



## **BY-LAWS**

### **MARCOOLA SURF LIFE SAVING CLUB**

**August 2023**



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## BY-LAWS

Of

### MARCOOLA SURF LIFE SAVING CLUB INCORPORATED

#### NAME OF ASSOCIATION

The name of the association is **Marcoola Surf Life Saving Club Incorporated (Association)**.

#### DEFINITIONS AND INTERPRETATION

##### Definitions

The definitions and interpretations prescribed in **Clauses 2.1 and 2.2** of the Constitution are adopted for use throughout these By-Laws.

Additional definitions:

- (a) **Board** means Board of Directors: as prescribed in **Clause 29** of the Constitution. The management of the Club is vested in the Board of Directors.
- (b) **Conflict of Interest** means a member who has a material personal interest in a matter being considered by the Board or Committee.
- (c) **Club** means the Marcoola Surf Life Saving Club Incorporated ("Association").
- (d) **Club Council** means all the financial surf lifesaving club members over the age of 18 years who are proficient Bronze Medallion holders, Life Members, Reserve Active, Long Service, Award and Associate members who have been granted voting rights as documented in the Club's Constitution and By-Laws.
- (e) **Family** is defined as a group of people who share common ancestors: partners, children, parents, aunts, uncles, cousins and grandparents.
- (f) **Office Bearer** means a member holding a position of authority and responsibility in the Club.
- (g) **Proficiency Test** means an annual skills maintenance test as set by SLSQ or SLSA.



- (h) **Regulated Employment** means any agreement to work, either in a paid or voluntary capacity in a child-related work that falls or is likely to fall within the scope of churches, clubs and associations involving children.
- (i) Minor Matter means when considered in law to be a simple offence, that is, a matter having no adverse effect on club or community members.

### **Interpretations**

- (a) These By-Laws are to be interpreted in accordance with and are subject to the Constitution of the Club and matters that are subject of the Club, Branch, SLSQ or SLSA policies determined from time to time and are compiled in the Club Policies and Procedures Manual.
- (b) In the event of any conflict between the Constitution, By-Laws and Policies and Procedures, the Constitution overrides to the extent of any inconsistency.

### **BY-LAW 1. MEMBERSHIP**

#### **1.1 Members**

As prescribed in **Clause 12** of the Constitution.

#### **1.2 Probationary Members**

Probationary Membership shall be the designation of any person for the time period between applying for membership and the gaining of an award and/or the granting of a formal category membership by the Board. Probationary members shall not have voting rights.

- (a) Probationary Members shall train and be assessed for appropriate SLSA Awards as determined by the Chief Training Officer. Failing an assessment within the required time may cause automatic disqualification of membership. An extension of 30 days shall be determined by the Club Captain and any further extension by the Life Saving Committee.
- (b) Probationary Members who are assessed as non-competent for an award can be trained and assessed in a lower award category.
- (c) Any member joining or re-joining, whose prior conduct or commitment to the Club has been improper, may have their membership classified as Probationary Membership by the Life Saving Committee. After a period of three months, a decision by the Life Saving Committee and ratification by the Board shall determine either reinstatement of the member's former membership category or membership refusal.

#### **1.3 Cadet Member (Including U14 Nippers)**

An Active Cadet Member shall:

- (a) Be a current Surf Rescue Certificate holder;



- (b) Fulfil patrol and club obligations, as provided by SLSA and club constitution; and
- (c) Qualify in an annual proficiency test unless the member has obtained their Surf Rescue Certificate in that season; and
- (d) Have the right to attend General Meetings but not have voting rights.

All Surf Rescue Certificate or Bronze Medallion qualified Cadet Members and U/14 Nippers shall carry out patrols in accordance with the Club patrol rules.

#### **1.4 Active Member**

An Active Members shall:

- (a) Be a current Bronze Medallion holder;
- (b) Fulfil patrol and club obligations, as provided by SLSA and Club Constitution;
- (c) Qualify in an annual proficiency test unless the member has obtained their Bronze Medallion in that season;
- (d) Have the right to attend and vote at General Meetings once 18 years of age;
- (e) The President; Club Captain; Chief Training Officer; Club Secretary; Treasurer; and Junior Activities Chairperson may be exempted from patrol duties on the written application to and on the recommendation of the Life Saving Committee to the Board for final determination; and
- (f) The Club Captain may grant patrol duty exemption for a period of not more than one calendar month to any Active Member making written application through the Club Secretary.

#### **1.5 Reserve Active Members**

Reserve Active Membership may be granted to Active Members who have satisfactorily completed (from the gaining of the Bronze Medallion) at least eight years of patrol and club obligations as provided by SLSA and the Association's constitution. Reserve Active Membership shall not be automatic, but shall be granted by resolution of the Board upon a recommendation from the Life Saving Committee.

Reserve Active Members shall:

- (a) Perform a minimum of 20 patrol hours and further patrol duties at the discretion of the Life Saving Operations Committee;
- (b) Complete the annual proficiency test; and
- (c) Have the right to attend and vote at General Meetings.





## **1.6 Long Service Members**

Long Service Membership is a recognition of the years of service and may be granted to members who have completed ten (10) years active service or to members who have completed eight (8) years active service plus four (4) years reserve active service.

