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## **SORRENTO SURF LIFE SAVING CLUB (INC)**

**FOUNDED IN 1958**

**CONSTITUTION**

**(July 2021)**

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**PARA 1.**

**GENERAL**

**1.1 NAME:**

- (a) The Club shall be called "SORRENTO SURF LIFE SAVING CLUB WA (Inc.)", and shall comprise all persons duly accepted as members and shall affiliate with Surf Life Saving Western Australia (SLSWA). The constitutions of SLSWA and in the event of any further discrepancy, Surf Life Saving Australia (SLSA) shall have precedence in any matter not covered by the Club Constitution.
- (b) The season of Club operation shall be from the 1st day of May to the 30th day of April in the ensuing year.
- (c) The Club shall maintain efficient patrolling of the beach under its control in the surf lifesaving season laid down in the SLSWA By-Laws, for that season. Where necessary, special roster patrols shall operate outside the season, as laid down by the Beach Committee.

**1.2 OBJECTIVES:**

- (a) To ensure the most efficient methods of rescuing persons in distress by study and practice of current SLSA handbooks and journals, including active participation of members in beach patrols
- (b) Provide for the encouragement, conduct, promotion and administration of surf lifesaving in consultation with SLSWA.
- (c) Affiliate and participate as a member of SLSWA and SLSA, including compliance with relevant Policies through and by which surf lifesaving and the preservation of life in the aquatic environment can be conducted, encouraged, promoted, advanced and administered.
- (d) Promote demonstrations and instruction to members of the public in water safety and resuscitation and so bring about a widespread knowledge of the principles of surf lifesaving.
- (e) At all times act on behalf of and in the interest of the Members, surf lifesaving and the community.
- (f) Use and protect the Intellectual Property of the Club, SLSWA and SLSA.
- (g) Strive for all levels of Government, commercial and public recognition of the Club as the benchmark provider of aquatic safety and management.
- (h) Acquire and improve premises necessary for carrying out these Objectives.
- (i) Pursue through itself or other such commercial arrangements, including sponsorship and marketing opportunities, as are appropriate to further the interests of the Club and surf lifesaving.
- (j) Promote, adopt and implement appropriate policies, such as; equal opportunities, equity, drugs in sport, health and safety to advance surf lifesaving within the club and all other users of the aquatic environment.

**1.3 PATROLS:**

- (a) All Active (15-18 years), Cadet (13-15 years), Active (18 years and over), Reserve Active and Award members must perform patrol duties as laid down in accordance with the By-Laws as set for the season by the Beach Committee; and in accordance with the By-Laws as laid down by SLSA, (SLSWA).
- (b) The Office Bearers as listed in Para 3.1. shall be exempt from patrol duties.
- (c) The Board of Management shall have the right to grant exemption from patrol duty to any member as recommended by the Beach Committee.

#### **1.4 RECORDS:**

- (a) All records of the Club, including financial records, competition records, meeting minute books and computer files are the property of the Club and shall be handed over by the outgoing officer or chairperson to their successor.
- (b) The Finance Director has custody of all financial records and the Business and Marketing Director has custody of all other records.
- (c) All records, both financial and other, must be kept on Club premises to meet all legal requirements, for a minimum of 7 years.

#### **1.5 FINANCES**

- (a) The financial year for the Club commences on the 1<sup>st</sup> May every year.
- (b) The property and income of the Club must be applied solely towards the promotion of the objects or purposes of the Club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member of the Club, except in good faith in the promotion of those objects or purposes.

#### **1.6 INTERPRETATIONS:**

In this Constitution and any amendments thereto and in any By-Laws made in accordance with the provisions thereof unless the context is inconsistent with such interpretation, the following applies:

- (a) 'Act' means the Associations Incorporation Act 2015
- (b) 'AGM' means the Annual General Meeting of the Club
- (c) 'Board' means the Board of Management as elected at the AGM
- (d) 'By-Law' means the By-Laws made in accordance with Para 12.3.
- (e) 'Constitution' means this Constitution
- (f) 'Club' means the Sorrento Surf Life Saving Club Inc.
- (g) 'Executive' means the Executive Committee (four (4) members) as constituted under Para 5.2
- (h) 'IRB' means Inflatable Rescue Boat
- (i) 'Member' means any person who joins as a Member in any category as provided under Para 2.3
- (j) 'Season' means the standard patrol season as defined from time to time by SLSWA or set by the Board
- (k) Skills Maintenance, previously referred as annual proficiency test, means to complete and maintain competency in surf lifesaving awards
- (l) 'Special Resolution' means any resolution where a clear seventy five per cent (75%) majority of persons eligible to vote at the meeting is required for the passing of such resolution
- (m) 'SLSA' means Surf Life Saving Australia Ltd, the national sporting organisation for Surf Life Saving in Australia and may be referred to as Surf Life Saving Australia
- (n) 'SLSWA' means Surf Life Saving Western Australia Incorporated, the State Centre for Surf Life Saving in Western Australia.
- (o) The interpretation of this Constitution and its By-Laws shall be the duty of the Constitution Committee, and such interpretations shall be final and binding, for so far as the power of this Constitution extends.

**PARA 2.**

**MEMBERSHIP**

**2.1 GENERAL:**

- (a) The Club must have at least twenty (20) voting members.
- (b) Membership will be offered in the categories as identified in Para 2.4.
- (c) The Board of Management reserves the right to review all membership applications, and may refuse membership to any person without any right of appeal by that person.
- (d) Membership categories are based on the age of the participant at 30 September of each season.

