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# THE BY-LAWS

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ADJUNCT TO THE CONSTITUTION

JUNE 16, 2024

**EIMEO SURF LIFE SAVING CLUB INCORPORATED**

Eimeo Esplanade EIMEO Qld

# EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS

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## EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS

### PREAMBLE

These By-Laws in conjunction with the Constitution are reliant on the provisions of the Associations Incorporation Act 1981 (<https://www.legislation.qld.gov.au/>) and as amended and those of the Australian Charities Not-for-Profit Commission Governance Standards by which all registered charities in Australia must abide. The Governance Standards are a set of standards for how a charity must be run (including aspects of its processes, activities and relationships). Available at: <https://www.acnc.gov.au/for-charities/manage-your-charity/governance-hub>

All members are encouraged to become familiar with these legislative documents which override any inconsistency in the Constitution or By-Laws.

The By-Laws expand on the stipulations of the Constitution of Eimeo Surf Life Saving Club Inc and to further amplify these rules for specific matters a set of Policies and Procedures and form templates have been produced and are available on the Club web site under Governance documents. This allows for a suite of documents for specific sections of the club and easier understanding and compliance.

### DEFINITIONS AND INTERPRETATIONS:

1. The definitions and interpretations prescribed in **Clauses 2.1 to 2.6** of the Constitution are adopted for use throughout these By-Laws. Definitions
2. **Club** – means the Eimeo Surf Life Saving Club Incorporated referred to as “the Association” however the term Club is used throughout this document for lucidity
3. **Club Council** - means all the financial surf lifesaving club Members over the age of **15** years who are proficient Bronze Medallion holders, Life Members, Reserve Active, Long Service, Award and Associate Members who have been granted voting rights as documented in the Club’s Constitution and By-Laws
4. **Club House Rules** in Appendix D are the rules to be observed by all club members when attending the club or using its facilities.
5. **Constitution** is the rules of this incorporated association and include its By-Laws
6. **Delegation** - means a committee appointed by the Board or elected at the AGM.
7. **Gear Rules** in Appendix C are the rules to be observed by all club members when using any of the gear or equipment mentioned in the rules.
8. **Office Bearer** – means a Member holding a position of authority and responsibility in the Association but does not have voting rights unless specifically indicated in the position description.
9. **Proficiency Test** - means an annual skills maintenance test as set by SLSQ or SLSA.
10. **Patrol Hours** – means hours completed on a rostered patrol and does not include any hours completed in any water safety activity. Patrol Hours completed at another Club shall be approved at the discretion of the Board.
11. **Patrol Rules** in Appendix B are the rules to be observed by patrolling members when carrying out their duties.
12. **Minor Matter** - means when considered in law to be a simple offence, that is, a matter having no adverse effect on club or community Members

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13. **Policy and Procedures Manual** is a set of policies formulated by the Board to detail major decisions, actions, and principles of the club and the procedures specifies the methods of implementing these policies. They may change at any time and are recorded on the club website for access by members.
14. **Registrar** provides management in recording all details of all members of Eimeo Surf Lifesaving Club including aiding the Secretary, Junior Activities Coordinator, Chief Training Officer and Club Captain in relation to their roles. Refer Position Description – Registrar for detail.
15. **Regulated Employment** - means any agreement to work, either in a paid or voluntary capacity in a child-related work that falls or is likely to fall within the scope of churches, clubs and associations involving children.
16. **Rules of Debate** in are the Rules that shall apply to the conduct of all meetings of the Board, Committees and Club Council,
17. **Special Resolution** means a resolution passed in accordance with the Act. At a general or special general Meeting of the association the motion must be passed by three quarters ( $\frac{3}{4}$ ) of the Members present and entitled to vote on the resolution.
18. **Terms of Reference:** The Respective Committee's Terms of Reference are those Terms of Reference set out in By-Laws 4.3 to 4.15

## INTERPRETATIONS

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

**Note: Where a By-Law is not required to amplify a clause of the Constitution a highlighted wording will advise 'No By-Law is required for Constitution clause xxxx'**

***No By-Laws are required for Constitution clauses 1 to 11***

# EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS

## SECTION 1 – MEMBERSHIP

### BY-LAW 1.1 – MEMBERS

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

#### *JUNIOR MEMBERSHIP*

### BY-LAW 1.2 – JUNIOR and CADET MEMBER, including U/14 Nippers

**JUNIOR ACTIVITY MEMBER** shall be a person of a minimum age of (5) five years up to a maximum age of (13) thirteen years and such person shall be required to gain the relevant Surf Education Certificate for that person's age group. Junior Activities Members shall not have voting rights.

**ACTIVE CADET MEMBERS** shall:

- i. Be of age between 13 and 15 years;
- ii. Be a Surf Rescue Certificate holder;
- iii. Fulfil patrol and club obligations, as provided by SLSA and this Constitution; and
- iv. Qualify in an annual proficiency test unless the Member has obtained their Surf Rescue Certificate in that season; and
- v. Have the right to be present at General Meetings but not have voting rights.
- vi. All proficient Surf Rescue Certificate shall carry out patrols in accordance with the Club patrol rules.