- (a) Should a member join from another Surf Life Saving Club where they are a Long Service Member then such a member's Long Service may be recognised by the Club after performing a minimum of 45 hours of Club patrols (excludes water safety and Operations Support hours);
- (b) A Long Service Member transferring to the Marcoola Surf Life Saving Club from another club, and who was not a financial and an Active Member for three years or more, shall be required to update their award/s and may be required to serve a waiting period of 12 months for Long Service Membership;
- (c) The Member may be requested to carry out patrol duties as determined by the Life Saving Committee;
- (d) Long Service Members who compete on behalf of the club shall carry out patrols in accordance with the patrol rules and shall complete the annual proficiency test;
- (e) Such members may be exempted from all patrol obligations and may be granted other special privileges of membership as provided in the constitution; and
- (f) Have the right to attend and vote at General Meetings.

## **1.7 Award Member**

Award Membership may be granted to persons who hold an SLSA award of one, or more, of the following qualifications:

- (i) Surf Rescue Certificate;
- (ii) Observers Certificate
- (iii) Radio award/s;
- (iv) Resuscitation Certificate;
- (v) Advanced Resuscitation Techniques Certificate; and/or
- (vi) First Aid Certificate (or equivalent).

Award members in the categories (ii) to (vi) above are required to hold an Observers Certificate plus one other award to patrol.

Such members may be called upon:

- (a) to perform patrol and/or other club obligations within the ability of their qualifications
- (b) Have the right to attend General Meetings;



- (c) Any Award member elected to a committee or office has voting rights provided for that position.

### **1.8 Past Active Member**

Past Active Membership may be granted to persons who have held an SLSA Bronze Medallion and been an active patrol member for a minimum of three year at Marcoola. Proof of activity may be required where records are not available within SLSA database.

Past Active Members shall not have voting rights.

Members requesting this membership classification may make written application through the Club Secretary to be considered by the Life Saving Committee for recommendation to the Board for final determination.

### **1.9 Associate Member**

Associate Membership may be granted to persons who may or may not hold an SLSA award.

- (a) Associate Members shall not have voting rights unless elected to office or position, which is prescribed in **Clause 29** of the constitution;
- (b) Associate Members shall have a joining and/or annual membership fee substantially greater than fees for other categories of membership.
- (c) Associate Members may be elected to a position on a committee and have voting rights for that committee or sub-committee only.

### **1.10 Honorary Member**

- (a) Honorary Membership may be granted to persons who may or may not hold an SLSA award.
- (b) Honorary Members shall not have voting rights.
- (c) An Honorary Member may be elected for a period of not greater than 12 months, subject to being nominated and seconded at an Annual General Meeting. The nomination must be endorsed by three-quarters of the Club's membership who are present and entitled to vote.
- (d) In extraordinary circumstances, a visiting dignitary maybe granted honorary membership by the Board.

### **1.11 Life Members**

- (a) Life Membership of this Association may be granted to members who have rendered distinguished or special service as provided for in the constitution and is relevant to this Association only; and
- (b) Life Members shall have the right to attend and vote at general meetings;



- (c) Life Members shall be entitled to all rights and privileges of the Association for life without payment of annual membership fees or any other obligation;
- (d) Such members may be exempted from all patrol obligations and may be granted other special privileges of membership as provided in the constitution; and
- (e) Life Members shall be exempt from any other club fees approved by the Board.

The Life Member Committee may recommend to the Annual General Meeting that any natural person shall be elected from members who have rendered fifteen years special (distinguished, extraordinary, outstanding and conspicuous) service to the Marcoola Surf Life Saving Club and surf lifesaving, where such service is deemed to have assisted the advancement of the Marcoola Surf Life Saving Club and surf lifesaving.

- (a) This member shall be appointed as a Life Member;
- (b) A maximum of two such nominations for Life Membership can be recommended in any calendar year;
- (c) A resolution of the Annual General Meeting to confer Life Membership on the recommendation of the Life Member Committee must be by a special resolution passed by the votes of a two thirds majority of the Association's members who are present and entitled to vote on the resolution; and
- (d) Upon Life Membership being conferred, the person's details shall be entered in the register and from the time of entry on the register the person shall be a Life Member.

### **1.12 Life Member Nomination Process**

The following nomination and approval process is required to be undertaken for a Life Member to be considered:

- (a) Nomination(s) for Life Membership shall be received by the Club Secretary no later than two (2) months prior to the Annual General Meeting.
- (b) Nominations may be made by a family member of the person nominated however, they must exclude themselves from voting at the Life Member Committee or Annual General Meeting if a motion is put forward for that family member. This ensures there is no conflict of interest relating to this process.
- (c) Nomination(s) must be in writing containing a detailed presentation of the nominee's service and lifesaving history and be moved and seconded by two current financial members who have known the nominee(s) for a period of not less than eight years. The Life Member nomination criteria form as prescribed in the Policies and Procedures Manual.
- (d) Nomination(s) shall be appraised and endorsed/rejected by the Life Member Committee, which shall report its findings and recommendations in writing to the Club Secretary.
- (e) Granting of Life Membership will be determined by vote of two thirds majority of the Associations members attending the Annual General Meeting.
- (f) Life Members, when elected, shall be formally announced by the President at the Annual General Meeting and shall be afforded the special privileges of Life Membership status.



- (g) The surviving spouse of a Life Member shall be granted Honorary Membership to the Club and shall be invited to any Life Member function and the Club's Annual Dinner/Presentation Night.

### **1.13 Renewal of Membership**

As prescribed in **Clauses 13 and 14** of the Constitution.

- (a) Members shall apply, annually, for the renewal of membership by electronic means on the relevant online membership system or by submission of the prescribed SLSA form and payment of the nominated fee as prescribed in Policies and Procedures Manual.

### **1.14 Acceptance and Registration of Membership**

As prescribed in **Clause 14.2 and 15** of the Constitution.