**2.2 REGISTER OF MEMBERS**

- (a) The President, or another person authorised by the committee, is responsible for the requirements imposed on the Club under section 53 of the Act to maintain the register of members and record in that register any change in the membership of the Club.
- (b) In addition to the matters referred to in section 53(2) of the Act, the register of members must include the class of membership (if applicable) to which each member belongs and the date on which each member becomes a member.
- (c) The register of members must be kept securely at the Club and must include each member's name and a residential, postal or email address.
- (d) A member who wishes to inspect the register of members must contact the President or their delegate to make the necessary arrangements.
- (e) If –
  - a. a member inspecting the register of members wishes to make a copy of, or take an extract from, the register under section 54(2) of the Act; or,
  - b. a member makes a written request under section 56(1) of the Act to be provided with a copy of the register of members;

the committee may require the member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring that the purpose is connected with the affairs of the Club.

**2.3 FEES:**

- (a) The annual subscription for Club membership shall be determined for the forthcoming season by members at the Annual General Meeting.
- (b) Membership fees shall become due on the 1st of May each year and be payable before the succeeding Annual General Meeting of the Club, for members to be eligible to vote at that meeting.
- (c) No membership registration will be carried out until the membership application is covered by the appropriate fee.
- (d) Those members who paid their fees prior to the AGM will be charged at the previous year's fee structure.

**2.4 MEMBERSHIP CLASSIFICATIONS:**

- (a) Membership shall be offered in the following fourteen (14) categories; Junior Activity (5-13 years), Probationary, Cadet (13-15 years), Active (15-18 years), Active (18 years and over), Reserve Active, Long Service, Award, Associate, General, Community, Life, Honorary and Temporary Membership.

- (b) **JUNIOR ACTIVITY MEMBER:**  
Shall be aged between five (5) and thirteen (13) years. Junior Activity Members in their final year (13) are also eligible for classification in Cadet (13-15 years) membership, if they so desire. Only one membership classification may apply although competition in both classes is allowable under Surf Life Saving Australia rules.
- (c) **PROBATIONARY MEMBER:**  
Shall be any member for the time period between the granting of membership and the gaining of an award. Probationary members able to achieve Surf Life Saving Australia awards and who have not attempted to gain such awards within three (3) months, may have their membership rescinded by the Board of Management.
- (d) **CADET (13-15 years) MEMBER:**  
Shall be aged between thirteen (13) and fifteen (15) years, hold the Surf Life Saving Australia SURF RESCUE CERTIFICATE award, and shall fulfill the patrol and Club obligations of such membership. Cadet (13-15 years) members shall be required to complete the Surf Life Saving Australia's annual skills maintenance to maintain competency in the award.
- (e) **ACTIVE (15-18 years) MEMBER:**  
Shall be aged between fifteen (15) and eighteen (18) years and hold the Surf Life Saving Australia BRONZE MEDALLION, and shall fulfill the patrol and Club obligation of such membership as deemed necessary by the Board of Management. Active (15-18 years) members shall be required to complete the Surf Life Saving Australia's annual skills maintenance to maintain competency in the award.
- (f) **ACTIVE (18 years and over) MEMBER:**  
Shall hold the Surf Life Saving Australia BRONZE MEDALLION, and shall fulfill the patrol and Club obligations of such membership as deemed necessary by the Board of Management. Active members are to complete the Surf Life Saving Australia's annual skills maintenance to maintain competency in the award, at the beginning of each season, unless the member has obtained the BRONZE MEDALLION in that season.
- (g) **RESERVE ACTIVE MEMBERSHIP:**  
A financial member, after eight (8) years of Active membership, may make application in writing, each season, to the Board of Management to be placed on the Reserve Active register. A vote shall be taken thereon by ballot by the Board. Such a member shall remain on the Reserve Active register so long as he observes the conditions governing his or her membership. He or she shall be exempted from patrol duties, except under special circumstances in which an authorised Officer of the Club may call upon him. Reserve Active members are to complete the Surf Life Saving Australia's annual skills maintenance to maintain competency in the award, at the beginning of each season. Years spent in other Life Saving obligations requiring patrol exemption, will count toward the eight years of service required for Reserve Active membership.
- (h) **LONG SERVICE MEMBERSHIP:**  
Such membership may be granted by the Club to persons who have completed a minimum of ten (10) years Active service, or to members who have completed a minimum of eight (8) years Active service plus four (4) years Reserve Active service. Long Service members shall be exempt from all patrol obligations and may be granted other special privileges of membership as deemed applicable by the Board of Management of the day. In exceptional circumstances the Board may approve such a membership to Reserve Active member irrespective of the number of years served.
- (i) **AWARD MEMBERSHIP:**  
Such membership may be granted by the Board to persons who are holders of one (1) or more of the following Surf Life Saving Australia awards: RADIO, RESUSCITATION, ADVANCED RESUSCITATION or FIRST AID, Such Award members may be called upon to perform patrol and or other club obligations within the bounds of their qualifications.
- (j) **ASSOCIATE MEMBERSHIP:**  
Associate members can only be elected in the proportion of 10% of Active members. Applicants for Associate membership shall be not less than thirty (30) years of age.

(l) **GENERAL MEMBERSHIP:**  
Such membership may be offered in accordance with rules set down by the Board of Management of the day, but shall not include voting rights.

(k) **COMMUNITY MEMBERSHIP:**  
Such membership may be offered to persons who will then only be entitled to use the Clubs' social facilities. No other privileges shall apply.

(m) **LIFE MEMBERSHIP:**  
The Club shall have the power to elect Life members who have had at least ten (10) years consecutive membership, and have rendered outstanding special service to the Club.

