

**REDHEAD SURF LIFE SAVING CLUB INC.**

**Founded 1908**

**CONSTITUTION**

**August 2019 Revision**

**As adopted by members on 4 August 2019**



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## **SECTION 1 - CONSTITUTION**

### **PART 1     PRELIMINARY**

#### **1.     CLUB NAME**

The Club shall be called Redhead Surf Life Saving Club Incorporated (RSLSC) and shall consist of all persons duly elected as members, and shall be affiliated with Hunter Branch Surf Life Saving, New South Wales Surf Life Saving and to Surf Life Saving Australia;

#### **2.     OBJECTS OF REDHEAD SURF LIFE SAVING CLUB INC**

RSLSC is a charitable community service based association.

The objects for which the Club is established are to:

- (a)    create an entity through and by which surf life saving and the preservation of life in the aquatic environment can be conducted, encouraged, promoted, advanced and administered;
- (b)    ensure the maintenance and enhancement of the Club and surf life saving, its standards, quality and reputation for the benefit of the Members and surf life saving;
- (c)    promote the economic and community service success, strength and stability of RSLSC;
- (d)    conduct or commission research and development for improvements in methods of surf life saving and surf life saving equipment and in all ways to improve and safeguard the use of the aquatic environment;
- (e)    use and protect the Intellectual Property;
- (f)    apply the property and capacity of RSLSC solely towards the fulfilment and achievement of these objects;
- (g)    promote the involvement and influence of surf life saving standards, techniques, awards and education with bodies involved in aquatic life saving;
- (h)    strive for governmental, commercial and public recognition of RSLSC as the authority on aquatic safety and management on Redhead Beach and the adjacent aquatic environment;
- (i)    promulgate, and secure uniformity in, such rules as may be necessary for the management and control of surf life saving and related activities and the preservation of life in the aquatic environment;

- (j) foster, regulate, organise and manage examinations, competitions, displays and other activities and to issue badges, medallions and certificates and award trophies to successful Members;
- (k) review and/or determine any matters relating to surf life saving which may arise, or which are referred to it, by any member;
- (l) act as arbiter on all matters pertaining to the conduct of surf life saving in RSLSC, including disciplinary matters and recognise any penalty imposed by any RSLSC judiciary committee;
- (m) pursue through itself or other such commercial arrangements, including sponsorship and marketing opportunities as are appropriate to further the interests of surf life saving;
- (n) formulate or adopt and implement appropriate policies, including in relation to sexual harassment, equal opportunity, equity, drugs in sport, health, safety, junior and senior programs, infectious diseases and such other matters as arise from time to time as issues to be addressed in surf life saving;
- (o) have regard to the public interest in its operations;
- (p) ensure that environmental considerations are taken into account in all surf life saving and related activities conducted by RSLSC;
- (q) encourage Members to realise their potential and athletic abilities by extending to them the opportunity of education and participation in surf life saving competition and to award trophies and rewards to successful competitors;
- (r) recommend and support awards to Members and others, in honourable public recognition of hard and meritorious rescues from the sea, deeds of exceptional bravery from time to time performed in the course of life saving and other distinguished services and acts;
- (s) seek and obtain improved facilities for the enjoyment of the aquatic environment;
- (t) promote uniformity of laws for the control and regulation of the aquatic environment and to assist authorities in enforcing these laws;
- (u) confer Life Membership of RSLSC, recommend the conferring of Life Membership of Hunter Surf Life Saving, Surf Life Saving New South Wales and /or Surf Life Saving Australia, on any Member of RSLSC, subject to the requirements of Surf Life Saving New South Wales By-Laws and the requirements of the respective higher authority;

- (v) to assist in preserving good order and decorum on the beach under the control of the above Club;
- (w) to organise and conduct surf lifesaving competitions, social functions and other Club activities for the benefit and assistance of the Club;
- (x) conduct and co-ordinate all matters relating to Junior Activities;
- (y) provide Junior Activities members with an educational and teaching experience in a wide range of subjects and skills within the aquatic marine environment;
- (z) to prepare Junior Activities members for their eventual transition to the marine and patrol environment of RSLSC;
- (aa) to appoint patrols to render all possible aid to those in distress;
- (ab) undertake and or do all such things or activities which are necessary, incidental or conducive to the advancement of these objects;

### **3. POWERS OF REDHEAD SURF LIFE SAVING CLUB**

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

- (a) acquire by purchase, exchange or otherwise, whether for an estate in fee simple or for any less estate, lands, tenements or hereditaments of any tenure whether subject or not to any charges or encumbrances and to erect, replace, maintain, reconstruct, adapt and furnish any offices or other buildings thereon and to sell, let, alienate, mortgage, charge or deal with all or any such lands, tenements or hereditaments or any part of them;
- (b) purchase, take on lease or in exchange or otherwise acquire any real or personal estate which may be deemed necessary or convenient for any of the purposes of RSLSC and to sell, manage, lease, mortgage, give in exchange, dispose of or otherwise deal with the same or any part thereof;
- (c) construct, maintain and alter any houses, buildings or works necessary or convenient for the purposes of RSLSC;
- (d) borrow and raise money in such manner, as RSLSC may think fit;
- (e) raise or borrow money on bonds or mortgage or other security of any property held for or on behalf of RSLSC or without any such security and upon such terms as RSLSC shall think fit;
- (f) receive money on deposit with or without allowance of interest thereon;

- (g) invest any monies of RSLSC, not immediately required for the objects of RSLSC, in such manner as may from time to time be determined by RSLSC Management Committee;
- (h) do all or any of the matters authorised either alone or in conjunction with any person, company or unincorporated body or by or through any factors, trustees or agents;
- (i) take any gift of property whether subject to any special trust or not for any one or more of the objects of RSLSC;
- (j) take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purposes of procuring contributions to the funds of RSLSC in the shape of donations, annual subscriptions or otherwise;
- (k) subscribe to, become a member of or co-operate with any other organisation whether incorporated or not whose objects are similar, in whole or in part, to those of RSLSC, so long as that other organisation prohibits the distribution of its income and property amongst its Members at least to the extent provided under this Constitution;
- (l) print and publish any newspapers, periodicals, books or leaflets that RSLSC may think desirable for the promotion of its objects;
- (m) appoint, hire, employ, remove, replace or reinstate secretaries, managers, servants, employees and other persons in and for the carrying out of the objects of RSLSC and to pay them in return for services rendered to RSLSC, salaries, wages and gratuities;
- (n) subscribe to any charities and to grant donations for any public purpose;
- (o) produce, develop, create, licence and otherwise exploit, use and protect the Intellectual Property;
- (p) establish and maintain corporate entities to carry on and conduct the business affairs and undertakings, or any aspect thereof, of RSLSC and for that purpose, utilise any of the assets of or held on behalf of RSLSC;
- (q) promote any other person or company for any purpose calculated to benefit RSLSC;
- (r) purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the companies, institutions, societies or associations whose activities or purposes are similar to those of RSLSC or generally for any purpose calculated to benefit RSLSC;

- (s) take and effect insurance or seek, obtain and in its discretion, act on, any professional advice necessary or appropriate;
- (t) do all such acts and things as are incidental, conducive or subsidiary to all or any of the objects of RSLSC.

#### **4. INTERPRETATION**

In this Constitution unless the contrary intention appears:

“Active Members” means Active, Reserve Active and Long Service Members.

“Annual General Meeting” means the annual meeting of the Members of RSLSC.

“Club” shall mean a Surf Lifesaving Club, which is a member of HSLS.

“Committee meeting” means a meeting of the Management Committee and Executive Committee convened in accordance with this Constitution and includes Annual General Meetings and Special General Meetings.

“Committee”, unless otherwise qualified, wherever used in the Rules, or any Regulations of the RSLSC, shall mean the Management Committee.

“Constitution” means these Rules, By Laws and Regulations of RSLSC.

“HSLS” shall mean Hunter Surf Life Saving Inc.

“WH&S” shall mean Workplace Health & Safety

“Public Officer” shall be the Secretary of RSLSC or other member deemed suitable by the Management Committee

“Redhead Surf Life Saving Club” shall mean Redhead Surf Life Saving Club Inc.