- (a) All applications for membership and renewal of membership or transfer of membership shall be reviewed by the Life Saving Committee.
- (b) The Life Saving Committee shall make a recommendation for acceptance or rejection to the Board for determination.
- (c) The Club Registrar shall enter all accepted members on the current SLSA electronic register.

### **1.15 Duties and Privileges of Membership**

- (a) Members shall carry out their allotted duties and those requested of them by Club Officers with vigilance, integrity and in good faith to further the aims and objects of the Club.
- (b) Members shall observe and adhere to the Codes of Conduct displayed on the Club Notice Board and contained in the Policies and Procedures Manual (SLSA Codes of Conduct) and rules applicable to them.
- (c) All financial members shall have access to Club facilities.
- (d) A Club membership card shall be available to members.
- (e) The Subsidy scheme for external activities (e.g., pool, gym etc.) is only available to financial active, award, reserve active, long service and life members, upon a payment of any nominated fee to the provider and proof of receipt provided to Administration as outlined in the Policies and Procedures Manual.
- (f) All members may apply in writing to the Club Secretary for leave of absence from their duties, stating the reasons and time for such leave. The member will retain their seniority status within the Club.
- (g) Members serving full-time in any of the Australian Defence Forces shall apply and be granted a leave of absence at their current membership status. The member shall retain their seniority status within the Club.



- (h) Only financial Active, Reserve Active, Long Service, Life Members, and Officers (Over the age of 18) shall be eligible to vote at Council Meetings, and shall be entitled to one vote each and in the case of an equality of votes the Chairperson shall have a second or casting vote: Provided that no member shall be entitled to vote at any general meeting if their annual subscription is in arrears at the date of the meeting

#### **1.16 Dual membership**

- (a) Any member of this Club may be admitted as a member of another Club or Clubs, providing such a member has a “clearance” from this Club.
- (b) Any competing member who is a member of more than one Club shall be entitled to compete in Club events.

#### **1.17 Discontinuance of Membership**

As prescribed in **Clause 17** of the Constitution.

- (a) Notice of resignation shall be in writing to the Club Secretary as prescribed in the Policies and Procedures Manual.
- (b) Any notice of resignation shall be referred to the Life Saving Committee to ensure that there are no outstanding matters for consideration. The Committee shall report their recommendation to the Board for endorsement.

### **Membership Policies**

#### **1.18 Members' Protection**

Refer to current SLSA Member Protection Policy; SLSQ; Branch or Club Policies.

- (a) The Club is committed to the health, safety and general well-being of all members who participate in Club and lifesaving activities, ensuring:
  - (i) A safe, fair and inclusive environment is maintained;
  - (ii) All members are treated with respect and dignity and protected from discrimination, harassment and abuse;
  - (iii) All members are aware of their legal and ethical rights and responsibilities as well as the standards of behaviour expected from them.
- (b) The rights of children and young people shall be supported, at all times by ensuring a child-safe environment is maintained
- (c) The Club must comply with Working with Children (Risk Management and Screening) Act and Working with Children (Risk Management Screening) Regulations, through the SLSQ Child and Youth Risk Management Strategy.
- (d) The Child and Youth Risk Management Strategy require every member over the age of 18 years who is undertaking regulated employment to complete an annual on-line induction.



- (e) Notifications and access details to the annual on-line induction shall be provided to members by a club announcement.

### **1.19 Codes of Conduct**

Refer to current SLSA; SLSQ; Branch or Club Policies as displayed on the Club's Notice Board. The Codes of Conduct include but are not limited to;

- (i) Code of Conduct – Administrators, Directors, Officers;
- (ii) Code of Conduct – Members;
- (iii) Code of Conduct – Team Managers, Age Managers, Chaperones;
- (iv) Code of Conduct – Youth Leaders; and
- (v) Code of Conduct – Coach, Officials.

## **BY-LAW 2. GRIEVANCES, JUDICIAL AND DISCIPLINE**

### **2.1 Grievances**

As prescribed in **Clause 18** of the Constitution.

- (a) The club offers a grievance procedure to try to settle conflict between:
  - (i) Members; and
  - (ii) Members, Committees, Sub-Committees and the Board.
- (b) The grievance procedure offers:
  - (i) Each party a chance to be heard; and
  - (ii) Be determined by the Honorary Grievance Officer.

Members are encouraged to resolve the conflict between themselves and if they are unable to, the dispute shall be referred to mediation as prescribed in the Policies and Procedures Manual.

### **2.2 Discipline, Penalties & Appeals**

- (a) The procedures prescribed in the SLSA, SLSQ, Branch Constitutions, By- Laws and Regulations are adopted by the Club and shall apply to all disciplinary, penalties and appeals matters as prescribed in **Clause 18** of the Constitution but nonetheless must be founded on "Procedural Fairness" as prescribed in the Policies and Procedures Manual.

### **2.3 Jurisdiction**

As prescribed in **Clause 18** of the Constitution.

- (a) The penalising authorities for the Club (in hierarchical order) are:



- (i) The Club Council;
- (ii) The Board;
- (iii) The Judiciary Committee;
- (iv) The President; and
- (v) The Club Captain.

