, provided that:
 - i. All persons participating in the meeting are able to communicate with each other effectively simultaneously and instantaneously whether by means of telephone or other form of communication;
 - ii. Notice of the meeting is given to all the Board of Directors Members entitled to notice in accordance with the usual procedures agreed upon or laid down from time to time by the Board of Directors or these Rules and such notice specifies that Board of Directors Members are not required to be present in person;
 - iii. In the event that a failure in communications prevents clause 31.3(b)(i) from being satisfied by that number of Board of Directors Members which constitutes a quorum, and none of such Board of Directors Members are present at the place where the meeting is deemed by virtue of the further provisions of this Rule to be held then the meeting shall be suspended until Clause 31.3(b)(i) is satisfied again. If such condition is not satisfied within 15 minutes from the interruption the meeting shall be deemed to have terminated or adjourned; and
 - iv. Any meeting held where one or more of the Board of Directors Members is not physically present shall be deemed to be held at the place specified in the notice of meeting provided a Board of Directors Member is there present and if no Board of Directors Member is there present the meeting shall be deemed to be held at the place where the Chairperson of the meeting is located.

31.4. Quorum

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

31.5. Notice of Board of Director Meetings

Unless all Board of Directors agree to hold a meeting at shorter notice (which agreement shall be sufficiently evidenced by their apology or presence not less than 7 days written notice of the meeting of the Board of Directors shall be given to each Board Member. The agenda shall be forwarded to each Board Member not less than four days prior to such meeting.

31.6. Conflict of Interest

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

32. DIRECTOR OF ADMINISTRATION

32.1. Appointment of Director of Administration

The Director of Administration shall be appointed by the members at the AGM for such term and on such conditions as it thinks fit.

32.2. Director of Administration to Act as Public Officer

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

32.3. Specific Duties

The Director of Administration shall:

- (a) As far as practicable attend all Board of Director meetings and all General Meetings of the Association;
- (b) Prepare the agenda for all Board of Directors, Board of Directors and General Meetings of the Association;
- (c) Record and prepare minutes of the proceedings of all meetings of the Board of Directors and the Association, and shall use its best endeavours to distribute those minutes to Members promptly from the date of the meeting
- (d) Regularly report on the activities of, and issues relating to, the Association.

PART VII - MISCELLANEOUS

33.33. DELEGATIONS

33.1. Board of Directors may Delegate Functions

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

33.2. Delegation by Instrument

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

- (a) This power of delegation; and
- (b) A function imposed on the Board of Directors or the Director of Administration or Public Officer by the Act or any other law, or this Constitution or by resolution of the Association in General Meeting.

33.3. Delegated Function Exercised in Accordance with Terms

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

33.4. Procedure of Delegated Entity

The procedures for any entity exercising delegated power shall, subject to this Constitution and with any necessary or incidental amendment, be the same as that applicable to meetings of the Board of Directors under clause 31 above. The entity exercising delegated powers shall make decisions in accordance with the objects and objects of the Association, and shall promptly provide the Association with details of all material decisions and shall provide any other reports, minutes and information as the Association may require from time to time.

33.5. Delegation may be Conditional

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

33.6. Revocation of Delegation

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

34.34. REGULATIONS

34.1. Board of Directors to Formulate Regulations

The Board of Directors may formulate, issue, adopt, interpret and amend such Regulations for the property advancement, management and administration of the Association, the advancement of the objects of the Association and surf life saving in Avoca Beach as it thinks necessary or desirable. Such Regulations must be consistent with the Constitution of the Association, the Surf Life Saving Central Coast and Surf Life Saving NSW Constitution, SLSA Constitution any Regulations made by Surf Life Saving Central Coast, Surf Life Saving NSW, or SLSA and any policy directives of the Board of Directors.

34.2. Regulations Binding

All Regulations made under this clause shall be binding on the Association and Members of the Association.

34.3. Regulations Deemed Applicable

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

34.4. Bulletin Binding on Members

Amendments, alterations, interpretations or other changes to regulations shall be advised to Members of the Association by means of Bulletins approved by the Board of Directors and prepared and issued by the Director of Administration.

35. RECORDS AND ACCOUNTS

35.1. Director of Administration to Keep Records

The Director of Administration shall establish and maintain proper records and minutes concerning all transactions, business, meetings and dealings of the Association and the Board of Directors and shall produce these as appropriate at each Board of Directors or General Meeting.

35.2. Records Kept in Accordance with Act

Proper accounting and other records shall be kept in accordance with the Act. The books of account shall be kept in the care and control of the Director of Finance. Approved copies of accounts submitted to meeting of the Board of Directors will be kept in the care of the Director of Administration.

35.3. Association to Retain Records

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

35.4. The Board of Directors to Submit Accounts

The Board of Directors shall submit to the Members at the Annual General Meeting the Statements of Account of the Association in accordance with this

Constitution.

35.5. Accounts Conclusive

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

35.6. Accounts to be Sent to Members

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

35.7. Negotiable Instruments

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

36. AUDITOR

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

37. NOTICE

37.1. Manner of Notice

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

confirming the facsimile was sent to/or received at the facsimile number to which it was sent.