“RSLSC” shall mean Redhead Surf Life Saving Club Inc.

“RSA” shall mean Responsible Service of Alcohol

“SLSNSW” shall mean Surf Life Saving New South Wales Inc.

“SLSA” shall mean Surf Life Saving Australia Limited

“Special Resolution” means a resolution passed at any committee meeting, at which a quorum is present, and passed by at least three quarters of those members present and entitled to vote and of which not less than 21 days notice specifying the intention to propose the resolution as a special resolution was given in accordance with this Constitution.

"Standing Committees" mean those or committees established and appointed by RSLSC under Part 4 of this Constitution.

Words importing the singular include the plural and vice versa.

Words importing any gender shall include the other gender.

References to persons include corporations and bodies politic.

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

## **5. CLUB COLOURS**

The Club colours shall be royal blue and gold.

## **6. CLUB CLOTHING**

The Club blazer shall be blue with embroidered monogram to consist of a representation of the Redhead Beach Shark Tower with the words "Redhead SLSC" in gold. Members holding office or Club Champions are entitled to have such inscription in either white or gold lettering. Holders of the Surf Bronze Medallion who are financial Active, Active Reserve, Long Service or Life Members shall be eligible to wear a Club blazer. Associates and Life Honorary Members may wear the Club blazer without holding the Bronze Medallion provided the words "Associate Member" or "Life Honorary Member" are included on the monogram.

## **7. PATROL HOURS**

The patrol season will extend from late September to April in the following year with the precise dates prescribed by the Hunter Branch of the SLSA.

## **8. PATROLS**

- (a) Members of RSLSC as directed by HSLS, SLSNSW and SLSA shall patrol Redhead Beach.
- (b) Patrols shall be appointed by the Club Captain and shall be under the direction of the Patrol Captains selected by the Club Captain.

## **PART 2 – MEMBERSHIP AND AFFILIATIONS**

### **9. MEMBERSHIP**

The membership of RSLSC shall consist of:

- (a) The Executive who shall have the right to be present, debate and vote at committee meetings.
- (b) The Officers who shall have the right to be present, debate and vote at committee meetings.
- (c) Life Members, who shall have the right to be present at RSLSC Meetings, and who shall have debating rights.
- (d) All Active Members who have obtained relevant SLSA awards.
- (e) All other Individual Members of RSLSC, who shall have the right to be present at meetings, but shall have no voting or debating rights.
- (f) All applications for membership shall be made on the approved Association Form and all members shall be bound by this Constitution and the Rules and Regulations.
- (g) Members of RSLSC must renew their membership annually in accordance with the provisions of the Constitution of RSLSC. Members who are not financial by 30th of November in the year of the forthcoming season, shall be deemed non-members and shall therefore default all rights and privileges afforded to financial members.

### **10. EFFECT OF MEMBERSHIP**

Members acknowledge and agree that:

- (a) this Constitution constitutes a contract between each of them and RSLSC and that they are bound by this Constitution, RSLSC Rules and Regulations, the HSLC constitution and the HSLC Rules and Regulations; the SLSNSW Constitution and the SLSNSW Regulations the SLSA Constitution and the SLSA Regulations;
- (b) they are entitled to all benefits, advantages, privileges and services of RSLSC.

## **11. NEW MEMBERSHIP**

- (a) Each application must be accompanied by the relevant Subscription. The application will be considered by a Management Committee meeting.
- (b) No person financially indebted to any other affiliated Club under Surf Life Saving Australia shall knowingly be admitted to Membership unless a clearance certificate is obtained from the other Club.
- (c) No new Member shall be allowed to vote at any Meeting of the Club until one (1) month after the acceptance of his application.
- (d) The Management Committee shall determine a joining fee, applicable to Probationary Members in training for their respective awards. The joining fee shall cover the current costs of the award, literature and training aids required during the course of that training period, and the Membership fees applicable to the category of Membership to be attained on the gaining of the award.

## **12. DISCIPLINE OF MEMBERS**

- (a) Where RSLSC is advised or considers that a Member has allegedly:
  - (i) breached, failed, refused or neglected to comply with a provision of this Constitution, RSLSC By-Laws, HSLC Constitution, HSLC Rules and regulations, SLSNSW Constitution, the SLSNSW regulations, the SLSA Constitution or SLSA Regulations or any resolution or determination of HSLC or any duly authorised Committee or Board; or
  - (ii) acted in a manner unbecoming of a Member, or prejudicial to the objects and interests of RSLSC and/or surf life saving; or
  - (iii) brought RSLSC or surf life saving into disrepute;
- (b) RSLSC may commence or cause to be commenced, disciplinary proceedings against that Member and, that Member, will be subject to, and submits unreservedly to the jurisdiction, disciplinary procedures and penalties and the appeal mechanisms of RSLSC as set out in the SLSA Regulations.
- (c) RSLSC may appoint a Judiciary Committee to deal with any disciplinary matter referred to it. The Judiciary Committee shall operate under the principles expressed and in accordance with the SLSA Regulations.
- (d) Any Member alleged to be in breach of this clause shall be given notice by the Committee to attend a meeting of the Judiciary Committee at which the alleged breach will be dealt with. The notice shall set out clearly the allegations against the Member and advise him/her that he/she may call witnesses in his/her defence at the meeting.

- (e) Upon investigating the alleged breach and hearing any defence, or if no defence is presented, the Judiciary Committee shall have the powers set out in sub-clause (f) hereof.
- (f) The Committee shall have the power to:
  - (i) take no further action;
  - (ii) reprimand;
  - (iii) suspend for a specified period, or expel any Member proved, to its satisfaction, to have been guilty of misconduct on the Club premises or elsewhere, and who, in the opinion of the Committee acted prejudicially to the interests of the Club;
  - (iv) suspend for a specified period or expel any Members, who in its opinion, are unfit to be Members of the Club, and may return any subscription or portion thereof to any such Members, or refuse to receive any subscription without assigning any reason therefore;
  - (v) suspend for a specified period, any of its officers or Members or officer or Member of any Committee or sub-Committee who, in its opinion, have been guilty of neglect of duty, breach of confidence or other misconduct;
  - (vi) suspend for a specified period, or expel any Member who shall knowingly introduce any person who has been expelled from or been refused admission to any kindred Club.
- (g) Any Member dealt with in clause (e) of this rule shall be notified in writing by the Secretary as soon as practical:
  - (i) Setting out the resolution and the grounds on which it is based.
  - (ii) Informing the Member of a Member's rights of appeal which, in the first instance, shall be only to a General Meeting of RSLSC.

### **13. REGISTER OF MEMBERS**

In accordance with SLSA guidelines for membership, the Registrar shall establish and maintain an electronic Register in which shall be entered (as a minimum):

- (i) the full name, address, contact details and class of membership and date of entry of the name of each eligible Member.
- (ii) the full name, address, contact details and class of membership and date of entry of the name of each committee member and their position of office held.

### **14. MEMBERS' LIABILITIES**

The liability of a Member of RSLSC to contribute towards the payment of the debts and liabilities of RSLSC or the costs, charges and expenses of the winding up of RSLSC, is limited to the amounts, if any, unpaid by the Member in respect of membership.

## **15. MEMBERSHIP CATEGORIES**

### **15.1 MEMBERSHIP CATEGORIES:**

Life Membership	(15.2.1)
Life Honorary	(15.2.2)
Active Senior (18 yrs & over)	(15.2.3)
Active Junior (15-18 yrs)	(15.2.4)
Reserve Active	(15.2.5)
Long Service	(15.2.6)
Cadet (13-15 yrs)	(15.2.7)
Probationary (Cadet, Junior, Senior)	(15.2.8)
Junior Activities (5-13 yrs)	(15.2.9)
Associate	(15.2.10)
Associate - Award	(15.2.11)
General	(15.2.12)
Honorary	(15.2.13)

### **15.2 DEFINITIONS OF MEMBERSHIP**

#### **15.2.1 LIFE MEMBERSHIP**

Life Members shall be elected by a two thirds majority in a secret ballot at the Annual General Meeting providing there has been a recommendation in favour of the award of Life Membership by the Life Membership Subcommittee. A nominee for Life Membership must have held the Surf Bronze Medallion and have been a member of the Club for a period of not less than twenty years. During this period, he/she would have rendered special service to the Club that would normally include a substantial period of Committee Membership, usually including some time in an executive position. It is essential such a person has provided substantially more service, and demonstrated far more commitment, than that generally expected of Club Members. Nominations must be accompanied by some outline of the special service rendered by the nominee.