## **2.4 Judiciary Committee**

The Judiciary Committee is formed and undertakes its role as follows:

- (a) At the Annual General Meeting the Club Council shall recognise a panel of five suitably qualified members in accordance with By Laws- 2.4 (b) and (c) from which the members of the Judiciary Committee shall be formed.
- (b) The Judiciary Committee shall consist of a chairperson, secretary and 3 members, one of whom has a background in legal matters who shall be chairperson. This committee shall be endorsed and appointed at the Annual General Meeting.
- (c) Members of the Judiciary Committee must possess a thorough knowledge of Surf Life Saving.
- (d) If any one committee member is unavailable for duty at a hearing, the Board may appoint a member from the panel described in By-Law 2.4(a).
- (e) Any member under the age of 18 appearing before a Judiciary Committee must be represented by an appropriate adult.
- (f) The Judiciary Committee decision and penalty resolved shall be by majority, with the Chairperson having a casting vote in the event of a tied decision. The minority may furnish a separate report on their findings, but the majority findings and penalty shall be deemed to be the decision of the Judiciary Committee.
- (g) The Secretary of the Judiciary Committee shall give notice in writing of its decision within seven days to all concerned parties, together with notice of any order or penalty imposed and the rights of appeal.
- (h) The Board cannot alter a decision of the Judiciary Committee.
- (i) The Judiciary Committee Secretary shall forward to the Club Secretary the written records of its findings and decisions. The Club Secretary shall ensure the confidential filing of all information provided by this committee.

## **2.5 Breach**

A Breach is where a Member has allegedly:

- (a) Breached, failed, refused, or neglected to comply with the membership directives or any resolution or determination of the Club, Board, a Branch, a State Centre, or any duly authorised SLSA committee; or



- (b) Acted in a manner unbecoming of a Member or prejudicial to the Objects and interests of the Club, SLSA and/or surf lifesaving; or
- (c) Brought themselves, the Club, Branch, SLSQ or SLSA, or surf lifesaving into disrepute; or
- (d) Acted contrary to the Club Constitution, By-Laws, Policies and Procedures or Codes of Conduct; or
- (e) On receipt of a complaint or reference concerning the affairs of the Club or its members, be submitted verbally in the first instance to the President, Club Captain, or Club Secretary and then in writing signed by the member and providing details of the complaint or the matter/s to be investigated.

## **2.6 Procedure**

- (a) The Board or Club shall consider the breach and may refer the complaint or reference to the appropriate Club penalising authorities should the complaint or reference not be frivolous or vexatious, for determination.
- (b) The Board, or Club may then commence or cause to be commenced investigatory and/or disciplinary proceedings against that Member, and that Member will be subject to and submit totally to the jurisdiction, procedures, penalties and appeal mechanisms set out in SLSA Regulations; providing that the Board, or the Club may commence proceedings, or investigate conduct which may warrant the commencement of proceedings by referring the matter to a Judiciary Committee.
- (c) Any member facing a Judiciary hearing must be provided with the adequate particulars of both the allegations that are made against them and the evidence that is relied upon in support of those allegations. Where the evidence is documentary, the member shall have access to the documents. Where the evidence consists of oral testimony, the member shall be entitled to question the witnesses who gave that testimony, and whose identities should be disclosed.
- (d) Should the Board decide the complaint or reference is beyond the responsibility of the Club, the matter shall be referred to the Branch for determination provided that any breach of a criminal nature will be immediately referred to the police for investigation.
- (e) The member shall have the right to be heard, call and / or present evidence and make submissions in respect of the allegations made against them.
- (f) Any member/s appearing before a Judiciary Committee is not entitled to legal representation in the Judiciary Committee proceedings but may request leave to be represented by a fellow club member as an advocate. If an advocate is permitted such advocate is not entitled to be legally trained or qualified.

## **2.7 Discipline**

- (a) The Club President and the Club Captain each have authority to issue penalties effective immediately to a member for any minor matters, penalties being limited to admonishment, suspension, exclusion, or additional service.





- (b) Matters of a more serious nature can also be dealt with immediately; penalties being limited to admonishment, suspension, exclusion or additional service provided any period of suspension imposed or exclusion is temporary in nature only, pending a formal determination as to penalty being made by the Club Council, Board or Judiciary Committee.
- (c) All Club officers shall have authority to give reasonable oral behavioural directions to members when necessary to maintain the orderly conduct and running of their section.
- (d) Penalties may be issued verbally but written confirmation setting out the reasons and conditions of any penalty must be provided within seven days except for minor matters.
- (e) Other than a minor penalty the Club Secretary shall notify the Branch and SLSQ of any penalty decision imposed upon a member.

## **2.8 Appeals**

- (a) There is no right of appeal to any penalty of Admonishment or Additional Service issued by the Club President or the Club Captain under By-Law 2.7(a).
- (b) There is no right of appeal to a behavioural direction issued by a Club Officer under By-Law 2.7(c).
- (c) Any member shall have the right to appeal to the Club Council against the decision and/or the penalty imposed by a penalising authority of the Club other than the Club President or Club Captain as prescribed in By-Law 2.8(a) and in the Policies and Procedures Manual.
- (d) There is only one appeal available from a Judiciary Committee regardless of whether that Judiciary Committee was appointed by the Board or by a Club, Branch or SLSQ.
- (e) Any member can forego an appeal to the Club against a Judiciary Committee decision and in accordance with the appeals process of SLSA as set out in Regulation 5 of the SLSA Regulations may proceed with an Appeal to SLSQ as prescribed in the Policies and Procedures Manual.

## **BY-LAW 3. DIRECTORS AND OFFICE BEARERS**

### **3.1 Directors and Officer Elections**

As prescribed in **Clause 28 & 29** of the Constitution.