Nominations for Life Membership may be submitted to the Business and Marketing Director by any two (2) members entitled to vote at the Annual General Meeting. Details of the nominee's membership and service shall accompany the nomination which shall duly be signed by the proposer and seconder. The Business and Marketing Director shall refer the nomination to the Life Membership Committee within seven (7) days of receipt. The Life Membership Committee shall be responsible to decide on the suitability of the nominee for this prestigious award. Life members can only be elected at the Annual General Meeting; such elections shall be secret ballot and the nominee must obtain a majority of not less than 90% of the members present and eligible to vote.

Life Members shall not be required to pay membership fees, and shall enjoy all the rights of a financial member. Life Members shall be invited free to the Annual Award and Presentation nights and other special functions, as determined by the Board of Management.

(n) **HONORARY MEMBERSHIP:**  
Such membership may be granted to persons deemed by the Board of Management to have rendered outstanding special service to the club. Such members shall not have voting rights, nor shall they be appointed in the proportion of more than five (5) per cent of the active membership. Nominations for the appointment of Honorary Members may, duly proposed and seconded by financial members, be forwarded to the Board of Management for consideration. Honorary members shall be appointed for a period of one year and that membership may be renewed at the discretion of the Board of Management from year to year.

Once elected or appointed, the Patron, Vice Patron(s), honorary Medical Advisor, Honorary Solicitor and the Honorary Auditor will be granted Honorary membership for the term of their office.

(o) **TEMPORARY MEMBERSHIP:**  
(1) A person who is on any day visiting the Club as a Member or an Official of another Club or Team, or a person assisting a Member or an Official of another Club or Team to:  
(i) Engage in a pre-arranged event with the Club as per the Club's objects; or  
(ii) hold a prearranged function at the Club involving the use of the Club's sporting facilities; may be taken to be a person who is afforded temporary membership on that day.

(2) As part of the Hall Hire of the Club, temporary membership will be granted to all guests for .....the period of the designated function.

(p) **OTHER CATEGORIES OF MEMBERSHIP**  
The Board is empowered to introduce other categories of membership as it sees fit from time to time to cater for new members initiatives at appropriate fees as determined by the Board. This is to be reviewed at the next AGM.

## **2.5 CESSATION OF MEMBERSHIP**

(a) Membership ceases on resignation in writing, death or if the membership fee has not been paid by 31 August in any year.

**PARA 3.**

**CLUB OFFICE BEARERS**

**3.1 ELECTED OFFICE BEARERS:**

- (a) The Elected officers of the Club shall consist of, PRESIDENT, IMMEDIATE PAST PRESIDENT, CLUB SERVICES DIRECTOR, LIFE SAVING DIRECTOR, ASSISTANT LIFE SAVING OFFICER, BUSINESS AND MARKETING DIRECTOR, FINANCE DIRECTOR, COMPETITION DIRECTOR, JUNIOR ACTIVITIES DIRECTOR, ASSISTANT JUNIOR ACTIVITIES OFFICER, CLUB DEVELOPMENT DIRECTOR, EDUCATION OFFICER, PATROL OFFICER, REGISTRAR, YOUTH DEVELOPMENT OFFICER, CONSTITUTION COMMITTEE (3 MEMBERS), LIFE MEMBER COMMITTEE (3 MEMBERS)

**3.2 APPOINTED OFFICE BEARERS:**

- (a) At the first meeting of the incoming Board of Management, the Board will appoint the following officers: PATRON, VICE-PATRON(S), HONORARY SOLICITOR, HONORARY MEDICAL ADVISER and HONONARY AUDITOR.
- (b) The Board may also appoint or employ a Club Office Manager.
- (c) Honorary Officers will provide advice to the Board when required. The Board may also appoint other Honorary Officers to provide advice or special duties to the Board when deemed necessary.

**3.3 ELECTIONS:**

- (a) All elected positions as listed in 3.1 and 3.2(a) and (c) are declared vacant at the AGM every year.
- (b) A member must be over 18 years old, financial and eligible to vote at the AGM, as defined in Para 7.2(a) before nominating for an Elected Club Office Position.”
- (c) Nominations for positions must be submitted in writing, on the nomination form for that purpose, .. and be in the hands of the Business and Marketing Director at least 14 (fourteen days) prior to the Annual General Meeting.
- (d) Where no nominations are received in accordance with sub para 3.3(c), the Chairperson of the Annual General Meeting will call for nominations from the floor of that meeting to fill the resulting vacancies. Should nominations still not be forthcoming, the vacancy(s) may be filled by the Board.
- (e) At the first meeting of the incoming Board of Management additional officers may be appointed for special duties deemed necessary by the Board.

**3.4 TERM OF OFFICE:**

- (a) The term of office of a Board member begins when the member is elected at the AGM or appointed to fill a causal vacancy that occurs through a Board member resigning.
- (b) A person ceases to hold a position on the Board on ceasing to be a member of the Club, resignation from the Board and on the occurrence of any of the ineligibility events in Para 3.4 (c).
- (c) A person will be ineligible to sit on the Board if they:
- i. Are an undischarged bankrupt or their affairs are under insolvency laws;
  - ii. Have been convicted of an offence in connection with the promotion, formation or management of a body corporate;



- iii. Have been convicted of an offence involving fraud or dishonesty punishable on conviction by at least three months or more imprisonment; or
- iv. Have been convicted of an offense under Division 3 (The duties of officers provisions) or Section 127 (the duty with respect to the incurring of debt) of the Act;

unless with prior approval by the Commissioner for Consumer Protection

- (d) Where a person is prohibited because they have been convicted of an offence they cannot be a Board Member for a period of five years from their conviction, except where the conviction resulted in imprisonment, in which case they cannot be a Board Member from five years from their release from custody.