- (d) Where a notice is sent by electronic mail, service of the notice shall be deemed to be effected upon receipt of a confirmation report confirming the electronic mail message was received at the electronic mail address to which it was sent.

37.2. Notice of General Meeting

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

38. SEAL

38.1. Safe Custody of Seal

The Director of Administration shall provide for safe custody of the Seal.

38.2. Affixing Seal

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

39. ALTERATION OF CONSTITUTION

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

40. INDEMNITY

40.1. Board of Directors members to be Indemnified

Every Board of Directors Member, officer, auditor, manager, employee or agent of the Association shall be indemnified out of the property or assets of the Association against any liability incurred by him in his capacity as Board of Directors Member, officer, auditor or agent in defending any proceedings, whether civil or criminal, in which judgement is given in his favour or in which he is acquitted or in connection with any application in relation to any such proceedings

in which relief is, under the Act, granted to him by the Court.

40.2. Association to Indemnify Board of Directors Members

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

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

41. DISSOLUTION

Subject to **clauses 6 and 7**, the Association may be wound up in accordance with the provisions of the Act.

42. AUTHORITY TO TRADE

The Association is authorised to trade in accordance with the Act.

43. GRIEVANCE PROCEDURES

Where a Member of the Association has a grievance with another Member or with the Association (but not being any of the grounds set out in clause 17) and that Member considers the grievance warrants investigation and action by the Association that Member shall follow the following procedure.

43.1. Grievances Officer

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

43.2. Action by Grievances Officer

- (a) Where a grievance has been received by the Grievances Officer she or he shall, as soon as practicable, meet with, or discuss the grievance with the aggrieved Member. The Grievances Officer may take whatever steps and conduct whatever investigations necessary to determine whether the grievance is legitimate.

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

44. RULES AND REGULATIONS

- (a) An Annual General Meeting, Special General Meeting or Board of Directors Meeting may by resolution make Rules and Regulations, consistent with the Club and the Surf Life Saving Association rules, for and in respect to any matter that, by these rules are required or permitted to be prescribed by Rules and Regulations, or that is necessary or convenient to be prescribed for the just and efficient Administrator of the Club.
- (b) A Rule or Regulation shall, until repealed or amended and after any amendment, as amended be binding upon the Board of Directors and Members.
- (c) A Rule or Regulation that is made, repealed or amended, shall be posed on the Club's notice board within seven (7) days of such making, repealing or amending and remain so posed for one (1) month.
- (d) A new Rule or Regulation or amended Rule or Regulation shall be mandatory immediately upon its adoption.
- (e) The Director of Administration shall make available a current copy of the Constitution and Rules Regulations for inspection, when requested by a financial Member of the Association.

RULES AND REGULATIONS
Of
AVOCA BEACH SURF LIFE SAVING CLUB INC.

1. MEMBERSHIP CATEGORIES

1.1. Active Membership

- (a) Shall be a Member of the age qualification as defined in the Association manuals and who has obtained the Bronze Medallion;
- (b) Shall qualify in an annual proficiency test unless the member has obtained their Bronze Medallion in that season;
- (c) Active Members shall perform patrols and life saving duties in accordance with Association regulations;
- (d) Active Members shall be entitled to use the Association's premises and facilities as approved by the Board of Directors.;
- (e) Static patrol status may be granted by the Board of Directors if applied for in writing. Static Status to be granted to Members who for work, education purposes, or any other special reason as may seem fit by the Board of Directors prevents them from attending their normal patrol roster dated for the better part of the season. If so granted the Member will still be obligated to attend the same number of Club rostered patrol but may do so at their own convenience through the patrolling season, or under the direction of the Director of Life Saving;
- (f) Leave of Absence may be granted to Active Members on application in writing to the Board of Directors. Leave of Absence would be seen as an Active Member not being able to attend, or be involved in all Club activities for the duration of the current patrolling season or under the direction of the Director of Life Saving;

1.2. Reserve Active Membership

- (a) Reserve Active Membership may be granted to Active Members who have satisfactorily completed (from the gaining of the Bronze Medallion) at least ten (10) years of patrol and club obligations as provided by SLSA;
- (b) Reserve Active membership shall not be automatic, but must be applied for in writing and shall be granted by resolution of the Board of Directors and recorded in its Minutes;
- (c) Reserve Active members shall perform a minimum of patrols, as required by SLSA and under the direction of the Director of Life Saving and as required;
- (d) Reserve Active members shall complete the annual proficiency test.

1.3. Cadet Membership

- (a) A Cadet Member shall be a member of the age qualifications as defined by SLSA, and who has obtained their Surf Rescue Certificate, or has passed an annual proficiency test.
- (b) Cadet Member shall be entitled to use the Club premises and facilities, and shall be permitted to take part in the Club competitions.

- (c) Cadet members shall not be entitled to vote at any meeting.

1.4. Award Membership

- (a) Award Membership may be granted to persons who hold an SLSA award of one, or more of the following qualifications:- Surf Rescue Certificate; Radio award/s; Resuscitation Certificate; Advanced Resuscitation Certificate or First Aid Certificate (or equivalent).
- (b) Such members may be called upon to perform patrol and/or other club obligations within the ability of their qualifications.
- (c) Patrolling Award members shall have all the privileges of an Active Member.