Nominations must be submitted, in strict confidence to the Secretary at least two months prior to the Annual General Meeting with such confidentiality extending to the nominee.

The Secretary will refer any nomination for Life Membership to the Life Membership Subcommittee for investigation and it will report its findings and recommendation to the Secretary. If the Life Membership sub-Committee recommends in favour of the nomination, notice of the nomination must be forwarded to all members with notice of the Annual General Meeting. A secret ballot shall then be conducted at the Annual General Meeting. Should the Life Membership sub-Committee not recommend in favour of the nomination, strict confidentiality should continue to apply to the nomination.

### **15.2.2 LIFE HONORARY MEMBERSHIP**

Life Honorary members shall be elected by a two-thirds majority in a secret ballot at the Annual General Meeting. A nominee for Life Honorary membership shall be a member or non-member who has given outstanding service to the Club over a long period of time and who is considered to be worthy of the greatest possible appreciation by the Club. Nominations for Life Honorary Membership must be submitted to the Secretary and henceforth to the Life Membership sub-Committee in exactly the same manner as nominations for Life Membership (see 15.2.1 above).

### **15.2.3 ACTIVE SENIOR MEMBERSHIP**

Active Senior Members shall be over the age of eighteen (18) years at the commencement of the season. They shall hold the Bronze Medallion of Australia, shall be obliged to do rostered patrol duty throughout the season and shall pass the SLSA Proficiency examination at the commencement of each season unless the member has obtained the Bronze Medallion in the season current.

### **15.2.4 ACTIVE JUNIOR MEMBERSHIP**

Active Junior Members shall be between the ages of fifteen (15) and eighteen (18) years at the commencement of the season or as otherwise defined in SLSA manuals. They shall hold the Bronze Medallion of the SLSA, shall be obliged to do patrol duty throughout the season and shall pass the SLSA Proficiency examination at the commencement of each season unless the member has obtained the Bronze Medallion in the season current.

### **15.2.5 RESERVE ACTIVE MEMBERSHIP**

- (a) Reserve Active Membership may be granted by the Management Committee to Active members who have satisfactorily completed (from the gaining of the Surf Bronze Medallion) at least fifteen (15) years of patrol and/or Club obligations. Such membership will not be automatic and will be reviewed annually by the Management Committee.

Reserve Active members shall pass the SLSA Proficiency examination at the commencement of each season.

- (b) Age of thirty five (35) years; and to members who have earned Reserve Active Membership in other Clubs affiliated with the SLSA.
- (c) Reserve Active Members shall be required to carry out some form of duty such as Radio Officer, Mobile Beach Vehicle Driver or Club Duty Officer or rostered patrols on a proportional basis.

#### **15.2.6 ACTIVE LONG SERVICE MEMBERSHIP**

- (a) Long Service Membership may be granted by the Management Committee to Active or Reserve Active members who have completed a minimum of fifteen (15) years of satisfactory patrol and/or Club obligations. Such membership will not be automatic and will be reviewed annually by the Management Committee.
- (b) Long Service members may be required to carry out some form of duty such as Radio Office or Duty Officer; or may elect to do rostered patrols on a proportional basis if qualified to do so.

#### **15.2.7 CADET MEMBERSHIP**

Cadet members shall be between the ages of thirteen (13) and sixteen (16) at the commencement of the season or as otherwise defined in SLSA manuals. They shall hold the Surf Rescue Certificate of the SLSA. They shall be rostered for patrol duties in a trainee capacity and shall pass the SLSA Proficiency examination at the commencement of each season unless the member has obtained the Surf Rescue Certificate in the season current.

#### **15.2.8 PROBATIONARY MEMBERSHIP (CADET, JUNIOR, SENIOR)**

- (a) Probationary membership shall be the designation of any person for the time period between applying for active membership and the gaining of an award and/or the granting of a formal category membership by the Management Committee.
- (b) Probationary Membership shall be limited to sixteen (16) weeks from the date of acceptance but may be extended by the Management Committee in extenuating circumstances.
- (c) Probationary member applying to join the Club shall be required to pay the Club fee and the SLSA examination fee for the relevant award. Neither fee shall be refundable should the Probationary member fail to gain the award.

### **15.2.9 JUNIOR ACTIVITIES MEMBERSHIP**

- (a) A Junior Activities member shall be a person between the age of six (6) and fourteen (14) years who has been registered by the Junior Activities Committee and who has gained the relevant Junior Activities Achievement Certificate.
- (b) A Junior Activities member who has reached the age of 13 years may, if they wish, elect to gain the Surf Rescue Certificate and attain dual status as both a Junior Activities and a Cadet member.
- (c) A Junior Activities member shall have limited use of the Club premises and facilities as determined from time to time by the Management Committee.

### **15.2.10 ASSOCIATE MEMBERSHIP**

Associate Membership may be granted by the Management Committee in the following cases:

- (a) The applicant is over the age of thirty five (35) years.
- (b) The applicant is of a lesser age and is suffering from a physical disability which precludes their active duties, or
- (c) The applicant is residing more than one hundred (100) kilometres from Redhead Beach.

Associate members may be called upon to assist in fundraising or with other activities as decided by the Management Committee from time to time.

The Management Committee retains the right to limit the number of Associate members admitted to membership in any one season.

Associate members to have **no voting rights or nomination rights** for club membership and/or committee positions.

### **15.2.11 ASSOCIATE AWARD MEMBERSHIP**

Associate Award Membership may be granted to persons who hold one or more of the following Association Awards:

- (a) Radio Award/s, Resuscitation Certificate, Advanced Resuscitation Certificate, First Aid Certificate, Coaching Accreditation Certificate.
- (c) Such members may be called upon to perform patrol and/or other Club obligations within the scope of their qualifications.

#### **15.2.12 GENERAL MEMBERSHIP**

- (a) Any adult person who is involved in the operation and conduct of the Junior Activities Committee and who does not qualify for any other category of membership, or who does not wish to join the Club in a category of membership for which they are qualified, are required to become a General member.
- (b) Any parent or guardian of a registered Junior Activities member is eligible to join the Club as a General member.
- (c) Any General member shall have limited use of the Club premises and facilities as determined from time to time by the Management Committee.

#### **15.2.13 HONORARY MEMBERSHIP**

- (a) A General Meeting may, at its discretion, appoint Honorary Members of the Club. Honorary Members shall be limited to a total of ten (10) persons in any one season whose nominations must be voted upon at a General Meeting. Honorary Members shall be entitled to the use of the Club premises and facilities only.
- (b) A General Meeting may, at its discretion, appoint Honorary Advisors of the Club. Honorary Advisors may be requested to assist the Committee within the scope allowed by their professional codes and the committee shall, with a resolution by the Executive or Management committee, request such advisors to act on its behalf.

### **16. VOTING RIGHTS OF MEMBERS**

The voting rights of members at the annual general meeting, the mid-yearly general Meeting and all Special General meetings on all matters including the election of officers, ballots, motions, and any other matters where voting is required, shall be as follows :

- (a) Life Members, Active Seniors, Active Juniors, Active Reserves and Active Long Service members, provided that they are currently financial and present at the meeting shall have one vote on all matters.
- (b) Associate, Associate - Award and Life Honorary members, provided that they are currently financial and present at the meeting, shall have one vote on any matter which is not specifically related to lifesaving, competition, or the election of officers to the Management Committee with the exception of those positions which may be filled by an Associate or an Associate - Award member, as prescribed in Section 8.1 of the Constitution.

The Chairperson shall have the right to rule on whether an Associate or Associate Award member has the right to vote on any matter. Notwithstanding, a motion of dissent from the Chairman's ruling, carried by a two-thirds majority shall overrule the Chairman's decision.