#### *ACTIVE MEMBERSHIP*

### BY-LAW 1.3 – ACTIVE JUNIOR AND SENIOR MEMBERS

1. **ACTIVE JUNIOR AND SENIOR MEMBERS** shall:

- i. Be a proficient Bronze Medallion holder;
- ii. Fulfil patrol and club obligations, as provided by SLSA, this Constitution and By Laws;
- iii. Have the right to be present, to debate and to vote at General Meetings.

An Active Member shall be competent in the SLSQ annual proficiency test across all awards held unless the Member has obtained their Bronze Medallion after 1 July of that year.

President; Club Captain; Chief Training Officer; Club Secretary; Treasurer; and Junior Activities Chairperson may be exempted from patrol duties on the written application to and on the recommendation of the Club Captain to the Board for final determination.

The Club Captain may grant patrol duty exemption for a period of not more than one calendar month to any Active Member making written application through the Club Secretary.

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### **BY-LAW 1.4 – RESERVE ACTIVE MEMBER**

1. **Reserve Active** membership may be granted to Active Members who have satisfactorily completed (from the gaining of the Bronze Medallion) at least (8) eight years of patrol and club obligations as provided by SLSA, the Association's Constitution and By Laws. Reserve Active Membership shall not be automatic but shall be granted by resolution of the Board upon a recommendation from the Life Saving Operations Committee.

Reserve Active Members shall:

- i. Perform a minimum of (20) twenty patrol hours and further patrol duties at the discretion of the Life Saving Operations Committee; and
- ii. Complete the annual proficiency test;
- iii. Have the right to be present, to debate and to vote at General Meetings.
- iv. Active Members who have satisfied the requirements prescribed in the Constitution and By Laws may make written application to the Club Secretary to be considered for Active Reserve Membership.
- v. The Lifesaving Operations Committee shall make a recommendation to the Board for final determination.

### **BY-LAW 1.5 – AWARD MEMBER**

1. **Award Membership** may be granted to persons who hold an SLSA award of one, or more, of the following qualifications: Surf Rescue Certificate; Radio award/s; Resuscitation Certificate; Advanced Resuscitation Techniques Certificate; or First Aid Certificate (or equivalent).
  - i. Such Members may be called upon to perform patrol and/or other club obligations within the ability of their qualifications;
  - ii. Such Members shall have the right to be present at General Meetings;
  - iii. The Board may grant Award Members, the right to debate and to vote at general Meetings if they are undertaking lifesaving rostered patrol duties; or
  - iv. Award Members shall only have voting rights where elected to a position which is provided with voting rights by this Constitution and having completed the required patrol obligations.
- a) Award Members shall complete a minimum of thirty (30) patrol hours in a twelve (12)-month period and complete the annual proficiency test for their awards held, to gain voting rights of the club.
- b) The 30 patrol hours refers to patrol hours completed in the previous season (September to August) or thirty (30) patrol hours for new Members, in the current season.

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- c) Should a rostered Award Member cease patrol duties, their voting rights will be automatically withdrawn.
- d) Application for voting rights must be lodged in writing to the Club Secretary, prior to the General or Annual General Meeting. The Club Secretary shall then submit the application to the Board for consideration of approval. Such approval can be made for a Twelve (12)- month period completing at the end of the next AGM.

### *ASSOCIATE AND PROBATIONARY MEMBERSHIPS*

#### **BY-LAW 1.7 - ASSOCIATE MEMBER**

1. Associate Members may be elected to a position on a committee and have voting rights for that committee or sub-committee only.
2. All Associate Members must have a Bluecard.

#### **BY-LAW 1.8 — PROBATIONARY MEMBER**

1. Probationary Membership shall be the designation of any person for the time between applying for Membership and the gaining of an award and/or the granting of a formal category Membership by the Board. Probationary Members shall not have voting rights.
2. Probationary Members shall train and be assessed for appropriate SLSA Awards as determined by the Chief Training Officer. Failing an assessment within the required time may cause automatic disqualification of Membership. An extension of 30 days shall be determined by the Club Captain and any further extension by the Lifesaving Operations Committee.
3. Any Member joining or re-joining, whose prior conduct or commitment to the Club has been improper, may have their Membership classified as Probationary Membership by the Board. After a period of three months, a recommendation by the Lifesaving Operation Committee to the Board shall determine either reinstatement of the Member's former Membership category or Membership refusal.