1.5. Long Service Membership

- (a) Long Service Membership may be granted to Members who have completed twelve (12) years of active service, or to Members who have completed ten (10) years of active service plus an additional four (4) years reserve active service.
- (b) Granting of Long Service Membership shall be by the resolution of the Board of Directors and Members must apply in writing and shall be recorded in its Minutes.
- (c) Long Service Members may be exempted from all patrol obligations and they shall have all the privileges of an Active Member.

1.6. Dual Membership

In relation to dual or multi-club membership the following shall apply:-

- (a) Any member of a club may be admitted as a member of another club or clubs, providing such member has a "clearance" as provided for in Clearances (SLSA Regulation 7.9).
- (b) Any competing member shall not participate in any inter-club competition as a representative of more than one club during any one competition season unless and until their "competitive rights" have been transferred as provided for in "Competitive Rights Transfer" (SLSA Regulation 7.8).
- (c) Any competing member who is a member of more than one club shall be entitled to compete in club events of all such clubs.

1.7. Associate Membership

- (a) Associate Membership may be granted by the Board of Directors to persons who may, or may not, hold an SLSA award.
- (b) Applicants for admission as Associate Members must be thirty-five (35) years of age or over.
- (c) Associate Members shall have the privileges of using the Club house at all reasonable times, but shall not be entitled to vote at any General Meeting of Members unless they have prior completed at least seven (7) years of Active Membership.
- (d) Associate Members shall not be called on to perform Active Membership duties.
- (e) Associate Members shall have a joining and/or annual membership fees substantially greater than fees for other categories of membership.

1.8. Life Members

- (a) The Members may at any Annual General Meeting elect Life Members for special service rendered to the Club. Nominations must bear the endorsement of the Life Membership Committee and shall be signed by two Active, Reserve Active, Long Service, or Life Members. The nomination shall be lodged, on the prescribed form in a sealed envelope addressed to the Life Member Committee via the Director of Administration 90 days prior to the Annual General Meeting.
- (b) The Director of Administration will immediately assemble the Life Membership Committee to investigate and research the nomination.
- (c) The nominations must be approved by at least four-fifths of the Members voting by secret ballot at such Annual General Meeting.
- (d) Upon election, Life Members shall be presented with a Life Membership blazer.
- (e) Life Membership Committee:
 - i. A Life Membership Committee shall consist of 5 Members being 3 Life Members and 2 Members of the Board of Directors.
 - ii. The Life Members (3) to be elected at the Annual General Meeting.
 - iii. Two (2) reserve Life Members are to be elected at the Annual General Meeting to act as substitutes if one or two of the elected are unavailable.
 - iv. The Board of Directors Members (2) to be elected at the Annual General Meeting.
 - v. Two (2) reserve Board of Directors to be elected at the Annual General Meeting to act as substitute if one of the elected members are unavailable.
 - vi. Duties: To receive and endorse, or otherwise, nominations for Life Membership after thorough investigation and research.
 - vii. The endorsed nomination to be in the hands of the Director of Administration 30 days prior to the Annual General Meeting for publication in the Annual Report or to b.

1.9. Distinguished Members

- (a) The nominated members must have served 15 continuous years of services in an Active or Reserve Active capacity or have been an Office Bearer without any grievous misdemeanors in Avoca Beach SLSC. The nomination must bear the endorsement of the Board of Directors (at least two meetings before the Annual General Meeting) and the Life Member Committee. This member will have the same status as an Active Member and a Distinguished Member Certificate be presented at the annual presentation.

1.10. Eligible for the Board

- (a) Only Active, Active Reserve, Long Service Members, Life Members or Award Members (Patrolling) shall be eligible to be a member of the Board of Directors.

2. FINANCIAL MANAGEMENT

2.1. Insurance

- (a) The Association shall effect and maintain insurance pursuant to Section 44 of the Act.
- (b) In addition to the insurance required under clause (1), the Association may effect and maintain other insurance.

2.2. Funds - Source

- (a) The funds of the Association shall be derived from entrance fees and annual subscriptions of Members, donations, sponsorships and, subject to any resolution passed by the Association in General Meeting, such other sources as the Board of Directors determines.
- (b) All money received by the Association shall be deposited as soon as practicable (within seven days of receipt) and without deduction to the credit of the Association's bank account.
- (c) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

2.3. Funds - Management

- (a) Subject to any resolution passed by the Association in General Meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the Board of Directors determines.
- (b) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments including Interest Bearing Deposits and any other form of investment for the general account, social account, shall be signed by any 2 of the Chairperson, Director of Administration or Director of Finance.
- (c) The assets and income of the Association shall be applied solely in furtherance of its objectives and no portion shall be distributed directly or indirectly to the Members of the Association except as Bona Fide compensation for services rendered or expenses incurred on behalf of the Association.