- (c) The following categories of membership shall have no voting rights: Cadet, Probationary, Junior Activities, General and Honorary.
- (d) Notwithstanding sections (a), (b) and (c) above, any Associate or Associate (Award) member who is elected to a position on the Club's Management Committee shall have the same voting rights as an Active member at all meetings of the Management Committee and at all General Meetings.
- (e) Any General member, who holds office as a member of the Junior Activities Committee, shall have the same voting rights as an Associate member.

#### **17. APPLICATION FOR MEMBERSHIP**

- (a) Applications for new membership must be proposed in writing by two financial members of the Club and the relevant membership fee must be lodged with the nomination.
- (b) Each application must be approved by the Management Committee before membership is granted.
- (c) New members may use the Club premises prior to being notified of their acceptance.
- (d) Any member of another Surf Lifesaving Club (or a past member) shall first obtain from her present Club or Clubs or from the Club of which he/she was last a member a clearance indicating:
  - (i) that the member is not financially indebted to the Club;
  - (ii) that the member is not expelled or under suspension from the Club;
  - (iii) the Club in which their competitive rights will lie.

#### **18. RESIGNATIONS AND TRANSFERS**

- (a) Resignations must be in writing and referred by the Secretary to the Management Committee for their consideration.
- (b) Transfers must be lodged electronically on Surfguard and referred to the Management Committee for their consideration.

- (c) Applications for competitive transfers shall not be approved by the Management Committee after the official closing date for entry in the Branch Championships unless :
  - (i) the applicant is moving interstate for reasons other than Surf Lifesaving involvement and/or
  - (ii) the applicant was not previously entered in the Branch or other Championship carnival.

Any member deprived of approval under the above rule has the right to appeal to a special General Meeting or to the Hunter Branch of the SLSA.

## **19. SUBSCRIPTIONS**

- (a) The subscription fee for the following season shall be fixed by the membership at the Mid Yearly General Meeting.
- (b) A member will be deemed to be un-financial if their fee has not been paid by the first of October. The membership of any un-financial member will be deemed to have lapsed if the fee is not paid by the 30<sup>th</sup> November.
- (c) Only financial members shall be permitted to vote at the Annual General Meeting
- (d) The Management Committee shall have the power to set a discounted subscription fee for members who are from the same immediate family.

### **PART 3 – MEETINGS**

#### **20. ANNUAL GENERAL MEETING**

The Annual General Meeting shall be held in July or August to receive the Annual Report and Financial Statement, to elect officers and to transact general business.

Twenty members shall form a quorum.

#### **21. MID-YEARLY MEETING**

The Mid-Yearly General Meeting will be held in February or March to transact current business. (Membership Subscription fees are fixed at this meeting).

Fifteen members shall form a quorum.

#### **22. SPECIAL GENERAL MEETING**

Special General Meetings of the Club members may be called for specific purposes by the Management Committee or by the Secretary at the written request of twelve financial members.

Twenty members shall form a quorum.

Only business for which the meeting was called may be discussed.

#### **23. LACK OF QUORUM**

In the event of no quorum being present at a General Meeting, such meeting shall stand adjourned for one week until the same day and hour.

#### **24. COMMITTEE MEETINGS**

Meetings of the Management Committee shall be held monthly unless otherwise decided by the Management Committee.

Seven members shall form a quorum.

#### **25. EXECUTIVE MEETINGS**

The Executive Officers may meet at any time to discuss urgent matters of the Club business.

## **PART 4 - EXECUTIVE**

### **26. THE EXECUTIVE OFFICERS AND EXECUTIVE COMMITTEE**

The Executive Officers shall be the President, Deputy President, Secretary, Treasurer, Registrar, Captain, Chief Instructor and Surf Sports Coordinator, who together shall comprise the Executive Committee.

The Executive Committee shall have the power to deal with any urgent matter of Club management which may arise, and to expend up to Five thousand dollars (\$5,000) of Club funds on any one item. They shall keep proper minutes of their meetings for presentation to subsequent meetings of the Management Committee.

In order to expedite the Club's management, the Executive may meet prior to the monthly Management Committee meetings to deal with routine business. Four members of the Executive shall form a quorum.

The Executive Committee shall have authority to employ or contract full time, part time or casual labour as appropriate and to exercise power of dismissal, and shall comply with all relevant taxation requirements

### **27. SUB-COMMITTEES**

The following sub-Committees will be elected at the Annual General Meeting:

- (a) Life Membership Committee - for the purpose of investigating all nominations for Life or Life Honorary membership, as covered by Rules 15.2.1 and 15.2.2. The sub-Committee will comprise a minimum of five (5) Life Members and will elect its own Chairperson.
- (b) Constitution Committee - to be elected as required for the purpose of revising the Club Constitution and comprising a minimum of five (5) members, one of whom will be the President or Club Secretary.
- (c) House Committee – The House sub-Committee shall be responsible for the surf Club building and property particularly concerning the areas of security and maintenance. It shall consist of six or seven members, comprising four elected officers (one of whom shall be appointed Chairperson), the Function Manager and/or Licensee, plus one member of the Club Executive, either the President or his/her nominee.
- (d) Competition Committee – The Competition sub-Committee shall be responsible for all aspects of competition and shall be comprised of all sectional captains and the Surf Sports Coordinator who shall be Chairperson of the sub-Committee. The President or his/her nominee shall also be a member of this sub-Committee.
- (e) Junior Activities Committee –

- (i) A sub-Committee named 'the Redhead SLSC Inc Junior Activities Committee', referred hereafter as JAC, shall be formed and endorsed at the Club's Annual General Meeting.
- (ii) The Club Management Committee shall ensure that all aspects of the JAC including administration and Duties of Officers are in accordance with the Rules of the Newcastle Branch SLSC, the Redhead Surf Life Saving Club Incorporated and the By-Laws of the Redhead Surf Life Saving Board of Junior Activities.
- (iii) Persons eligible to vote at a JAC General Meeting shall be in accordance with the By-Laws of the Redhead Surf Life Saving Club Board of Junior Activities.
- (iv) The object of the JAC shall be as defined in the By-Laws of the Redhead Surf Life Saving Club Board of Junior Activities.
- (v) The JAC shall elect Officers and hold meetings as outlined in the By-Laws of the Redhead Surf Life Saving Club Board of Junior Activities.
- (vi) The JAC shall appoint two officers from their number to act as Delegates to the Club Management Committee, one of whom shall be its Chairperson or proxy. They will report the activities of the JAC to the Management Committee and be eligible to vote only on matters affecting the JAC.
- (vii) The By-Laws of the JAC shall be presented for adoption at a General meeting of the Redhead SLSC Inc. Such By-Laws shall contain provision for the monitoring and approval by the Management Committee of the Redhead SLSC of all the JAC's finances, including fundraising and sponsorship.
- (viii) The Officers duly elected at the JAC Annual General Meeting shall subsequently require endorsement and confirmation in office by the Annual General Meeting of the Redhead SLSC Inc.
- (f) Other sub-Committees may be elected by the Annual General Meeting or other General Meetings; or by the Management Committee for specific purposes. Such sub-Committees will report their activities at each Management Meeting.
- (g) An Executive Officer shall be appointed as an ex-officio member of any sub-Committee formed.

## **PART 5 – MANAGEMENT**

### **28. CLUB OFFICERS - QUALIFICATIONS FOR ELECTION**

The following officers shall be elected at the Annual General Meeting. The Surf Bronze Medallion shall be the basic qualification for all positions with the exception of Patrons, Vice Patrons, Radio Officer and the Junior Liaison Officers. Where other specialist awards are required to hold office they are listed in brackets after the position.

Patron or Patrons

Vice Patrons

President

Deputy President

Secretary

Treasurer

Registrar

Captain

Vice Captains (2)

Surf Sports Coordinator

Youth Development Officer

Chief Instructor (Training Officer Certificate)

Assistant Instructors (Training Officer Certificate)

Mobile Services Officer (current IRB driver qualification)

Public Officer (or by Management Committee appointment)

Radio Officer (Radio Officer Certificate)

Coaching Co-ordinator

Sectional Captains :

Boat

Beach

Board

Surf

Ski

Other Honorary Officers :

Sectional Coaches (relevant Coaching accreditation)

Team Manager

Junior Liaison Officers (3)

First Aid Officer (First Aid Certificate)

The positions of Board, Surf and Ski Sectional captains may be combined into two positions.