#### **PARA 4.**

#### **DUTIES OF OFFICERS**

##### **4.1 DUTIES:**

###### **(a) PRESIDENT:**

The President shall preside at all General, Board and Executive meetings. He or she shall maintain order and see that the duties of the other officers are properly performed and the discipline of the Club enforced. He or she shall strictly adhere to the order of business prescribed by the Rules of the Club. After approval, he or she shall sign as a true record of the minutes of the General, Board and Executive meetings.

He or she shall have power to suspend from office or membership, any officer or member of the Club whose continuance in office or membership would, in the opinion of the Board or Executive be detrimental to the Club, and such suspension shall continue until the next meeting of the Board, when it shall cease unless the Board otherwise directs.

The President will ensure the Club has a Five Year Plan, that the Plan is being followed by each Director and that the Plan is updated annually.

###### **(b) IMMEDIATE PAST PRESIDENT:**

The duties of the Immediate Past President shall be to provide a continuity of information regarding the Club business to the incoming Board of Management.

He or she shall hold this position, on the Board, only until the next Annual General Meeting.

###### **(c) VICE PRESIDENT:**

He or she will be elected by the Board at the first meeting following the AGM. The Vice President, in the absence of the President, will preside at Club meetings with all the powers of the President.

###### **(d) CLUB SERVICES DIRECTOR:**

He or she shall be responsible for the security, maintenance, repairs and general condition of the Club's premises and the hire of club premises and equipment including any area of the club premises sub-leased for any purpose. He or she shall also be responsible for the gaining and supervision of all licenses and permits and the correct operation of the club bar and restaurant.

###### **(e) LIFE SAVING DIRECTOR:**

The Life Saving Director shall be responsible for the conduct of all members, when associated with the Club's activities and their education in Surf Life Saving. He or she shall in co-operation with the Assistant Life Saving Officer and Patrol Officer arrange patrols and conduct meetings of the Patrol Captains. He or she shall be responsible for the implementation of Club policy and patrol by-laws.

He or she shall have the power to delegate any duty to a Club member.

###### **(f) ASSISTANT LIFE SAVING OFFICER:**

The Assistant Life Saving Officer shall assist the Life Saving Director in maintaining and developing Surf Lifesaving efficiency.

In the absence of the Life Saving Director he or she shall have like power and authority.

(g) **BUSINESS AND MARKETING DIRECTOR:**

The Business and Marketing Director is the Club Secretary and shall supervise the activities of the Club Office Manager including the keeping of all minutes and the conduct of the Club's correspondence.

He or she shall also oversee all activities in relation to fundraising, sponsorships and marketing on behalf of the Club and report back to the Board on all these matters as they occur.

(h) **FINANCE DIRECTOR:**

The Finance Director shall supervise the payment of all accounts that have been approved by the Board of Management. He or she shall ensure at each Board meeting a statement showing the financial state of the Club's affairs. He or she shall make available at the Board's request, a listing of all members in arrears financially in any respect.

He or she shall be empowered to receive all monies on behalf of the Club and shall issue receipts for same and manage the financial process. All monies received on behalf of the Club are to be immediately banked. He or she may authorise the Club Office Manager (or other responsible person) to act on his or her behalf in the receipt and banking of Club monies.

The Finance Director shall be responsible for the preparation of the annual accounts and ensure that they are audited and are available for inclusion in the Annual Report.

(i) **COMPETITION DIRECTOR:**

The Competition Director shall be responsible for the organisation of all Club competition and follow the coaching and training of members in the competitive areas of Surf Life Saving.

(j) **JUNIOR ACTIVITIES DIRECTOR:**

The Junior Activities Director shall be responsible for all Junior membership and activities.

(k) **ASSISTANT JUNIOR ACTIVITIES OFFICER:**

The Assistant Junior Activities Officer shall assist the Junior Activities Director with all activities required to maintain and develop the junior area while ensuring efficiency.

(l) **CLUB DEVELOPMENT DIRECTOR:**

The Club Development Director shall be responsible for the development of club activities, the induction of new members and shall supervise the transition of members from Junior Activities to Senior Active level.

He or she shall liaise with outside sporting bodies and community groups in promoting club programs and special events.

(m) **EDUCATION OFFICER:**

The Education Officer, under the direction of the Life Saving Director, shall be responsible for the training of all members in the Club and the preparation of new members for award assessments.

The Education Officer must hold the relevant Surf Lifesaving Trainer's Certificate.

(n) **PATROL OFFICER:**

The Patrol Officer, under the direction of the Life Saving Director, shall control the patrolling of the beach and shall keep all patrol records.

(o) **REGISTRAR:**

The Registrar, under the direction of the Business and Marketing Director, shall be responsible for all club records of membership and the details required on the members records.

(p) **CONSTITUTION COMMITTEE MEMBERS:**

The interpretation of this Constitution and its By-Laws shall be the duty of the Constitution Committee Members as per Para 5.9 and Para 9.3.

- (q) **YOUTH DEVELOPMENT OFFICER:**  
The Youth Development Officer, under the direction of the Club Development Director, shall coordinate and assist all Active (15-18 years) and Cadet (13-15 years) members in areas of patrol, competition, instruction and other club activities.
  - (r) **LIFE MEMBERSHIP COMMITTEE MEMBERS:**  
The Life Membership Committee members are required to assess nominations for Life Membership as per Para 2.4 (m) and Para 5.4.
  - (s) **CLUB OFFICE MANAGER:**  
The Club Office Manager shall, under the supervision of the Business and Marketing Director, carry out such duties as may be allocated by the Board.
  - (t) Every Director shall be prepared to take on special tasks as directed by the Board.
- 4.2 MEETINGS:**
- (a) Each of the above Officers shall meet regularly, with the members under their control, to discuss matters pertaining to their area.