- (a) The following officers may be elected from the eligible Club members as prescribed in the relevant Position Descriptions at the Annual General Meeting as prescribed in the Policies and Procedures Manual (Position Descriptions)
  - (i) The Board as prescribed in **Clause 29.1** of the Constitution.
  - (ii) Club Captain;  
Vice Club Captains;  
Chief Training Officer;  
Surf Boat Officer;  
IRB Officer;



Gear and Equipment Officer;  
First Aid Officer;  
Communications Officer;  
Mobiles and Vehicles Officer;  
Youth Development Officer;  
Volunteer Officer; and  
Team Manager.

- (b) Where two Members hold, and share the same officer's position (dual Office Bearers) only one of the two shall have voting rights at any committee or sub-committee meeting.
- (c) Where a Member holds two positions that Member shall be entitled to one vote at any meeting.
- (d) Where an Officer position is not filled, the Board at its discretion, shall appoint an eligible Club member to the vacant role.
- (e) The Junior Activities Committee elected at the Junior Activities Annual Meeting shall be endorsed by the Club Council at its Annual General Meeting.
- (f) Assistants to Officers may also be elected and be eligible to attend appropriate committee or sub-committee meetings. These assistants do not have voting rights, unless designated by the Board and consistent with the Club's Constitution, By-Laws, and Policies and Procedures.
- (g) The Board shall recommend for adoption at the Annual General Meeting the following positions: Honorary Grievance Officers; Honorary Club Solicitor; Honorary Club Medical Officer; Honorary Club Chaplain; Patrons and any number of Vice Patrons, which are honorary Club positions.
- (h) Position Descriptions for all Club Officers are prescribed in the Policies and Procedures Manual. (Position Descriptions)

### **3.2 Functional Officers (Surf Life Saving Association Requirements)**

All or any of the Officers prescribed in By-Law 3.2 must be adopted and are considered essential to a club's operations for complaint handling and member protection;

- (a) Member Protection Information Officer (MPIO);
- (b) Complaint Manager; and
- (c) Child Safety Co-Ordinator.

These positions must be appointed by the Board. The Board are to establish a pool of potential candidates by way of Expression of Interest (EOI), providing the position descriptions, and be sent to members who may have similar relevant experience to undertake the role.

All roles will be for a period of no less than 2 years.

The MPIO and Child Safe Co-Ordinator will be appointed every even calendar year and the Complaint Manager appointed every odd calendar year.



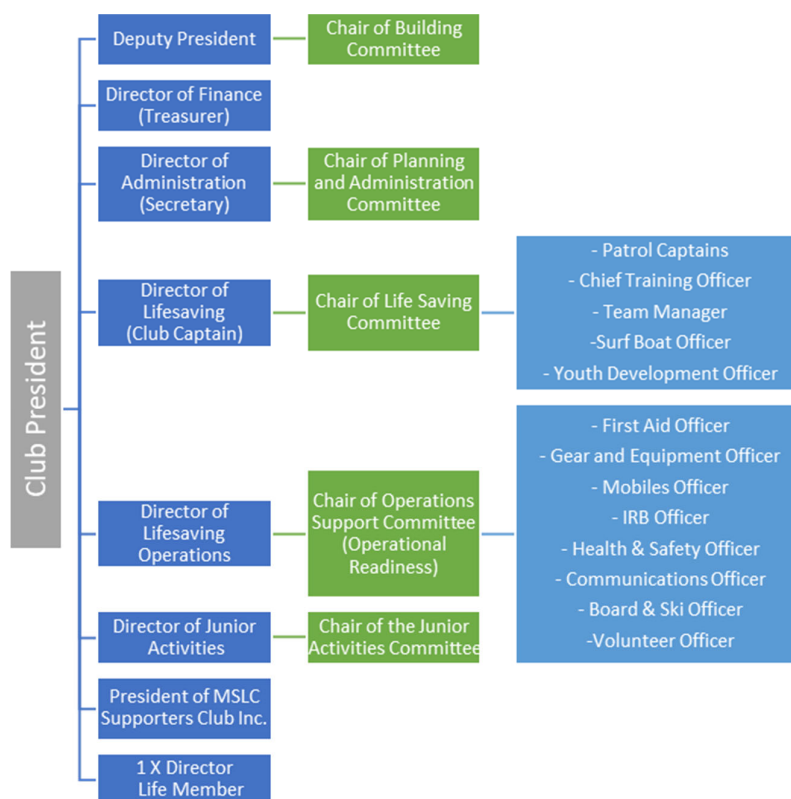
### 3.3 **Directors and Officers**

As prescribed in **Clause 29** of the Constitution.

- (a) Directors and Office Bearers of the Club shall be required to understand the needs of the Club and their legal responsibilities in accordance with the *Associations Incorporations Act (as current)* and the *Australian Charities and Not-For Profits Commission Act (as current)*.
- (b) Directors and Office Bearers in making decisions for the management of the Club must exercise the care, diligence and skill a prudent person of business would exercise in managing the affairs of another.
- (c) The responsibility of the Board shall be to provide: accountability; strategic formulation and direction; sound fiscal management; policy making; monitoring and supervising committees, sub-committees and staff; whilst considering and managing the risk of the Club.
- (d) Directors and Office Bearers shall be guided by the matters prescribed in the Policies and Procedures Manual.
- (e) The standard nomination form for all Club positions shall include a declaration by the nominee regarding the matters required by section 61A of the *Associations Incorporation Act (as current)*. As prescribed in the Policies and Procedures Manual.

### 3.4 **Director Responsibilities**

- (a) Each Board member shall be responsible for specific portfolios of the club and associated officers as outlined.
  - (i) Board members are required to report on a monthly basis relating to their portfolio and all areas of responsibility.
- (b) An outline of the organisation chart is provided below:



### 3.5 Duties of Officers and Others

A summary of the duties of officers is provided below for each position. Position Descriptions for all Club Officers are prescribed in the Policies and Procedures Manual. (Position Descriptions).