## **29. METHOD OF ELECTION**

The method of election shall be as follows:

- (a) Written nominations for all positions shall close with the Club Secretary at the commencement of the Annual General Meeting. Such nominations shall include the signature of the nominator and the seconder, as well as a statement signed by the nominee that they are willing to accept the position if elected. Only those nominations received by the commencement of the meeting shall be accepted and voted on at the Annual General Meeting.
- (b) In the event of there being no nominations for a position, the Chairperson shall call for nominations from the floor of the meeting. Only persons who are present to accept nomination shall be accepted, unless they have provided a signed statement accepting nomination for the office.
- (c) The retiring President shall nominate a suitable person to chair the election of officers who will in turn appoint scrutineers, conduct the election of all Club officers and at its completion announce the result and return the position of chairperson to the Club President.
- (d) Any member standing for a position requiring a ballot, may seek and be granted a scrutineer of their own choosing.
- (e) Election will be by secret ballot the winners being declared by outright majority.
- (f) In the event of a position becoming vacant during the course of the year the Management Committee shall have the power to fill such vacancy.

## **30. MANAGEMENT COMMITTEE STRUCTURE**

The following Officers shall comprise the Management Committee:

President  
Deputy President  
Secretary  
Treasurer  
Captain  
Assistant Club Captains (2)  
Chief Instructor  
Surf Sports Co-ordinator  
Registrar  
Public Officer  
JAC Chairperson (by appointment)  
JAC Delegate (by appointment)

The Management Committee, at its first monthly meeting following the Annual General Meeting shall appoint members to the following positions:

Licensee/Manager  
Publicity Officer  
Delegate to the Branch (Proxy)  
Delegate to the Junior Activities sub-Committee

Life Members may attend Management Committee meetings in order to raise specific matters and move relevant motions on such matters, provided that seven days notice in writing is given. Life Members do not have voting rights at Management Committee meetings.

Sectional Captains may attend Management Committee meetings in order to raise specific matters pertaining to their area of responsibility and to move relevant motions, provided that seven days notice in writing is given. Sectional Captains do not have voting rights at Management Committee meetings.

The Junior Activities Committee shall appoint two of its officers as delegates to the Management Committee one of whom shall be its Chairperson or proxy. They shall be eligible to vote only on matters pertaining to the Junior Activities.

### **31. DUTIES AND POWERS OF THE MANAGEMENT COMMITTEE**

- (a) To expend the funds of the Club as they shall deem expedient in the interests of the Club.
- (b) To make by-laws for the satisfactory working of the Club, the maintenance of order and the carrying out of the rules and to amend or rescind such by-laws when necessary. Such actions are binding until altered, amended or revoked by a General Meeting.
- (c) To suspend or expel from the Club any member proven to its satisfaction to have been guilty of misconduct or breach of the Club's rules or who in its opinion has acted in a manner prejudicial to the interests of the Club.

### **32. ATTENDANCE OF MANAGEMENT COMMITTEE MEMBERS**

Any member of the Management Committee who absents her or himself from three (3) Committee Meetings without adequate explanation shall cease to hold office.

### **33. PATRONS AND VICE PATRONS**

Patrons and Vice-Patrons (unlimited in number) who need not be members of Branch or Club shall be elected at the RSLSC Annual General Meeting.

## **34. DUTIES OF OFFICERS**

### **34.1 THE PRESIDENT**

The President shall be responsible for all undertakings of the Club and shall preside at all meetings of the Club with the exception of designated sub-Committees. He/she shall have a casting vote only.

### **34.2 THE DEPUTY PRESIDENT**

The Deputy President shall assist the President in all his/her undertakings and shall deputise for him/her in his/her absence.

### **34.3 THE SECRETARY**

The Secretary shall attend all meetings of the Club and compile and keep records of all business dealt with at such meetings.

He/she shall be empowered to receive monies on behalf of the Club and shall account for all such monies to the Treasurer.

He/she shall be responsible for issuing notices of meetings, attending to correspondence, take charge of all papers, post notices in the Clubhouse and/or on the Club's website of all matters in connection with the Club as directed by the Management Committee.

He/she shall be responsible for drafting of an Annual Report of the Club's activities and its distribution after approval by the Management Committee to all members seven (7) days prior to the Annual General Meeting.

The position of Secretary may not be filled by a person under the age of eighteen (18) years.

### **34.4 THE REGISTRAR**

The Registrar shall compile and maintain accurate electronic and/or hard copy records of membership, lifesaving awards, and other information pertaining to the operation and administration of the Club, and provide copies of this information as required. The Registrar shall perform these duties with the assistance of the Club's Executive officers and administrative staff and in liaison with the Surf Life Saving Association.

### **34.5 THE TREASURER**

The Treasurer shall receive and bank all monies on behalf of the Club. He/she shall make all payments after authorisations by the Management Committee. He/she shall keep proper books of account and shall provide the Management Committee with a financial statement at each meeting of the Committee. He/she shall prepare an Annual Financial Statement duly audited by a Public Accountant for presentation at the Annual General Meeting.

#### **34.6 THE CLUB CAPTAIN**

The Club Captain shall be responsible for the control and discipline of the Club members and shall have the power to suspend the membership of any member who acts in a manner deemed detrimental to the Club or its efficiency. He/she has the power to call on any member for assistance in the execution of his/her duties.

The Club Captain's major responsibility shall be the organisation and control of all lifesaving activity and the implementation of all policies, rules and regulations pertaining to lifesaving at Redhead Beach as directed by the Surf Life Saving Association of Australia and Lake Macquarie City Council.

#### **34.7 THE ASSISTANT CLUB CAPTAINS**

The Assistant Club Captains shall assist the Club Captain at all times and in his/her absence shall carry out his/her duties and have the like powers and authority. They shall be jointly and equally responsible for the care and maintenance of the Club's lifesaving equipment with the exception of those items which are directly the responsibility of the Mobile Services Officer and the Radio Officer

#### **34.8 THE MOBILE SERVICES OFFICER**

The Mobile Services Officer will be responsible for the efficient operation of the Club's mobile rescue equipment such as the Inshore Rescue Boat, Beach Vehicle etc. He/she will be responsible for the training of drivers and operators and will report to the Club Captain on the use and functioning of the equipment. He/she will ensure that an accurate log book is kept on the operation of each piece of equipment for perusal by the Management Committee and Association officials.

#### **34.9 THE CHIEF INSTRUCTOR**

The Chief Instructor shall be responsible for the instruction of members and their preparation for Surf Lifesaving Examinations. He/she will keep records of the progress of each probationary member and their attendance at training sessions and make a report to each meeting of the Management Committee. He/she will have the power to summon a member before the Management Committee where such a member has failed to train adequately and conscientiously.

As required from time to time by the Club Captain, the Chief Instructor shall arrange instruction and revision for Club members to allow them to update their lifesaving awards as required by the SLSA.

#### **34.10 THE ASSISTANT INSTRUCTORS**

Assistant Instructors shall work under the direction of the Chief Instructor and assist in the preparation of candidates for all Surf Life Saving Association awards.

#### **34.11 THE SURF SPORTS CO-ORDINATOR**

The Surf Sports Coordinator shall attend all meetings of the Executive and Management Committee to represent competitors, sectional captains and the Competition sub-Committee, and to report on all matters pertaining to competition. He/She shall convene and chair regular meetings of the Competition sub-Committee to deal with all matters pertaining to competition, attend all major carnivals and ensure that all equipment (such as shade tent, competition gear, first-aid equipment) is available. He/she shall organise accommodation arrangements for the Club Team, monitor competitor attendance and performance, liaise with and provide support for Club coaches and trainers.

The Surf Sports Coordinator shall have access to the Club's vehicle for travel to all carnivals and receive reasonable reimbursement for costs incurred in his/her duties including accommodation and travel costs at State and Australian Championships.

#### **34.12 THE YOUTH DEVELOPMENT OFFICER**

The Youth Development Officer shall be responsible for monitoring the progress of younger members, specifically in the 13 to 19 age group. He/she shall provide support for younger members and promote their participation in all areas of Club activities, particularly lifesaving instruction, patrol work and competition, to achieve their successful transition into the senior section of the Club and ongoing development as valuable young lifesavers.