**PARA 5. COMMITTEES**

**5.1 NON-ELECTED POSITIONS**

- (a) All Committees with non-elected Officers and Members will have those positions appointed by the Chair of that Committee.

**5.2 BOARD OF MANAGEMENT:**

- (a) The management of the Club shall be vested in a Board of Management consisting of the following Office Bearers; President, Club Services Director, Finance Director, Business and Marketing Director, Life Saving Director, Competition Director, Junior Activities Director, Club Development Director and the Immediate Past President.
- (b) The Chairperson of the Board shall be the President or the Vice President in the absence of the President. The Chairperson shall have a deliberative as well as a casting vote.
- (c) The Board shall meet at least once each month, five (5) shall form a quorum.
- (d) The Board shall be responsible for the control of finance and general business and shall deal with all matters associated with Surf Life Saving WA, the City of Joondalup and any other relevant bodies. It shall exercise control over the clubrooms and all club property.
- (e) The Board shall have the power to fill all vacancies in Club office bearers occurring during the year.
- (f) The Board of Management shall have the power to appoint sub - committees for purposes deemed necessary.
- (g) Nowhere in this Constitution is there written intent that any Committee shall supersede the powers of powers of the Board and all Committees must at all times obey any instruction issued by the Board of Management. The Disciplinary Committee is exempt from this Statement as per circumstances described to in section 6.5(c) .
- (h) A member who wishes to inspect the register of office bearers must contact the President or their delegate to make the necessary arrangements.

## **5.2 EXECUTIVE COMMITTEE:**

- (a) The Executive Committee shall consist of four (4) officers; President, Business and Marketing Director, Finance Director and Life Saving Director. Three (3) to form a Quorum.
- (b) The President shall have a deliberative as well as a casting vote and in his or her absence, the Life Saving Director shall be Chairperson with like powers.
- (c) The Executive Committee shall deal with all urgent matters arising between meetings of the Board and shall report their action to the next meeting of the Board.

## **5.3 CONSTITUTION COMMITTEE:**

- (a) A committee of three financial club members shall be elected at the Annual General Meeting to act as the Constitution Committee.
- (b) This committee shall interpret the provisions of this Constitution and its By-Laws and shall recommend such amendments as it deems necessary to maintain the proper function of the Constitution.
- (c) The Committee shall appoint one of its members to act as Chairperson.

## **5.4 LIFE MEMBERSHIP COMMITTEE:**

- (a) The Life membership Committee shall consist of three (3) Life members elected at the Annual General Meeting.
- (b) The Committee shall appoint one of its members to act as Chairperson.
- (c) The Committee shall have regard at all times to the fact that a Life Membership is the highest award which can be bestowed upon a member by the club.
- (d) The Committee shall meet within four (4) weeks of receiving the submission of a nominee from the Business and Marketing Director.
- (e) The Committee shall verify the record and note the special and / or outstanding achievements of the nominee.
- (f) The Committee shall decide whether or not nominations will be forwarded to the next Annual General Meeting for consideration by the members.
- (g) The Chairperson of the Committee shall advise the Board of Management, in writing, of its decision regarding each nomination.

## **PARA 6**

## **STANDING COMMITTEES**

### **6.1 BEACH COMMITTEE:**

- (a) The Beach committee shall consist of seven (7) Officers; the Life Saving Director, the Assistant Life Saving Officer, IRB Officer, Education Officer, Patrol Officer, First Aid Officer and Gear Officer. Four (4) shall form a quorum.
- (b) The Chairperson of the Beach Committee shall be the Life Saving Director and in his or her absence, the Assistant Life Saving Officer. The Chairperson shall have a deliberative as well as a casting vote.
- (c) The Beach Committee shall be responsible for the work appertaining to Surf Life Saving as practised in the Club's patrol area. It shall have the right to introduce new or improved methods of operation in an effort to improve the efficiency of the Club.
- (d) The Committee shall discuss all applications from members for leave of absence and exemption from patrol duty. The Committee shall take action on breaches of regulations and patrol by-laws by the Club's members on the beach.

- (e) At the start of each season the Beach Committee shall organise the members into patrols, issue patrol uniforms and draft by-laws for the efficient operation of the Club's beach for that season.
- (f) Reports of all action taken by the Beach Committee shall be addressed to the Board in the form of minutes. The minutes shall be endorsed by the Board before any action can be taken on recommendations contained therein.

## **6.2 BUSINESS AND MARKETING COMMITTEE:**

- (a) The Business and Marketing Committee is responsible for raising club funds as per Para 8.2. It shall receive the Club budget and endeavour to raise sufficient funds to meet the annual budget.
- (b) The Business and Marketing Committee shall consist of the Business and Marketing Director, Finance Director, Club Services Director and others as required.
- (c) The Business and Marketing Director, or his or her nominee, shall Chair this Committee. It shall meet at least once a month to fulfill its obligations.
- (d) Reports of all action taken by the Business and Marketing Committee shall be addressed to the Board in the form of minutes. The minutes shall be endorsed by the Board before any action can be taken on recommendations contained therein.