## BY-LAW 4. MEETINGS

### 4.1 Annual General Meeting

As prescribed in **Clause 19** of the Constitution.

- (a) Every member shall receive due notice of the date, time, place of the meeting and the business to be conducted as prescribed in the Policies and Procedures Manual.

### 4.2 Special General Meetings

As prescribed in **Clause 23** of the Constitution.

- (a) A Special General Meeting shall be held within one month of receipt of such a request or directive and every member shall have due notice as prescribed in the Policies and Procedures Manual.
- (b) Pursuant to **Clause 23.2(b)** of the Constitution and at the direction of the Board, the Club Secretary shall convene a Special General Meeting providing 21 days written notice to all voting members indicating the date, time, place and the Special Business to be conducted.



#### **4.3 Board of Directors Meetings**

As prescribed in **Clauses 32.1. to 32.6** of the Constitution.

- (a) Issues relating to constitutional change; incorporation responsibilities and authority; and major financial borrowings; that affect membership privileges and rights shall be referred to the Club Council.
- (b) Proxies are not permitted for a Director at any Board or Club meeting.
- (c) At the Boards discretion, invite other elected officers who do not hold a position on the board, to discuss the performance of their area of responsibility.
- (d) The Board shall meet at least once in every two (2) calendar months and the Meeting dates shall be determined at the first Meeting of the Board advised at least 9 days prior to each meeting.
- (e) The order of business shall be:
  - (i) Apologies
  - (ii) Disclosure of Interest
  - (iii) Confirmation of previous minutes
  - (iv) Business Arising / Matters bought forward
  - (v) Correspondence
  - (vi) Membership – New Members / Transfers
  - (vii) Finance
  - (viii) Board and Officer Reports
  - (ix) Notices of Motion
  - (x) General Business

#### **4.4 Delegation (Committees and Sub-Committees) Meetings**

As prescribed in **Clause 33.1** of the Constitution.

- (a) Other committees shall meet and operate in accordance with their terms of reference, at times and places as required, or as decided by the committee/sub-committee chairperson.
- (b) Notice of all committee meetings shall be provided to the Club Secretary, at least, seven days prior to the meeting being held.
- (c) An agenda shall be prepared for each meeting on the prepared proforma, as prescribed in the Policies and Procedures Manual.



- (d) Minutes of all committees/sub-committees meetings shall be submitted to the next Board meeting for ratification on the prepared proforma, as prescribed in the Policies and Procedures Manual.

## **BY-LAW 5. DELEGATIONS (COMMITTEES AND SUB-COMMITTEES)**

### **5.1 Delegated Functions**

As prescribed in **Clause 33** of the Constitution.

- (a) All delegated functions (committees and sub-committees) are subordinate and accountable to the Board.
- (b) All resolutions determined by committees and sub-committees are only recommendations to the Board, which shall either endorse or return such resolutions to the committee or sub-committee, with a direction for further consideration.
- (c) No committee or subcommittee has the authority to commit the club financially unless the Board has provided prior direction, consistent with the club purchasing Policies and Procedures, as prescribed in the Policies and Procedures Manual.
- (d) The Board after its first meeting following the Annual General Meeting shall communicate to each committee and sub-committee: their terms of reference; specific items; and reporting criteria; as provided in the Policies and Procedures Manual. This shall be completed prior to the first meeting of the committee/subcommittee.
- (e) Membership of committees may be drawn from eligible Club Members and any Members or persons with appropriate experience to act in advisory roles. Any co-opted Member or person shall have no voting rights, except at the committee's discretion.
- (f) Any member elected or appointed to a committee or sub-committee who is absent for three or more consecutive meetings may be required to relinquish membership of that committee or sub-committee. No proxy can be appointed. The Board shall appoint a replacement member.
- (g) A member elected or appointed to a committee shall retain their positions only while they retain their membership of the Club.
- (h) The Club Council may, at its discretion, remove any member from the membership of a committee.
- (i) In the event of the absence of the Chairperson and Deputy Chairperson from any meeting, the meeting shall appoint one of its members to act in this role, during such absence.
- (j) In the event of any matter coming within the jurisdiction of two or more committees, the President may direct either one or both committees to consider the matter independently or conjointly. The outcomes of deliberations shall be reported to the Board.



- (k) All correspondence to and from any committee or sub-committee shall be through the Club Secretary.
- (l) Committee members, must be advised of the date, time and place of the committee or sub-committee meeting, at least, seven days prior to the meeting being conducted.

## **5.2 Committees**

- (a) The following committees will be formed and endorsed by the Board following the Annual General Meeting as prescribed in (MARGOV005):
  - (i) Life Saving – as prescribed in MARGOV006;
  - (ii) Surf Sports and Competition – as prescribed in MARGOV007;
  - (iii) Property – as prescribed in MARGOV008;
  - (iv) Youth Development – as prescribed in MARGOV009;
  - (v) Fundraising – as prescribed in MARGOV010;
  - (vi) Junior Activities Committee – as prescribed in MARGOV011;
  - (vii) Operations Support – as prescribed in MARGOV012;
  - (viii) Life Member Committee – as prescribed in MARGOV013

and

Other committees and sub-committees as required at the discretion of the Board.