3. PATROL OBLIGATIONS

- (a) Members of the Club shall patrol the beach during the season as determined by SLSA.
- (b) Patrols shall be appointed by the Director of Life Saving, and shall be under the direction of Patrol Captains who shall be responsible to the Director of Life Saving for the efficient conduct of their patrol teams.
- (c) Members shall patrol the beach in accordance with the roster approved by the Board of Directors prior to the commencement of the season. The Director of Life Saving shall display the roster on the Club Notice Board two weeks prior to the commencement of the season and it shall be incumbent on members to ascertain there from the duties allotted to them each season, and the plea of not having received written notice as to such duties will not be accepted as an excuse for failure to attend.
- (d) Any Member who is unable, through any cause, to attend to any of their Club duties, and more particularly to their beach duty, must notify the Director of Life Saving or the Director of Administration of their inability to

attend within reasonable time so as to arrange a replacement. In the event the Member has failed to provide the information, or arrange a substitute, the Board of Directors may instigate appropriate action.

- (e) No member of patrol shall leave patrol area during their period of duty without prior approval of the Patrol Captain.
- (f) Any member unable to attend their allotted patrol shall fill their place be arrangement with another member, and shall notify the Patrol Captain.
- (g) Patrol members are to wear the clothing provided to them by the Club that meets the SLSA guidelines and stipulations.
- (h) Exemption from patrols. The following officer bearers are exempted from patrol duties if they so wish: Chairperson, Director of Administration, Director of Finance, Director of Life Saving and Education Officer however this exemption must be applied for through Branch.
- (i) Any Member failing to carry out his patrol duties shall be reported by the Director of Life Saving to the Board of Directors, and suitably dealt with.
- (j) Patrol hours required for Competition will be in accordance with SLSA requirements.
- (k) Competitors failing to do rostered patrols without a substitution will be disciplined at the discretion of the Board.
- (l) Training on patrol will only be done with the approval of the Patrol Captain, and that their patrol caps be worn at all times and they remain in sight of the patrol at all times, and for boat crews, the sweep is to carry a radio at all times

4. JUNIOR MOVEMENT

A Junior Activity member shall be a person who shall be a minimum age of seven (7) years up to a maximum age of thirteen (13) years and such person shall be required to gain the relevant Surf Education Certificate for that person's age group.

- (a) Generally the Junior Movement is bound by the Association's Constitution and associated Regulations;
- (b) The Annual General Meeting of the Junior Movement is to be held prior to the Annual General Meeting of the Senior Club each year to elect officers for the ensuing year and to transact such other business as may be brought forward;
- (c) The Officers to be elected are: Chairperson, Vice Chairperson, Secretary, Treasurer, Competition Secretary, Gear Steward and Registrar;
- (d) The Executive of the Junior Movement shall consist of the Chairperson, Vice Chairperson, Secretary, Treasurer and Competition Secretary;
- (e) The successful nomination of the Junior Chairperson shall be submitted to the AGM as their nomination for the Director of Youth Development;
- (f) The elected Junior Committee shall consist of the officers elected and shall meet at least once per month and shall be responsible for the organization and control of the Junior Club Members;
- (g) Any set rules governing the welfare of the Junior Club or Members as laid down at any Executive meeting shall be recorded and submitted to the Director of Administration for inclusion in the Senior Club variable By-Laws.

5. CLUB COLOURS

The Club colours are blue, green and gold.

6. BLAZERS

6.1. Club Blazer

- (a) The Club Blazer shall be of material in a Club colour with the official club badge embroidered on the left breast pocket.
- (b) Members entitled to wear the Club Blazer will be: Active, Reserve Active, Long Services, Association and Life Members.
- (c) Any Member winning or being a Member of a team winning or gaining a place in a SLSA Championship event shall be entitled to wear a Club Blazer with block lettering beneath a badge enumerating the event or events won.
- (d) No Member shall purchase a Club Blazer except on the written order of the Director of Administration.

6.2. Honour Blazer

- (a) The Club Honour Blazer will be awarded at the discretion of the Board of Directors;
- (b) The Club Honour Blazer shall be of material in a Club colour with the official club badge embroidered on the left breast pocket encircled by a laurel wreath with the honours enumerated in block letters beneath the badge;
- (c) The Club Honour Blazer will only be awarded to holders of Australian Surf Title, or in exceptional circumstances the Club may award an Honour Blazer.

7. STANDARD AGENDA FOR GENERAL MEETINGS

- (a) Reading and confirmation of Minutes
- (b) Business Arising from Minutes
- (c) Correspondence
- (d) Finance
- (e) Accounts for Payment
- (f) Reports from Committees, sub-Committees and delegates
- (g) Questions relating to current business
- (h) Adjourned motions
- (i) Motion of which due notice has been given
- (j) Notice of Motion
- (k) General Business