## **6.3 COMPETITION COMMITTEE:**

- (a) The Competition Committee is responsible for the development of competition and coaching of all members of the club. It shall put into place such activities and programs to ensure an ongoing development of competition within the club.
- (b) The Competition Committee shall consist of the Competition Director, Boat Captain, Ski Captain, Board Captain, Beach Captain, IRB Captain, Water Captain, Coaching Co-ordinator, Officials' Liaison, Handicapper and include relevant Captains and others as deemed necessary.
- (c) The Competition Director, or his or her nominee, shall chair this committee. This committee should meet at least once per month, five (5) to form a quorum.
- (d) It shall be responsible for the care and use of the Club's competition equipment.
- (e) The Competition Committee is responsible for the conduct of all Club Competition Events.
- (f) Reports of all action taken by the Competition Committee shall be addressed to the Board in the form of minutes. The minutes shall be endorsed by the Board before any action can be taken on recommendations contained therein.
- (g) The Competition Committee will appoint a Coaching Panel to be chaired by the Coaching Co-ordinator. The Coaching Panel will oversee the coaching of all the Club's athletes, the development of all the Club's coaches and selection of all Club teams. The Coaching panel will report to the Competition Committee.
- (h) At the start of each season the Competition Committee shall draft by-laws for the efficient operation of the Club's competitive side and submit a calendar of events to the Board.

## **6.4 JUNIOR COMMITTEE:**

- (a) The Junior Committee shall consist of the Junior Activities Director, Assistant Junior Activities Officer, Age Group Managers (or their representative), and others as necessary.
- (b) The chairperson shall be the Junior Activities Director or the Assistant Junior Activities Officer in the Junior Activities Director's absence. He or she shall have a deliberative as well as a casting vote.
- (c) The Junior committee will meet at least once per month, five (5) to form a quorum.
- (d) The Junior committee is responsible for the continued development of the Club's Junior members through to their transition into the Active membership of the Club. It is required to put into place such activities and programs that maximise the number of Junior Members coming through to Active membership.

- (e) Reports of all action taken by the Junior Committee shall be addressed to the Board in the form of minutes. The minutes shall be endorsed by the Board before any action can be taken on recommendations contained therein.

**6.5 DISCIPLINE COMMITTEE:**

- (a) Shall be convened to hear all matters referred to in writing and determine action to be taken in accordance with the Constitution and By-Laws in the best interests of the Club and report on its findings to the Board.
- (b) Shall consist of a committee of three (3) made up from Past Presidents and/or Life Members appointed, as and when necessary, by the Board of Management. The three Members shall not be current Board Members and shall not have any association with the issue in hand.
- (c) The Discipline Committee shall have the power to take immediate action as in Para 10.1 as long as a full written report is presented to the next Board of Management meeting.
- (d) The members of the Disciplinary Committee shall select a Chairperson.

**6.6 FOOD AND BEVERAGE COMMITTEE**

- (a) The Food and Beverage Committee shall consist of the Club Services Director, Finance Director, and at least three (3) other members appointed by the Club Services Director. The Food and Beverage Manager shall sit on the committee as an ex officio, with no voting rights. Four (4) shall form a quorum.
- (b) The Club Services Director will be Chairperson of the Food and Beverage Committee and in his or her absence the Finance Director will act as Chair.
- (c) The Food and Beverage Committee is responsible for the correct and profitable operation of the Clubs' Bar and Food sales whilst maintaining the club amenities and delivering affordable services to members.
- (d) At the start of each season the Food and Beverage Committee shall, after reviewing all other Sub Committee calendars, submit a calendar of events to the Board for approval.
- (e) Reports of all action taken by the Food and Beverage Committee shall be addressed to the Board in the form of minutes. The food and Beverage Manager shall be responsible for taking the minutes of each meeting. The minutes shall be endorsed by the board before any action can be taken on recommendations contained therein.

**6.6 POWERS DELEGATED TO COMMITTEES**

- (a) A committee must exercise the powers assigned to it according to the terms of the delegation and any directions of the Board. The Committee is responsible to and reports to the Board.
- (b) Powers delegated to and exercised by a Committee are taken to have been carried out by the Board.

**PARA 7.**

**MEETINGS**

**7.1 ORGANISATION:**

**(a) ANNUAL GENERAL MEETING:**

The Annual General Meeting shall be held in June each year, to receive the Annual Report and Balance Sheet, and to elect the Office Bearers for the ensuing season in accordance with Para 3. Written notice thereof shall be forwarded to each voting member by the Business and Marketing Director at least fourteen (14) days prior to the meeting date. Fifty percent (50%) of all members eligible to vote shall form a quorum. Failing such a quorum, the Board shall take action to reconvene the meeting at a later date.

**(b) GENERAL MEETINGS:**

Where required the Board shall call General meetings during the season. Twenty percent (20%) of voting members may require that a general meeting be called. Written notice of a general

meeting shall be forwarded to each member by the Business and Marketing Director at least fourteen (14) days prior to the meeting date. The meeting may only consider any motion or business set out in the notice. Twenty five percent (25%) of all members eligible to vote shall form a quorum. Failing such a quorum, the Board shall take action to re-convene the meeting at a later date.

**(c) BOARD OF MANAGEMENT MEETINGS:**

The Board shall meet regularly, once per month. The Board, President or Business and Marketing Director may call a meeting of the Board at a time convenient to the majority of Board members. Any financial member may attend the regular meeting of the Board as a visitor, other than that part of the meeting during which the conduct of a member or employee is to be considered. He or she may not address the meeting unless a majority of the Board members present vote to permit such an address.

**(d) OTHER COMMITTEE MEETINGS:**

All other Committees shall meet as stated in the relevant By-Laws and in line with demand.

**7.2 VOTING RIGHTS:**

- (a) Voting at all Annual General and General meetings shall be restricted to Life Members and financial Long Service, Reserve Active, Active Members, Active 15-18 years Members, Associate Members. Award Members who hold office or positions are also entitled to vote.
- (b) Voting at all Board and Committee meetings is restricted to the members of that Board or Committee.
- (c) Proxy voting is not accepted in any meetings.