## **5.3 Other Committees**

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

## **BY-LAW 6. STAFF AND EMPLOYEES**

### **6.1 Staff Appointments**

- (a) The Board, as prescribed in **Clause 35.11** of the Constitution, may provide for the appointment employees as may be required from time to time in the conduct of its affairs.
- (b) Roles may include General Manager, Administrator/s and Finance and aim to undertake the strategic, operational and financial matters associated with the club. Position Descriptions for all roles are prescribed within the Policies and Procedures Manual.



## **BY-LAW 7. JUNIOR ACTIVITIES**

### **7.1 General**

- (a) The Junior Activities is a section of the Marcoola Surf Life Saving Club incorporating junior members from a minimum of five years of age up to a maximum of 13 years on a seasonal basis and their parents or guardians.
- (b) The Junior Activities Committee shall be responsible for the management of Junior Activities and shall comprise current financial members who have applied for membership of the Club through the Junior Activities and whose membership has been endorsed by the Board.
- (c) The Junior Activities Committee is subordinate and responsible to the Board and therefore has no authority to make decisions that may bind the Club financially.
- (d) The following officers shall be elected at the Junior Activities Annual meeting to carry out the Junior Activities program:
  - (i) Junior Activities Chairperson;
  - (ii) Junior Activities Deputy Chairperson;
  - (iii) Junior Activities Minute Secretary;
  - (iv) Junior Activities Accounts Officer;

The above positions comprise the Junior Activities Executive Committee and have voting rights at all Junior Activities Committee meetings.

An additional two positions below will be elected and endorsed at the Junior Activities Committee Annual Meeting from the below positions and will have voting rights at all Junior Activities Executive Committee Meetings:

- (i) Junior Activities Team Manager (U11 to U14);
- (ii) Junior Activities Registrar;
- (iii) Junior Activities Operations Officer;
- (iv) Chief Water Safety Officer;
- (v) Junior Activities Fundraising Officer;
- (vi) Junior Activities Junior Team Manager (U8 to U10);
- (vii) Junior Activities Apparel Officer;
- (viii) Junior Activities Gear and Equipment Officer;
- (ix) Junior Activities Volunteer Coaches;





- (x) Canteen Coordinator;
  - (xi) Junior Activities Fundraising Officer; and
  - (xii) Age Managers.
- (e) The above positions comprise the Junior Activities Committee.
- (f) The election of the Junior Activities Committee is subject to its ratification by the Board at the Annual General Meeting.

## **7.2 Junior Activities Aims and Objectives**

- (a) Abide by the objects of the Club as prescribed in **Clause 3** of the Constitution.
- (b) Ensure Junior Activities is working towards the mission and vision and implementation of the Club's Strategic Plan in consultation with the Board.

## **7.3 Junior Activities Meetings**

### Annual Meetings

- (a) The Junior Activities Annual Meeting shall be conducted no later than May annually. A quorum for the Junior Activities Annual or Special meetings shall be twice the number of officers of the Junior Activities Executive Committee plus one.
- (b) Every member shall receive due notice of the date, time, place of the annual meeting and the business to be conducted as prescribed in the Policies and Procedures Manual.
- (c) Special Meetings when requested by a minimum of 20 Junior Activities voting members or at the discretion of the Junior Activities Chairperson and shall be convened as prescribed in By-Law 7.3.
- (d) Junior Activities Committee meetings shall be held monthly during the Junior activities season with due notice of which shall be given to all members stating date, time and place of such meetings.
- (e) The Junior Activities Executive Committee resolutions shall abide by the general rules contained in these By-Laws, the Constitution and Club Policies and Procedures, and shall be subject to ratification by the Board, and where appropriate, the Club Council.
- (f) The Junior Activities Chairperson shall provide minutes of each meeting and monthly reports in the required format as prescribed in the Policies and Procedures Manual.
- (g) Financial members aged 18 years and over and parents or guardians of Junior Activity members who are Associate members may attend, participate and vote at Junior Activity Annual Meeting or Junior Activity Special Meetings only.



#### **7.4 Elections**

As prescribed in **Clause 30** of the Constitution

- (a) The standard nomination form for all Junior Activities Officer positions shall include a declaration by the nominee regarding the matters required by section 61A of the *Associations Incorporation Act* (as current).

#### **7.5 Finances**

- (a) The Junior Activities Chairperson on behalf of the Junior Activities Committee shall prepare and present a budget of anticipated expenditure and income to the Board by the March of each calendar year.
- (b) The Junior Activities Chairperson shall have a discretionary spend limit as determined by the Board and as prescribed in the Policies and Procedures Manual.
- (c) The Junior Activities Accounts Officer shall be the Junior Activities representative on the Club Finance Committee.

#### **7.6 Competitions**

- (a) A sub-committee comprising the Age Managers, Team Managers, Coaches and one Committee Member shall select the competitors and teams for all Inter Club competitions and carnivals and may alter such selections at its discretion, and this sub-committee's decision shall be final.
- (b) Junior Activities points' days shall be conducted throughout the season at the discretion of the Junior Activities Chairperson and the Junior Activities Team Managers.

#### **7.7 Discipline**

- (a) The conduct of all Junior Activities members, parents and guardians who participate in Junior Activities shall be subject to the Codes of Conduct and the control of the penalising authority in accordance with the disciplinary process as prescribed in **Clause 18** of the Constitution and By-Laws 2.2 – 2.8.
- (b) Any disciplinary action taken by the penalising authority shall be referred to the Board in the first instance for their direction.

#### **7.8 Officers and their Duties**

- (a) Position Descriptions for all Junior Activities officers are prescribed in the Policies and Procedures Manual.

#### **7.9 Membership**

As prescribed in **Clause 12** of the Constitution.