8. RULES OF DEBATE

Avoca Beach SLSC Rules & Regulations

- (a) Any Member desiring to speak shall stand up and address the Chairperson respectfully.
- (b) No Member may speak more than once to a question, except in explanation or reply.
- (c) A Member who formally seconds a motion of amendment may address the meeting in support at a subsequent stage of the debate.
- (d) A reply shall be allowed only to a Member who has moved a substantive motion.
- (e) No Member shall use unbecoming or offensive words.
- (f) The mover of a motion shall not occupy more than five, nor any speaker more than three minutes. The meeting may, by resolution without debate, grant extension to time to any speaker.
- (g) No speaker shall digress from the subject under discussion, and impute improper motives, and all personal reflections shall be seemed disorderly.
- (h) When the Chairperson rises during the debate, the Member then speaking shall sit down.
- (i) No Member shall interrupt another while speaking except on a point of order.
- (j) Any Member, during the debate may raise the point of order, when the speaker then speaking shall sit down until the point of order has been decided. The Member rising to the point of order shall state concisely the point, and the Chairperson, without further discussion, shall give his ruling.
- (k) It shall be competent for any Member to move a motion of dissent from the chairperson's ruling. The mover of the dissent shall concisely state his point. The seconder and the Chairperson only may speak to the motion.
- (l) A Member may move the adjournment of the debate. If the motion be resolved in the negative, the mover shall not be allowed to speak again on the question under debate. If the motion be resolved in the affirmative the mover shall have the right of resuming the debate at the ensuing meeting. No Member shall move the adjournment at the end of his speech.
- (m) At any time during the debate any Member may, without notice, move: "That the question be put" and such motion, being duly seconded, shall then be put to debate. If carried, the question shall be put to the vote; if lost, the debate shall proceed.
- (n) An amendment may be moved on any original motion. The Chairperson shall first put the amendment to the meeting, and if carried, it shall be declared the motion. When the amendment has been decided, a further amendment, which if carried, shall in turn supersede the motion. If there be no amendment, the original motion shall be put after them over has replied.
- (o) The Chairperson shall refuse to receive an amendment which is a direct negative.
- (p) The Chairperson shall have only a casting vote at any meeting.
- (q) In the event of any matter being brought before any general or Board of Directors meeting, which affects the Chairperson of the meeting, or in which he may be interest, he shall vacate the chair, and the meeting shall elect a Chairperson pro tem until such matter is dealt with.

- (r) Voting shall be by voices, or show of hand, at the request of any Member. 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. If a secret ballot is demanded at any meeting by two Members, it shall be taken upon such condition as the Chairperson of such meeting directs.
- (s) The Chairperson may appoint a teller to assist him in counting a vote by show of hands or division, or at a secret ballot.
- (t) The mover of an original motion must obtain consent of his seconder before making any alteration to the wording of his motion.
- (u) Any amendment having been moved, it shall not be competent to move any further amendment, but notice may be given of intention to move such further amendment when the previous amendment has been disposed of.
- (v) In the absence of the Chairperson or Vice Chairperson, the Chairperson of all meetings shall be elected by vote of the Members in attendance thereat.
- (w) At any meeting unless a vote is demanded a declaration by the Chairperson that a resolution has been carried or lost shall be conclusive.

9. STANDARD RULES AND REGULATIONS

- (a) Any Member failing to observe any of these Rules and Regulations shall be dealt with by the Board of Directors, who shall, if deemed necessary, suspend such Member from privileges of the Association.
- (b) Any Member whose Membership is terminated by resignation, expulsion or otherwise, or any suspended Member, during the period of their suspension, shall forfeit all claims upon the property of the Association and shall lose all privileges of Membership.
- (c) All Members shall be deemed to have notice of the rules and regulations of the Association and to have agreed to abide hereby,
- (d) Expectorating and use of bad language are strictly prohibited.
- (e) No smoking is permitted in the Clubhouse.
- (f) Any member coming on the Association's premises under the influence of intoxicating liquor will be liable to immediate expulsion.
- (g) No information shall be supplied to the press by a Member or Members, without the authority of the Board of Directors.
- (h) No Member shall use Association's First Aid supplies, unless for first aid requirements.
- (i) Active Members shall have preference in the use of Association's Amenities.
- (j) The Clubhouse shall be available to bona fide members of the Association for their sole use, or as otherwise directed by the Board of Directors.
- (k) Member shall use their individual efforts in preserving the cleanliness of the Clubhouse.
- (l) No dogs shall be permitted in the Clubhouse.

Avoca Beach SLSC Rules & Regulations

- (m) The Clubhouse shall be available for training or other purposes connected with the work of the Club at all times as may be required by the Director of Life Saving or Director of Life Saving Education or their deputies.
- (n) No unseemly conduct likely to interfere with the comfort of other Members of the Association will be permitted, and members are requested to assist in preventing such conduct.

APPENDIX 1

Job Descriptions may be reviewed from time to time by the Board of Directors as and when required:

1. CHAIRPERSON

- (1) As per his/her legal Constitutional role as defined by the Constitution.

2. VICE CHAIRPERSON (2)

- (1) Will assist the Chairperson as per his/her legal Constitutional role as defined in the Constitution as well as assisting with compilation of the Annual Report.
- (2) There are two vice chairperson roles. Both have board positions, their particular responsibilities are:
 - a. Special events
 - b. Club house operations

3. DIRECTOR OF ADMINISTRATION

In the absence of a paid Administrative Assistant, the Director of Administration duties shall be as follows. However if a paid Administrative Assistant is employed the Director of Administration shall oversee and ensure all duties are met.