**7.3 ATTENDANCE:**

- (a) The Business and Marketing Director shall supervise the keeping of an attendance record of each meeting of each Committee. Should any member of a Committee absent himself from two (2) consecutive meetings without submitting due apologies, his or her seat and office shall be declared vacant.

**7.4 MINUTES:**

- (a) The minutes of all Committee and Board meetings should be made available to members.

**PARA 8. FINANCE**

**8.1 CONTROL:**

- (a) The funds of the Club shall be under the direct control of the Board.
- (b) All payments are to be approved by any two (2) of the following signatories; President, Club Services Director, Finance Director or Business and Marketing Director. No payment shall be made until the item of expenditure has been approved by the Board or Executive Committee, in line with the Delegation of Authority as specified in the Finance By-Laws.
- (c) The Club may:
  - (1) Purchase, take on lease, exchange, hire or otherwise acquire any real or personal property and any rights and privileges and erect buildings necessary or convenient for the purposes of the Club.
  - (2) Borrow any monies required and duly authorised for the purposes of the Club from any person or corporation on overdrawn fluctuating current account or otherwise at such a rate of interest and upon such terms as thought fit and give such securities for the monies so borrowed as the tenderer may require.
- (d) The Club shall have a Common Seal which shall be kept by the Business and Marketing Director and where required, the Common Seal shall be affixed to documents by the Business and Marketing Director in the presence of the President who shall sign the document which will be duly countersigned by the Business and Marketing Director.

## **8.2 FUNDRAISING:**

- (a) The profits of all fundraising efforts, not solely conducted for the purpose of General Revenue or for a Gear Trust Account, shall be divided in the proportion forty per cent to General Revenue and sixty per cent to a specified other purpose, provided always that prior approval to raise funds for the specified other purpose has been granted by the Board.
- (b) The Finance Director shall receive the total of such monies, either directly or through the Club Office Manager and shall then administer their distribution in the approved proportion, or as requested by the Sponsor.
- (c) The Club is able to obtain Sponsorship for purposes identified by the Club or as requested by the Sponsor.
- (d) No member of the Club or the general public is to use the Club name, logo, property or premises for fundraising or sponsorship without prior approval from the Board.

## **PARA 9. CONDUCT OF MEMBERS**

### **9.1 CODE OF CONDUCT**

- (a) Every member of the Club must comply with the Code of Conduct as determined by the Board in support of the Objectives of this Constitution.

### **9.2 USE OF CLUBROOMS**

- (a) The Club Services Director or the Board of Management may grant permission; otherwise none but club members shall have the use of the Club's premises in accordance with membership categories..

### **9.3 LICENSED PREMISES:**

- (a) Where the club has licensed premises and pursuant to section 48 (4) (b) of the Liquor Licensing Act 1988, the maximum number of guests per member per day for the purposes of Section 48(4) (b) of the Act is five(5).
- (b) Where the club has appointed or employed a Club Office Manager he or she, for the purpose of the Liquor Licensing Act, may be appointed as the club's nominated licensee.
- (c) A person who is on any day visiting the club as a member or an official of, or a person assisting a team that is to contest a pre-arranged event in that sport on that day or at the invitation of a member to engage in that sport on that day, may be taken to be a person who is afforded temporary membership on that day.
- (d) All members and guests attending must comply with the current Liquor Licensing Act, and any terms laid down by the Department of Racing Gaming and Liquor.

### **9.4 CLUB PROPERTY:**

- (a) No person shall on any occasion remove from the Club premises any property belonging to the Club without first receiving permission from the Club Services Director or the Gear Officer.
- (b) Persons receiving such permission shall be held responsible for the full value of the article(s) borrowed until they are returned.
- (c) Any damage done to the Club's property by a member at any time must be reported by him or her to the Club Services Director, Gear Officer or any other Club officer immediately.



**PARA 10.**

**DISCIPLINE OF MEMBERS**

**10.1 ACTION ON MISDEMEANOUR:**

- (a) Any member who breaches any of the rules or By-Laws of the Club or in any way misconducts themselves either on the Club premises or during the course of any activities of the Club at any place or whilst acting as a member of the Club at any place, or performing duties on behalf of the Club may be called upon by the Discipline Committee to show cause why he or she should not be disciplined.
- (b) Where the Board believes a member of the club:
  - a. Has persistently refused or neglected to comply with a provision or provisions of these rules or of the By-Laws of the Club;
  - b. Has persistently and/or wilfully acted in a manner prejudicial to the interests of the club;  
or
  - c. Has breached Regulation, By-Laws or Policies of Surf Lifesaving Australia;  
The Board may, by a majority vote, refer the matter to the Discipline Committee.
- (c) Where a member of the club has been referred to the Discipline Committee, the Board may by majority vote and on recommendation from the Disciplinary Committee, temporarily suspend that member from all rights and privileges of the club for any of the following reasons:
  - d. Protection of the summonsed member;
  - e. Protection of any member of the club;
  - f. Protection of the club.
- (d) Where any member, who is subject to an investigation, or has been charged, or who has been convicted of a child sexual assault or sexual assault of a member, shall:
  - g. in the case of an investigation or charges being preferred, through a majority vote of the Board, be asked to voluntarily temporarily relinquish their membership and all rights and privileges of the club, until the matter is finalized;
  - h. in the case of a conviction, through a majority vote of the Board:  
be suspended from all rights and privileges of the club, or  
have their membership and all privileges of the club revoked.
- (e) The Discipline Committee, if satisfied that the member has been guilty of such infringement or misconduct as aforesaid, may discipline or suspend said member from the Club.