The Youth Development Officer shall assist the Surf Sports Coordinator with his or her duties as required. He/she shall represent the Club at all meetings of the Junior Activities sub-Committee. The Youth Development Officer shall report to the Club Captain on all matters pertaining to his/her position

#### **34.13 PUBLIC OFFICER**

The Public Officer does not have to be a committee member. However, the rules of the association may include the Public Officer as a member of the committee, or the committee may appoint one of its members to be the Public Officer. The Public Officer does not have to be elected, but may simply be appointed by the committee. The Public Officer is automatically one of the authorised signatories for the association. However, the Public Officer is not automatically a signatory to the association's bank account/s. The Public Officer is responsible for:

- Notifications of annual financial reporting obligations to Australian Charities and not-for-profits Commission (ACNC)
- Notification to NSW Fair Trading of any changes such as association's name, details, constitution or change of Public Officer
- collecting all association documents
- returning all association documents within 14 days of vacating office

- acting as the official contact for the association including taking delivery of documents served on the association and bringing them to the attention of the committee as soon as practicable
- custody of any documents as required by the Constitution.

#### **34.14 DELEGATE TO THE HSLS, SLSNSW, SLSA AND PROXY DELEGATE**

- (a) The delegate to HSLS, SLSNSW and SLSA and Proxy Delegate shall represent the interests of the Club at Branch Council meetings and report on decisions made at such meetings to the Management Committee.
- (b) The delegate shall, if the case arises, be bound to vote on matters at Branch Council Meetings as directed by the Management Committee or a Club General Meeting.
- (c) Should the delegate be unable to attend a Branch Council Meeting it will be his/her responsibility to arrange for the Proxy Delegate to attend in his/her place.

#### **34.15 DELEGATE TO BOARD OF JUNIOR ACTIVITIES**

Refer to 34.12, Youth Development Officer.

#### **34.16 THE BOAT CAPTAIN**

The Boat Captain shall be responsible for the care, manning and safe handling of the Club's surf boats. He/she shall supervise the training and coaching of crews and ensure that a surf boat and competent crew is available if required for lifesaving examinations, Club carnivals and rescue work.

#### **34.17 BOARD AND/OR SKI CAPTAIN**

The Board and/or Ski Captain shall be responsible to the Management Committee for the supervision and care of all boards and skis (competitive craft) owned or partly owned by the Club. He/she will keep a craft register to record details of all such craft including the Club's equity in the ownership of such craft and the names of competitors using them for training and competition.

He/she will supervise the training and coaching of board and ski paddlers and arrange for the transport of craft to surf carnivals.

The position can be held jointly or separately or in conjunction with the Surf Captain position.

#### **34.18 BEACH CAPTAIN**

The Beach Captain shall be responsible to the Management Committee for the supervision of training and coaching of all beach competitors and their attendance at carnivals.

**34.19 SURF CAPTAIN**

The Surf Captain shall be responsible to the Management Committee for the supervision of training and coaching of all surf competitors and their attendance at surf carnivals.

**34.20 COACHING COORDINATOR**

The Coaching Coordinator shall be responsible to the Management Committee for the overseeing of coaching programs within RSLSC, liaising with specific coaches in the areas of surf swimming, board and ski paddling, beach events, boat rowing and Junior Activities.

**34.21 JUNIOR ACTIVITIES COMMITTEE CHAIRMAN**

The Junior Activities Committee Chairman shall be directly concerned with all matters which affect the Junior Activity members. (Refer to Section 15.2.9)

**34.22 PUBLICITY & PROMOTIONS OFFICER**

The Publicity & Promotions Officer shall be responsible for:

- (a) publicising the Club's activities through the various media
- (b) co-ordinating all approaches for sponsorship from various sections
- (c) liaising with the JAC re sponsorship

**34.23 LICENSEE/MANAGER**

The Licensee/Manager shall:

- (a) act as the Club's Licensee and ensure that the Club is compliant with the relevant Liquor Act and NSW legislation;
- (b) maintain a list of Club functions and submit these to the relevant authorities for approval;
- (a) ensure that all liquor licensing requirements are adhered to by RSLSC;
- (b) maintain a register of members qualified in the Responsible Service of Alcohol;
- (c) ensure that only RSA qualified members access and work from the bar area at Club functions;
- (d) manage and oversee any training required in the attainment of the Responsible Service of Alcohol.

**35. CASUAL VACANCIES**

For the purposes of these rules, a casual vacancy in the office of a Member of the Committee occurs if the Member:

- (a) dies;
- (b) ceases to be a member of RSLSC;
- (c) becomes an insolvent under administration within the meaning of the Companies Act of NSW;
- (d) resigns office by notice in writing given to the Secretary;

- (e) becomes of unsound mind or a person or estate is liable to be dealt with in any way under the law relating to mental health; or
- (f) is absent without the consent of the committee from three (3) consecutive meetings;
- (g) is removed under rule 12.

All officers and committee position holders shall continue in office subject to resignation, removal or disqualification from office until their successor/s are appointed. In the event of a vacancy occurring during the year, such vacancy may be filled by the Management Committee.

### **36. REMOVAL OF OFFICERS AND ADVISERS**

In addition to the circumstances in which the office of an Officer becomes vacant by virtue of the Law, the office of an Officer becomes vacant if the Officer:

- (a) dies;
- (b) becomes bankrupt or makes any arrangement or composition with his creditors generally;
- (c) becomes of unsound mind or a person whose person or estate is liable to be dealt with in anyway under the law relating to mental health;
- (d) resigns his office in writing to RSLSC;
- (e) is absent without the consent of the Executive from three consecutive meetings without valid excuse;
- (f) without the prior consent or later ratification of the Members in General Meeting holds any office of profit under RSLSC;
- (h) is directly or indirectly interested in any contract or proposed contract with RSLSC and fails to declare the nature of his interest;
- (i) is removed by Special Resolution;
- (j) has been expelled or suspended from membership;
- (k) would otherwise be prohibited from being a director of a corporation under the *Corporations Act*;
- (l) on the recommendation of a RSLSC Judiciary Committee.

## **PART 6 - FINANCE AND PROPERTY**

### **37. FINANCE**

- (a) The funds of RSLSC shall be used in pursuance of the objects and powers of RSLSC subject to any resolution passed by the Management Committee.
- (a) The income and property of RSLSC shall be applied solely towards the promotion of RSLSC and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to members of RSLSC provided that nothing herein shall prevent the payment in good faith of remuneration to any servant or officer of RSLSC.
- (c) Investments should be as per the Charities Act/Guidelines.

### **38. FINANCIAL YEAR**

- (a) The financial year shall be from 1 May to 30 April in the next year
- (b) All payments received shall be banked in the name of the RSLSC, and any payments made by cheque must be authorised by any two of the President, Secretary and Hon Treasurer or any other person duly appointed for that purpose by the Management Committee. Other methods of payment may be authorised by the Management Committee after accounts have been passed for payment,
- (c) The Hon Treasurer shall submit a financial statement to each Management Committee meeting and the Annual General Meeting.
- (d) The funds and all property of the Club shall be under the absolute control of the Management Committee and shall be invested, applied, disposed of or used as directed by the Management Committee.
- (e) The Hon Treasurer shall present the books of the Club to the Auditor for examination prior to the publication of the Annual Report and Financial Statement.

### **39. FUNDS MANAGEMENT**

- (a) Subject to any resolution passed by RSLSC in general meeting, the funds of RSLSC shall be used in pursuance of the objects of RSLSC in such manner as the committee determines;
- (b) All payments must be authorised by any two (2) members of the Executive Committee or employees of RSLSC, being members or employees authorised to do so by the Management Committee.