- (1) Collect mail for PO box, log in Correspondence Book and then distribute accordingly as soon as possible on receipt, prioritising as required;
- (2) Read, log, distribute and respond to emails as required;
- (3) Ensure all reporting deadlines as required by Branch and SLS NSW and SLSA are kept;
- (4) Maintain all correspondence and present at Directors Meeting;
- (5) Pass on to Board of Directors members any information as it becomes available;
- (6) Ensure that all Branch correspondence is seen to as soon as possible;
- (7) Ensure members are made aware of all forthcoming competitions & events;
- (8) Coordinate meetings, liaising with various Board of Directors;
- (9) Take Minutes of meetings;
- (10) Ensure that the mailing and email list is kept up-to-date;
- (11) Ensure web site is current and maintained;
- (12) Distribute and coordinate newsletters;
- (13) Assist Chairperson where possible;
- (14) Attend all Board of Directors Meetings;
- (15) Ensure that all OH&S requirements are met and that the annual audits are completed and that adequate advice is communicated to members;
- (16) Assist in preparation of Annual Report;
- (17) Arrange the Annual General Meeting and send out nomination forms, proxies etc;
- (18) Arrange for all forms to be available for registration days, including Member Renewal Forms, Membership Forms, Child Protection Forms etc
- (19) Organise for the delivery manuals and log books as required, but particularly prior to the commencement of the season

4. DIRECTOR OF FINANCE

In the absence of a paid Administrative Assistant, the Director of Finance duties shall be as follows. However if a paid Administrative Assistant is employed the Director of Finance shall oversee and ensure all duties are met.

- (1) Maintain up-to-date and accurate financial records;
- (2) Ensure banking is done promptly and in accordance with timeframes in the Regulations;
- (3) Ensure invoices/accounts are paid promptly;
- (4) Ensure receipts are issued for all revenue received;
- (5) Provide sectional income & expenditures records to the Board of Directors and club members as required;
- (6) Attend Board of Director Meetings;
- (7) Provide reports for each Board of Directors meeting reflecting financial status of the Senior Club, Ladies Auxiliary and Nippers;
- (8) Provide cash floats as required;
- (9) Ensure all insurance issues are dealt with and that the Club is adequately covered in all areas;
- (10) Assist the Club Chairperson in preparing applications for grant funding;
- (11) Effectively communicate with the Board of Directors and club members concerning the club's financial records and activities;
- (12) Promptly collect bar takings and monitor bar operations to ensure profitability;
- (13) Assist with the Annual Door Knock fund raising;
- (14) Ensure that the Club is GST compliant in all issues and that BAS reports are submitted as required by the ATO;
- (15) Compile end of year financial statements for Nippers, Ladies Auxiliary and Senior Club ready for inclusion in the Annual Report within a month of the close of financial year.

5. DIRECTOR OF LIFE SAVING

Patrols:

- (1) Ensure that there are adequate patrols to patrol the beach;
- (2) Compile Patrol Rosters adhering to the SLSA guidelines and that patrols patrol provide adequate cover throughout the season
- (3) Ensure that a current beach management plan is provided to Surf Life Saving Central Coast.
- (4) Ensure Surfguard Coordinator has copy of all patrols and is kept informed of any patrol changes;
- (5) Promote that all patrol members are requalified in their various awards in line with SLSA requirements;
- (6) Ensure all Patrol Captains, are provided a copy of the current beach management plan, informed of correct procedures, SLSA recommended incident procedures and given a full list of members on their patrol including phone numbers and are made aware of OH&S issues;
- (7) Ensure all patrolling members receive copies of the patrol roster and any other relevant information regarding patrol requirements and OH&S issues.

- (8) Rookies – ensure that eligible Junior Activity Members, as advised by the Director of Youth Development they are placed on patrols, are aware of their obligations and are instructed in how to sign on in the correct method in the Patrol Log Book, ensuring that Rookies sign on as a Rookie.
- (9) Liaise with Education Officer to promote new awards.

Life Saving

- (1) Coordinate the various life saving arms that come under the Director of Life Saving: Vice Director of Life Saving, Education Officer, IRB Captain, First Aid Officer & Radio Officer;
- (2) Prior to the start of each season complete the Gear Inspection Report thereby ensuring that all equipment has been serviced and tested and is in the optimum working condition for the start of the season;
- (3) That all equipment is maintained in an operational and safe manner at all times for the remainder of the season;
- (4) Liase with the various life saving arms, bringing any problems or issues to the attention of the Board of Directors;
- (5) Coordinate meetings between various sections of lifesaving;
- (6) Attend all Board of Directors meetings;
- (7) Attend Branch meetings as required (approx 3 per year);
- (8) Complete end of season Branch reports as required;
- (9) Complete end of year report within one month of end of season for inclusion in Annual Report and ensure all the various arms of life saving have compiled same.