**10.2 APPEALS:**

- (a) A member dealt with by the Discipline Committee and placed under suspension shall have the right to appeal in writing within fourteen (14) days to the next Board meeting, whose decision shall then be final. Until such appeal has been heard, the member shall remain suspended from the Club.
- (b) Any further rights of appeal shall be as governed by the constitution and rules of SLSA and/or Surf Life Saving WA.
- (c) All documents pertaining to disciplinary action of the Discipline Committee will be retained in a sealed secure place for 7 years.

**10.3 EFFECTS OF SUSPENSION:**

- (a) Any member suspended shall forfeit all claims to the property of the Club and cease to be a member thereof for the term of such suspension.

**PARA 11**

**GRIEVANCE PROCEDURES**

- 11.1** The Grievance procedures set out in this clause applies to disputes between a Member and
- i. Another Member; or
  - ii. The Club,

where it relates to the Constitution and Bylaws of the Club.

- 11.2** The parties to the dispute must meet (which may, if agreed by the parties, take place by using any technology that allows the parties to clearly and simultaneously communicate with each other) and discuss the matter in dispute and, if possible, resolve the dispute within fourteen (14) days after the dispute comes to the attention of all parties.
- 11.3** If the parties are unable to resolve the dispute at the meeting or if a party fails to attend that meeting, then the parties may, within 10 days, refer the dispute to the State Administrative Tribunal (or such other similar body in circumstances where the State Administrative Tribunal is no longer in existence ) for resolution.
- 11.4** The Board may prescribe additional grievance procedures in By-Laws consistent with Para 11.

**PARA 12.**

**CONSTITUTION**

**12.1 MASTER COPY:**

- (a) The master copy of the Constitution, along with notices of motion to amend, and records of amendments made, are the responsibility of the Business and Marketing Director.
- (b) All members will have access to the Club Constitution.

**12.2 AMENDMENT TO THE CONSTITUTION:**

- (a) Amendments to the Constitution shall be made at the Annual General Meeting or at a Special General Meeting called for that purpose.
- (b) Any financial member may request in writing amendments to the Constitution provided that such a request is signed by the member and duly signed by a second member and given to the Business and Marketing Director for presentation to the Board who will refer the amendments to the Constitution Committee for clarification and to ensure compliance with the Constitution. The Board may refer its own proposed amendments to the Constitution Committee and the Constitution Committee may propose its own amendments. The Business and Marketing Director shall ensure that the members are advised of the proposed amendments at least fourteen (14) days prior to the next Annual General Meeting at which the motions shall be included as business. If the matter is of the utmost urgency, the Business and Marketing Director shall call within twenty eight (28) days a Special General Meeting to deal with the item, notifying members at least fourteen (14) days prior to that meeting of the proposed amendments.
- (c) As soon as is practicable after the making of any proposal for a change to the Constitution or rules of the Club the Business and Marketing Director shall provide to the Director of Liquor Licensing certified particulars of the change proposed. No effect will be given to the change without the prior approval of the Director of Liquor Licensing.
- (d) Section 17(2) of the Associations Incorporation Act 2015 requires that within one month of the passing of a special resolution to alter its rules, the Board must lodge notice of the special resolution with the Commissioner for Consumer Protection. The notice must set out the particulars of the alteration and include certification by a member of the Board that the resolution was duly passed as a special resolution and that the rules of the association as altered conform to the requirements of the Act.

- (e) All actions by any member of the Club shall be bound within the rules of this Constitution. Where such rules become outmoded, they shall be deemed as requiring amendment as in Para 12.2. The Constitution shall be updated regularly.
- (f) The Business and Marketing Director is required to update the Master copy of the Constitution within one month of the amendment being passed. Notice of the change to the Constitution should be sent to all members in the next posting of information to members.

### **12.3 BY-LAWS:**

- (a) Each Director is responsible for writing and or reviewing the relevant By-Laws for their portfolio area at the beginning of each season. These By-Laws must be dated and approved by the Board.
- (b) Prior to approval by the Board the By-Laws must be checked by the Constitution Committee to ensure compliance with the Constitution.
- (c) The Club By-Laws shall be valid if dated for the current season or until superseded.
- (d) The Board must adopt as a By-Law a Code of Conduct for members and directors, and periodically review the Code of Conduct in light of the general principles of good corporate governance.

### **PARA 13. CLUB COLOURS, BADGES**

- (a) The Club colours shall be Light Green, Dark Green and White.
- (b) At any Annual General Meeting the Club may reconsider the design of its swimming costume, uniform and badges, provided that no further alteration shall take place for a period of three (3) years. The design shall be recorded by the Business and Marketing Director.

### **PARA 14. DISSOLUTION**

- (a) The Club may be dissolved by a resolution carried by a three fourths (3/4ths) majority of financial members entitled to vote, present at a General Meeting convened under the conditions of Para 7.1(b) of this Constitution, except that notice shall, in addition, be advertised on two (2) occasions at least seven (7) days prior to such meeting, in the Public Notices column of a leading daily newspaper distributed widely in Western Australia. Any resolution so carried shall be confirmed or otherwise at a further General Meeting convened under the conditions of Para 7.1 (b) of this Constitution.
- (b) Upon the passing and confirming of any such resolution the Board shall discharge all liabilities from the available funds or realise any investments or property to so do and shall then transfer any remaining monies, assets, equipment and records to Surf Life Saving WA, to be held in trust and used at its discretion to provide Surf Life Saving Equipment at Sorrento Beach or to form another Surf Life Saving Club at such beach if and when the opportunity arises.