#### **40. AUDITOR AND INSPECTION OF BOOKS**

- (a) The Auditor shall be appointed at the Annual General Meeting of RSLSC to hold office until the next Annual General Meeting. In the event of the position of Auditor becoming vacant between the AGM and not being filled at the AGM, RSLSC may appoint an Auditor to fill such vacancy until the next AGM of RSLSC.
- (b) The Auditor shall conduct an audit of the books of accounts of RSLSC at the end of each financial year;
- (c) The Auditor shall also certify to the correctness of the Income and Expenditure Account and to the correctness of the Balance Sheet for submission to the Annual General Meeting and shall verify the existence of all RSLSC monies and securities;
- (d) The Auditor shall have right of access at all reasonable times to the books, accounts and vouchers of RSLSC and shall be entitled to acquire from the Officers, members and employees of RSLSC all such information and explanation as may be necessary for the performance of his duties;
- (e) The Auditor shall submit a report to the Annual General Meeting of RSLSC on the accounts examined by the Auditor and shall state:
  - (i) whether in the opinion of the Auditor the accounts presented to the meeting have been properly drawn up so as to exhibit a true and correct view of the state of RSLSC affairs according to the best of the information and explanations given to the Auditor and as shown by the books of RSLSC;
  - (ii) whether or not the Auditor has obtained all the information and explanations as required;
- (f) The records, books and other documents of RSLSC shall be open for inspection, free of charge, by a member of RSLSC at any reasonable hour and upon reasonable notice;
- (g) Except as otherwise provided for in these regulations, the Public Officer shall keep in his or her custody or under his or her control all records, books or documents relating to RSLSC.

#### **41. ANNUAL REPORT AND AUDITED FINANCIAL STATEMENT**

The Secretary shall cause to be prepared prior to the Annual General Meeting:

- (a) A report of the activities of RSLSC during the previous season;
- (b) Audited, financial statements for the financial year last ended, duly certified by the Auditor or Auditors and signed by the Hon. Treasurer;

- (c) All relevant members shall submit to the Secretary at the close of each season and not later than 30<sup>th</sup> June, statistics and a report of their respective sections for the compilation of the RSLSC annual report. The date of submission of this report can be varied if required by the Management Committee in writing.

## **PART 7 – MISCELLANEOUS**

### **42. COMMON SEAL**

- (a) The Common Seal of RSLSC shall be kept in the custody of the Public Officer.
- (b) The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures of either two (2) Members of the Executive Committee or of one (1) Executive Member and the Public Officer or the Secretary

### **43. RIGHT OF APPEAL**

- (a) Any Member dealt with under Clause 12 of this Constitution may, within seven (7) days of being notified thereof, appeal to the Club by lodging with the Secretary a written notice to that effect, whereupon the Secretary shall convene a General Meeting of RSLSC.
- (b) The Secretary shall then notify the Member of the time, date place and not less than seven (7) days notice of such meeting.
- (c) A Member shall not be entitled to legal representation either at a Committee meeting or a General Meeting.

### **44. INSURANCE**

- (a) RSLSC shall effect and maintain insurances pursuant to Section 44 of the Associations Incorporation Act, 1984.
- (b) In addition to the insurance required under clause (i), RSLSC may effect and maintain other insurances.

### **45. ADDITION, ALTERATION OR AMENDMENT TO THE CONSTITUTION**

- (a) No addition, alteration or amendment shall be made to this Constitution unless the same has been approved by a Special Resolution at a RSLSC Special General Meeting of which twenty-one (21) days notice shall be given by the Secretary to members. Such notice shall state the exact nature of the proposed addition,

alteration or amendment and shall be lodged with the Secretary at least forty-two (42) days before the meeting.

- (b) Provided that the Minister of the Crown for the time being administering the Charitable Fundraising Act, 1991, shall be notified of the amendment and such amendment shall not be effective unless the Minister has signified his approval to such amendment being made.
- (c) The Public Officer shall within one month after the passing of a special resolution relating to the addition, alteration or amendment of this Constitution, lodge with the Relevant regulatory Body notice of the change in the prescribed form.

#### **46. SAVING PROVISIO**

In the event of any question arising which is not specifically provided for in the SLSA Constitution, the SLSA Regulations and the SLSA Manuals, the Rules and Regulations of SLSNSW or the Rules and Regulations of HSLS it shall be competent for RSLSC to temporarily legislate thereon, pending due alterations to the constitution by Special Resolution.

#### **47. INDEMNITY**

- (a) Every officer, adviser, auditor, manager, employee or agent of RSLSC shall be indemnified out of the property or assets of RSLSC against any liability incurred by them in their capacity as an officer, adviser, auditor, manager, employee or agent in defending any proceedings, whether civil or criminal, in which judgement is given in their favour or in which they are acquitted or in connection with any application in relation to any such proceedings in which relief is, under the Law, granted to them by the court.
- (b) RSLSC shall indemnify its officers, advisers, managers and employees against all damages and costs (including legal costs) for which any such officer, adviser, manager or employee may be or become liable to any third party in consequence of any act or omission except wilful misconduct:
  - (i) in the case of an officer or adviser, performed or made whilst acting on behalf of and with the authority, express or implied of RSLSC; and
  - (ii) in the case of an employee, performed or made in the course of, and within the scope of his employment by RSLSC.

## **SECTION 2 - RULES AND REGULATIONS**

### **1. DELEGATION OF AUTHORITY**

The Executive may by instrument in writing create or establish or appoint from among its own Members or from other selected personnel as occasion may require, special committees, sub-Committees, boards or individual officers and consultants to carry out such duties and functions and with such powers as the Executive determines.

### **2. GYMNASIUM**

- (a) No member under the age of 15 years shall train in or utilise the gymnasium and its facilities.
- (b) Only current financial members of RSLSC are permitted to access and use the gymnasium facilities, and only when they have purchased a gymnasium key and paid any relevant fees.
- (c) An annual fee shall be paid by members to RSLSC to utilise the gymnasium as set down at the Management Committee of RSLSC. This fee shall include a deposit for a key, which may be issued for access. The deposit shall at all times cover the cost of a replacement key.
- (d) Access to the gymnasium shall be twenty four (24) hours a day, unless directed otherwise by the Management Committee.
- (b) Members shall only be excluded from paying gymnasium fees and utilising the gymnasium facilities when:
  - (i) under direct supervision of a Club coach or trainer during specialist and one off training sessions;
  - (ii) attending special or specific team training sessions;
  - (iii) extreme weather conditions restrict team training sessions.

### **3. SALARIED STAFF**

The Executive Committee representing RSLSC, shall have the power to appoint, dismiss, define the duties of, and fix the rate of pay of, any salaried employee's of RSLSC, subject to ratification by the Management Committee.

#### **4. KIOSK**

- (a) The management of the Kiosk shall fall under the President.
- (b) The rent and subsequent incomes from the lease of the RSLSC Kiosk shall be authorised by the Executive.
- (c) All monies and rent fees shall be forwarded to the Hon. Treasurer
- (d) Any such lease arrangement shall be authorised in writing as per the Kiosk lease contract document.

#### **5. EXAMINATIONS**

- (a) Proficiency dates are to be set prior to the season in consultation with the Club Captain and HSLs.
- (b) Any requests for proficiency tests outside designated proficiency dates, must be approved by the Club Captain and submitted in writing to the Director of Lifesaving of HSLs.
- (c) Paperwork for all examinations is to be provided to the HSLs Office at least fourteen (14) days before the examination.
- (d) Exams are to be rostered in conjunction with the HSLs Office.
- (e) All Examinations should be co-ordinated through the HSLs Office.

#### **6. REGISTRATION DAYS**

- (a) Registration days are to be held annually prior to the commencement of the forthcoming season and after the Annual General Meeting.
- (b) The number of registration days and dates are to be set by the Management Committee.
- (c) The dates and timing for the registration days shall allow satisfactory timing for the manufacture and delivery of patrol rosters.

#### **7. AUTHORITY TO APPOINT ADMINISTRATOR**

- (a) Should the Executive Committee consider that a situation has developed within RSLSC which gives them extreme concern and is detrimental to the image of surf life saving, it shall have the authority to initiate discussion and investigate the operations of such RSLSC and then if considered necessary the authority to

appoint person/s to take over control and re-establish a sound and satisfactory administration within RSLSC and for such time as considered necessary.

- (b) In such situation, HSLSC shall be notified forthwith of the action taken by RSLSC.

#### **8. WINDING-UP PROVISIO**

- (a) The action of winding up and distribution of surplus property shall be subject to decision by Special Resolution.
- (b) If on winding up or dissolution of RSLSC there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the members of RSLSC but shall be given or transferred to some other body that is a registered or exempt charity having objects similar to the objects of RSLSC and which shall prohibit the distribution of its or their income and property amongst its or their members.