- (a) Junior Activities participants must be financial members of the Club and apply by electronic means on the relevant online membership system or by submission on the



prescribed SLSA form and pay the required fee as determined by the Junior Activities Committee and endorsed by the Club Council at the Annual General Meeting.

- (b) The Family Membership fees only apply to Junior Activities memberships.
- (c) Any Junior Activities application for membership shall be accompanied by a parent or guardian application for membership of some type, depending on their SLSA award qualifications. (For example, Associate Member).

## **BY-LAW 8. PROCEDURES AND RULES**

### **8.1 SLSA and SLSQ Policies, Rules and Regulations**

As prescribed in **Clauses 10 and 11** of the Constitution.

- (a) The Club adopts the SLSA, SLSQ and Branch current policies, rules and regulations, where appropriate, as issued from time to time are accepted as policies of the club and forms part of the Club's Policies and Procedures Manual.

### **8.2 Auxiliary Organisations**

- (a) As prescribed in **Clause 4** of the Constitution and any current SLSA, SLSQ, or Branch policies.

### **8.3 Audits**

- (a) As prescribed in **Clause 36** of the Constitution and current SLSA, SLSQ, Branch or Club Policies and Procedures Manual.

### **8.4 Fundraising**

- (a) The Club and any affiliated Auxiliary Organisation shall comply with the current legislation and SLSA rules and guidelines regarding fundraising.
- (b) The fundraising authority is vested in the Board, which may allocate portions of its responsibilities pertaining to specific projects, to other committees/sub-committees to maintain, direct and/or develop these projects. As prescribed in the Policies and Procedures Manual.

### **8.5 Insurance**

- (a) As prescribed in current SLSA, SLSQ and Branch policies and the Club's Policies and Procedures Manual.



## **BY-LAW 9. POLICIES AND PROCEDURES MANUAL**

### **9.1 *Policies and Procedures Manual***

- (a) The Policies and Procedures Manual is a supplement to the By- Laws, and as such it provides the comprehensive processes for the By- Laws.
- (b) The Policies and Procedures manual contains, but is not limited to the following:
  - (i) Basic tenure of delegations;
  - (ii) Meeting practice, agenda, minute, and reporting templates;
  - (iii) Rules of debate;
  - (iv) Club Policies combined with protocols;
  - (v) Patrol, Clubhouse, Gear, and Equipment Rules;
  - (vi) Club Office Bearer Position Descriptions including JAC Office Bearers; and
  - (vii) Codes of Conduct.

### **9.2 *Amendments to the Policy and Procedure Manual***

- (a) The Board can amend the Policies, Procedures, Position Descriptions and Rules.
- (b) Amendments made must be advised to members within 14 days of the amendment being formulated.

### **9.3 *Policies and Procedures Binding***

- (a) The Policies and Procedures, Rules and Position Descriptions are binding on all members in the same manner as the By-Laws and Constitution are binding as prescribed in **Clauses 34** of the Constitution.

## **BY-LAW 10. COMPETITIVE CONDITIONS**

### **10.1 *Competitions***

- (a) Members shall follow the Policies and Procedures of the current SLSA, SLSQ, Branch, Club and Carnival Bulletin prescribed for the relevant competition and the current SLSA Surf Sports Competition Manual.
- (b) All local competitions must be approved by Branch.

### **10.2 *Competitive Rights, Transfers, Obligations and Qualifications***

- (a) As prescribed in the policies and procedures of the current SLSA, SLSQ, Branch, Club and Carnival Bulletin which shall be followed by members.



### **10.3 Club Championships**

- (a) Shall be conducted annually, preferably before the State Championships.
- (b) As prescribed in the Policies and Procedures Manual.

### **10.4 Trophies, Prizes and Eligibility**

- (a) As prescribed in current SLSA, SLSQ, Branch, Club Policies and relevant Carnival Bulletin.

### **10.5 Team Management**

As prescribed in current SLSA, SLSQ, Branch, Club Policies and relevant Carnival Bulletin.

- (a) The Club, when participating in any carnival or similar function, shall appoint a Team Manager of its competitors.
- (b) The Team Manager must comply with the Team Manager's declaration.

### **10.6 Club Subsidy/Bursary**

- (a) Club Subsidies are available to members and are dependent on the Club's financial status as prescribed in the Policies and Procedures Manual.

### **10.7 Carnival Officials**

- (a) Carnival officials will be recognised as Award members while they maintain their officiating service representing the Club at carnivals.

### **10.8 Visits and Tours**

- (a) As prescribed in current SLSA, SLSQ, and Branch Policies and Procedures.

## **BY-LAW 11. CLUB COLOURS, BADGES, EMBLEM, LIFE MEMBERSHIP BADGE AND COMMON SEAL.**

### **11.1 Colours and badges / apparel**

As prescribed in the Maroola SLSC Brand Manual.

- (a) The Club's colours of Orange and White, badges and competition cap design shall not be altered without re-endorsement of SLSQ and the approval of SLSA.
- (b) The Club emblem shall be a Rising Sun and Dolphin along with the words Maroola S.L.S.C, and shall be displayed, where appropriate, on apparel over the left breast.



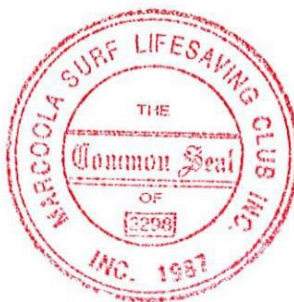
**11.2 Club Emblem**



**11.3 Life Member Badge**



**11.4 Club's Common Seal**



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