6. DIRECTOR OF COMPETITION

- (1) Ensure adequate notice is given of forthcoming competitions;
- (2) Ensure competitors have contact point to relay interest in attending carnivals;
- (3) Liase with Carnival Entry Coordinator to ensure that all entries have been received and entered on SLS Carnival Entry Forms or other forms as required by SLSA;
- (4) Work with Coaches to establish Club Championship format and implementation;
- (5) Attend all Board of Directors Meetings;
- (6) Coordinate the various competition arms that come under the Director of Competition: Youth Training Captain, IRB Captain (Competition), Boat Captain, Board and Ski Captain, Beach Captain, Water Captain, Carnival Entry Coordinator.
- (7) Prior to the start of each season, complete an inspection and inventory of competition equipment, ensuring all equipment is in optimum condition for the start of the season.
- (8) Ensure that all competition equipment is maintained in an operational and safe manner at all times for the remainder of the season.
- (9) Liaise with the various competition arms, bring any problems or issues to the attention of the Board of Directors.
- (10) Coordinate meetings between various sections of competition.
- (11) Have end of year report ready within one month of end of season for inclusion in the Annual Report.

7. OFFICE BEARERS:

Vice Director Of Life Saving (2)

- (1) Will assist with the duties of the Director of Life Saving.
- (2) There are two 'vice director of life saving' both reporting to the Director of Life Saving

Education Officer (Chief Instructor)

- (1) Advertise forthcoming courses so that all members are aware of what is available to them and when, particularly any forthcoming Bronze courses and the calendar of education for the season;
- (2) Ensure Instructors are available for each course;
- (3) Ensure that sufficient Manuals are available prior to any course and that up-to-date information is available to all participants;
- (4) Arrange for an Examiner prior to the end of the course;
- (5) Notify the Director of Life Saving the names and contact details of all course participants at the commencement of courses;
- (6) Provide the Director of Life Saving adequate notice of all Bronze examinations to allow them to attend the examinations.

In the absence of a paid Administrative Assistant, the Education Officer shall also:

- (7) Forward to the Surfguard Coordinator all details of any forthcoming exam so that Form 14 is available for examiner;
- (8) Provide Surfguard Coordinator as soon as possible after each exam all written paperwork so that data can be entered into database for Branch and State verification;
- (9) Assist with Director of Life Saving, as required, in the requalifications of member awards;
- (10) Upon request of the Director of Life Saving attend lifesaving meetings;
- (11) Attend Branch meetings as required (approx 3-4 per year);
- (12) Prepare report on activities throughout year (including list of all members obtaining Awards) ready shortly after end of season for inclusion in Annual Report.

Registrar / Surfguard Coordinator

The Registrar shall ensure the following is maintained:

- (1) If the Association is planning to use the Renewal Membership forms, ensure that these are available at the AGM;
- (2) Enter all new registrations onto database and update all renewing registrations, changing season dates, ensuring all personal information data is correct;
- (3) Maintain the database, ensuring that the system is kept up-to-date at all times;
- (4) Respond to Branch/State requests as soon as possible.
- (5) Keep all Registration Forms in an orderly manner which is to be kept on premises as the Law requires;
- (6) Maintain register of Child Protection Forms and keep on premises as the law requires;
- (7) Maintain Incident Reporting database.

Patrols

- (1) Enter all patrols, patrol dates in the system prior to season commencement;
- (2) Enter patrol hours, surf conditions, beach population and rescues on a weekly basis;
- (3) Provide a list of patrol hours at the start of the season and at regular intervals so competitors can keep track of their hours;

Awards

- (1) Following advice from the Education Officer, enter all examinees and exam details into database and ensure that the Proficiency Sheets and Form 14 are ready for the Examiner to fill in at the end of each exam;
- (2) On receipt of completed Proficiency Test Records and Form 14, enter results and award numbers into database and forward to Branch copies of completed Proficiency Test Records;
- (3) Maintain list of all Awards and ensure Certificates and Medallions are received.

Inflatable Rescue Boat (IRB) Captain (Life Saving)

- (1) Shall be qualified and currently proficient as an IRB Driver in accordance with the manuals of SLSA;
- (2) Shall be responsible for the supervision of all IRB drivers and crew in consultation with the Director of Life Saving;
- (3) Shall bring any problems or issues to the attention of the Director of Life Saving;
- (4) Shall be responsible for the care and upkeep of the club's IRBs, motors and tools required for maintenance;
- (5) Shall maintain a sufficient quantity of fuel and spare parts at the Clubhouse to enable all patrols and any reasonable emergency to be satisfactorily be completed;
- (6) Shall be responsible for the arrangement and coordination of training for all IRB related awards;
- (7) Upon request of the Director of Life Saving attend lifesaving meetings.
- (8) Have end of year report ready one month after completion of season for inclusion in Annual Report.

Boat, Ski, Board, IRB (Competition), Masters, Beach & Water Captains

- (1) Shall be responsible for the care, housing, maintenance of all craft and equipment and tools;
- (2) Ensure members are aware of training structure;
- (3) Ensure that there are adequate craft maintenance sessions;
- (4) Ensure all members have obtained their necessary awards and requalifications;
- (5) Ensure all members are kept up to date of forthcoming competitions and entry form cut-off dates;
- (6) Help ensure entries are available for the Carnival Entry Coordinator;
- (7) Shall bring any problems or issues to the attention of the Director of Competition;

- (8) Ensure members of each section assist in the various fundraising events (bearing in mind each section retains a portion of that what is raised);
- (9) Ensuring that their respective sectional sponsors are promoted and sponsorship agreements are fulfilled.
- (10) Be aware of their sections financial position;
- (11) Have end of year report ready one month after completion of season for inclusion in Annual Report.