#### **9. AUDITORIUM HIRE**

The Auditorium or any such facility of RSLSC may be hired under the rules and conditions of the Hall Hire Agreement.

#### **10. PUBLIC OFFICER**

For the purpose of the law, the Secretary shall be the appointed Public Officer, or another member deemed suitable and endorsed by the Management Committee.

#### **11. OFFICIAL CORRESPONDENCE**

All official correspondence to and from RSLSC must be forwarded through the Secretary

#### **12. COPY OF THE CONSTITUTION**

Each member shall have access to the RSLSC constitution. A copy shall be available on the website of RSLSC [www.redheadslsc.com](http://www.redheadslsc.com) and shall always be made available for perusal at any reasonable time by RSLSC members.

#### **13. NON-POLITICAL AND NON-SECTARIAN**

RSLSC shall be strictly non-political and non-sectarian and shall not directly or indirectly allow any subject bearing on politics or religion to be introduced or discussed at any meeting under its control or in any premises or place under its control either permanently or temporarily.

## **14. CONFLICT OF INTEREST**

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

## **15. LIFESAVING**

### **15.1 MEMBERS PATROL OBLIGATIONS**

Senior and Junior Active members shall be rostered for patrol duty by the Club Captain prior to the commencement of the season.

The Club Captain will appoint a Captain for each patrol who will be responsible for the efficiency of that patrol.

Cadet members will be rostered for patrol duty in a trainee capacity only.

Other members may elect to do patrols providing they have the necessary qualifications.

### **15.2 QUALIFICATIONS OF PATROL MEMBERS**

In addition to the Surf Bronze Medallion (Active Members) and the Surf Rescue Certificate (Cadets), all patrol members must pass the SLSA Proficiency Examination at the commencement of each season, unless they have obtained the Surf Bronze Medallion or Surf Rescue Certificate for that season.

### **15.3 QUALIFICATIONS OF PATROL CAPTAINS**

Each Patrol Captain is required to hold the Advanced Resuscitation Certificate on appointment.

### **15.4 EXEMPTION OF CLUB OFFICERS FROM PATROL DUTIES**

The Management Committee shall have the power to exempt the following members from patrol duties :

Executive Officers  
Two (2) Assistant Club Captains  
Chief Instructor  
Life Members  
Long Service Members

### **15.5 EXEMPTION OF ACTIVE AND CADET MEMBERS FROM PATROL DUTIES**

**15.5.1.**

Exemption may only be granted in the most exceptional circumstances.

**15.5.2**

Application for exemption must be in writing for consideration by the Management Committee.

**15.5.3**

The Management Committee may grant leave of absence from patrol duties to members who are unable to attend their rostered patrols because of sickness, transfer of their place of work or for other legitimate reasons.

**15.5.4**

The Management Committee may permit a limited number of members to perform their patrol obligations without being rostered to a set patrol. In such cases the members total patrol hours for the season must not be less than for rostered members. The Club Captain will have the power to require an un-rostered member to complete a certain number of patrol hours in a set period.

**15.6 PATROL HOURS**

The minimum patrol times will be:

Sundays	9.00am to 5.00pm
Public Holidays	9.00am to 5.00pm
Saturdays	9.00am to 5.00pm

These times may be varied by the Management Committee should the need arise.

**15.7 PATROL LOG**

A Patrol Log is to be completed by the Patrol Captain at the end of each patrol and he/she will ensure that each patrol members name is recorded thereon and that all details relevant to the operation of the patrol are included.

**15.8 DRESS**

Patrol cap tied under the chin and swimmers are to be worn by patrol members whilst on duty. Red and yellow patrol apparel under SLSA regulations consisting of long sleeved collared patrol shirt, patrol shorts. Peaked cap or broad rimmed hat may also be worn. The Club shall encourage the use of sunscreen and sunglasses as well as shade shelter under the Club's Sun Protection Policy. Protective clothing may be worn if warranted by weather conditions.

### **15.9 NON-ARRIVAL OF THE AFTERNOON PATROL**

In the event of non-arrival of the afternoon patrol it is the duty of the morning patrol to ensure complete protection for surfers until relief arrives. Such cases must be reported in the log book.

### **15.10 PATROL PUNCTUALITY AND ABSENCES**

#### **15.10.1**

It is the responsibility of patrol members to attend each rostered patrol for the full period of such patrol.

#### **15.10.2**

No member on duty may leave the patrol area without the approval of the Patrol Captain and only then in exceptional circumstances.

#### **15.10.3**

Any member who absents himself from a patrol or who is late for patrol will be required to make up the patrol or the period of lateness at the direction of the Club Captain. If the member fails to make up the patrol or the period of lateness as directed by and to the satisfaction of the Club Captain the member will be automatically suspended until such times as he/she appears before a meeting of the Management Committee.

The member must be advised in writing of the patrol breach and the date and time of the next Management Committee Meeting.

On appearing before the Management Committee the suspended member will be given the opportunity to explain his/her actions following the Club Captains report. The Management Committee will then decide on any penalty which may be imposed with the proviso that such member will have the right of appeal to a General Meeting against the severity of the penalty.

## **16. RULE GENERAL**

### **16.1 SEX DISCRIMINATION**

There will be no restriction on the admittance to any class of membership of this Club on the basis of a person's sex.

All rules as set out in this Constitution apply equally to both males and females regardless of the gender used.

## **16.2 ALCOHOL**

Alcohol shall not at any time be brought onto the Club premises by any individual or group of members without the consent of the Licensee/Manager.

When alcohol is consumed on the premises it shall be with the consent of the Licensee/Manager.

## **16.3 PAYMENT, ETC, OF OFFICE BEARERS AND MEMBERS**

A member of the committee shall not be appointed to any salaried office of the Club or any office of the Club paid by fees, and no remuneration or other benefit in money or monies worth shall be given by the Club to any member of the committee except :

- (a) repayment of out-of-pocket expenses
- (b) interest at a rate not exceeding interest at the rate for the time being which is or would be charged by the Club's bankers for money lent to the Club; and
- (c) reasonable and proper rent for premises let to the Club.
- (d) where the member is employed under the jurisdiction of the Licensee/Manager.

## **16.4 VACATION OF OFFICE**

With the exception of Rule 16.3(d), the office of a member of the Management Committee shall become vacant if:

- (a) the member holds an office of profit in the Club; or
- (b) the member is directly or indirectly interested in any contract or proposed contract with the Club.

## **16.5 SURPLUS PROPERTY**

### **16.5.1**

At the first general meeting of the Club, after the adoption of this document by the members of RSLSC the Club shall, pass a special resolution nominating a charity registered under the Charitable Collections Act, 1934, or exempted from registration by or under that Act in which it is vest its surplus property pursuant to section 53(2) of the Act in the event of the winding up or the cancellation of the incorporation of the Club.

### **16.5.2**

The charity so nominated shall be one which fulfils the requirements specified in Section 53(2) (a) - (c) of the Act.

### **16.5.3**

A proposed alteration of the rules or of the statement of objects of the Club shall be notified to the Minister administering the Charitable Collections Act, 1934 in the manner required by the regulations under that Act.

### **16.6 COMPLIANCE WITH CHARITABLE COLLECTIONS ACT, 1934**

The Club shall comply with such of the provisions of the Charitable Collections Act, 1934 and the regulations of Australian Charities and Not-for-profits Commission (ACNC) as are applicable.

### **16.7 INCOME AND PROFIT**

The Club shall apply all profits and income to promoting its objects or to the purposes provided for by the law.

## **17. COMPETITION POLICY**

Each member shall have access to the RSLSC Competition Policy. A copy shall be available on the website of RSLSC [www.redheadslsc.com](http://www.redheadslsc.com) and shall always be made available for perusal at any reasonable time by RSLSC members and can be amended subject to endorsement by the Management Committee.

## **18. CODE OF CONDUCT**

Each member shall have access to the RSLSC Code of Conduct. A copy shall be available on the website of RSLSC [www.redheadslsc.com](http://www.redheadslsc.com) and shall always be made available for perusal at any reasonable time by RSLSC members and can be amended subject to endorsement by the Management Committee.