First Aid Officer

- (1) Shall be responsible for equipment in the First Aid Room, keep all first aid material replenished and in good order.
- (2) Shall keep a correct record of cases treated and material used.
- (3) Shall submit an annual report at the termination of each season and hand to the Director of Administration a summary of the condition and quality of all first aid equipment.
- (4) Prior to the start of each season complete an inspection and inventory of First Aid equipment, ensuring all equipment in optimum condition for the start of the season and meets the requirements of SLSA and Surf Life Saving NSW.
- (5) Ensure all First Aid equipment is maintained in an optimum and safe manner all time for the remainder of the season.
- (6) Bring any problems or issues to the attention of the Director of Lifesaving.
- (7) Upon required of the Director for Lifesaving attend lifesaving meetings.

Radio Officer

- (1) Prior to the start of each season complete an inspection and inventory of radio equipment ensuring all equipment is in optimum condition for the start of the season.
- (2) Ensure that all radio equipment is maintained in an operational and safe manner at all times for the remainder of the season.
- (3) Bring any problems or issues to the attention of the Director of Lifesaving;
- (4) Upon request of the Director of Lifesaving attend lifesaving meetings.
- (5) Shall submit an annual report at the termination of each season and hand to the Director of Administration a summary of the condition and quality of the radio equipment.

Gym Coordinator

- (1) Shall be responsible for the purchase care, housing and maintenance of all health equipment and the management of the facility;
- (2) Endeavour to make members aware of Government regulations in regards to OH&S issues and provide signage as to the proper use of gym equipment
- (3) Ensure members are aware of facility availability;
- (4) Ensure respective sponsors are promoted and sponsorship agreements are fulfilled;
- (5) Beware of the financial situation of the gym;
- (6) Shall be responsible to the Director of Administration.

Carnival Entry Coordinator

The Carnival Entry Coordinator shall:

Work with Director of Competition, coaches and sectional heads to ensure that all competitors wishing to compete are correctly entered in forthcoming competitions.

Youth Training Captain (Head Coach, Nippers)

- (1) Prior to the start of each season, complete an inspection and inventory of competition equipment, ensuring all equipment is in optimum condition for the start of the season.
- (2) Ensure that all competition equipment is maintained in an operational and safe manner at all times for the remainder of the season.
- (3) Liase with the Director of Youth Development and the Nipper Executive regarding training schedules and requirements;
- (4) Ensure that all SLSA requirements are met with regards to training requirements.

Bar Manager

- (1) The Bar Manager shall be legally responsible for the responsible serving of alcoholic beverages conducted at all Club Social functions;
- (2) Shall act under the direction of the Board of Directors;
- (3) The Bar Manager shall prepare and present to the Director of Finance a monthly stocktake and statement of receipts of payments of all beverage transactions;
- (4) Bar Manger must have current knowledge of all Gaming, Liquor and Licensing Acts for the administration of beverage treading within the Club.

Avoca Beach SLSC Member Safety and Wellbeing

8. CODE OF CONDUCT

A Member of Avoca Beach SLSC will:-

1. Agree to abide by the Code of Conduct
2. Be Responsible for the Use of Club Facilities in such a manner as:-
 - a. All financial members of the Club will have access to the shower and toilets via the Footwash Access Point. Members from the various sections of the Club will have access made available to them for their sectional requirements;
 - b. All requests for increase in access areas are to be submitted in writing to the Board of Directors for approval;
 - c. Non Members are not permitted access to the Club facilities;
 - d. Non Members are not permitted access to any Club equipment unless as part of a Club event or authorised by the Board of ABSLC;
 - e. Members who engage in anti-social behaviour, wilful damage to Club property or bring the Club into disrepute, or assists a non-member to breach the Code of Conduct or Access policy may, at the discretion of the Club Board, have their access to the Club denied, either temporarily or permanently;
 - f. Access to the Training Room, will be at the discretion of the Director of Lifesaving and/or Patrol Captains for Members to carry out lifesaving patrol duties or training sessions in such a way so as not to cause disruption or interference with the activities in the Function Centre.
 - g. Minors are not permitted in the Function Centre unless under the direct supervision of a responsible adult.
3. Abide by the Dress Code for Function Centre areas consisting of:
 - a. Footwear is to be worn at all times;
 - b. Clothing to include top and bottom for both sexes (note beach towel does not constitute clothing)
 - c. No wet clothing is allowed at any time.
4. Abide by the SLSA Code of Conduct & Member Protection Policy:
 - a. To respect the rights, dignity and worth of others;
 - b. To be fair, considerate and honest in all dealing with others;
 - c. To assist in providing a safe and supporting environment for all our members and guests.
5. Behaviour in Function Area:
 - a. No vigorous games are permitted in the Function Centre, including all ball games;
 - b. Hirers of Function Centre are responsible for their guests;
6. All areas of the Club are Smoke Free, including balconies, stairwells, or entrance areas.

9. ORGANISATIONAL STRUCTURE