### *HONORARY / SERVICE MEMBERSHIPS*

#### **BY-LAW 1.9— LIFE MEMBERS**

##### *LIFE MEMBERSHIP*

- a) Life Membership may be awarded to deserving Members who have been nominated for their service to the Club and endorsed by the Board to be voted on at the next Annual General Meeting.
- b) The minimum ten (10) years' service (distinguished, extraordinary, outstanding and/or conspicuous) within a period of fifteen (15) years allows for a member to break the 10 years continuous service and excludes the first year at least of membership before consideration of any distinguished service.
- c) Life Members shall have the right to be present, to debate and to vote at general

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Meetings and shall also be entitled to attend Board Meetings as visitors and hold office if elected.

- d) Life Members shall be entitled to all rights and privileges of the Club for life without payment of annual Membership fees, gym fees or any other obligation.
- e) The surviving spouse of a Life Member shall be granted Honorary Membership to the Club and shall be invited to any Life Member function and the Club's Annual Dinner/Presentation Night.

### **BY-LAW 1.10 – LONG SERVICE MEMBER**

- a) Active Members or Reserve Active Members who have satisfied the requirements prescribed in the Constitution may make written application to the Club Secretary to be considered for Long Service Membership by the Lifesaving Operations Committee for recommendation to the Board for final determination.
- b) Long Service Members who compete on behalf of the club shall and qualify in the annual proficiency test and meet any patrol obligations required by the Surf Sports Competition Manual.

### **BY-LAW 1.11 – HONORARY MEMBER**

- a) An Honorary Member may be elected for a period of not greater than 12 months, subject to being nominated and seconded at an Annual General Meeting. The nomination must be endorsed by three-quarters of the Club's Membership who are present and entitled to vote.
- b) In extraordinary circumstances, a visiting dignitary maybe granted honorary Membership by the Board. E.g. Prime Minister, SLSA President, Governor, etc.

### **BY-LAW 1.12- PAST ACTIVE MEMBER**

- a) Past Active Membership may be granted to persons who have held an SLSA Bronze Medallion and been an active patrol Member for a minimum of three years but has discontinued patrol duties.
- b) Members requesting this Membership classification may make written application through the Club Secretary and pay the appropriate fee to be considered by the Lifesaving Operations Committee for recommendation to the Board for final determination.

### **BY-LAW 1.13 SOCIAL MEMBER**

- (a) Social Members shall not be entitled to receive notice nor attend nor to speak at General Meetings of the Club.
- (b) Social Members shall not be entitled to vote.
- (c) Social Members shall not be entitled to nominate for elections of the Management Committee.
- (d) A person may apply to become a Social Member of the Club and that application shall be dealt with in accordance with clause 7.1.

***No By-Laws are required for Constitution Clause 13***

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### ***APPLICATIONS***

#### **BY-LAW 1.14 – APPLICATION FOR MEMBERSHIP**

As prescribed in **Clauses 14.1 a) to c)**, of the Constitution.

- a) Members shall apply, annually, for the renewal of Membership by electronic means on the relevant online Membership system or by submission of the prescribed SLSA form and payment of the nominated fee.
- b) All Outstanding monies from previous seasons must be paid before acceptance of membership.

#### **BY-LAW 1.15 – ACCEPTANCE AND REGISTRATION OF MEMBERSHIP**

As prescribed in **Clause 14.1** of the Constitution.

- a) All applications for Membership and renewal of Membership or transfer of Membership shall be reviewed from a report prepared by the Registrar then reviewed by the Board.
- b) The Board shall make a recommendation for acceptance or rejection.
- c) The Club Registrar shall enter all accepted Members on the SLSA electronic register.
- d) The Registrar through the Club Administrator shall inform any new Member of their successful application and include advice as to the Public Liability Insurance provisions as prescribed in **Clause 14.3** of the Constitution.

***No By-Laws are required for Constitution clauses 14.2 to 14.6***

***No By-Laws are required for Constitution clauses 15.1, 15.2, 15.3 15.4***

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### ***EFFECT OF MEMBERSHIP***

#### **BY-LAW 1.16 – DUTIES AND PRIVILEGES OF MEMBERSHIP**

As prescribed by Clauses 16 of the Constitution:

- a) Members shall carry out their allotted duties and those requested of them by Club Officers with vigilance, integrity and in good faith to further the aims and Objects of the Club.
- b) Members shall observe the Codes of Conduct displayed on the Club Notice Board and contained in the Policies and Procedures Manual (SLSA Codes of Conduct) and rules applicable to them.
- c) All financial Members shall have access to Club facilities. Junior Activity Members are not entitled to attend the top shed or the equipment there in.
- d) All Members may apply in writing to the Club Secretary for leave of absence from their duties, stating the reasons and time for such leave. The Member will retain their seniority status within the Club.
- e) Members serving full-time in any of the Australian Defence Forces shall be granted a leave of absence at their current Membership status. The Member shall retain their seniority status within the Club.

#### **BY-LAW 1.17 - DUAL MEMBERSHIP**

- a) Any Member of this Club may be admitted as a Member of another Club or Clubs, providing such a Member meets the criteria as prescribed in the SLSA competition Manual current at the time.
- b) Any competing Member who is a Member of more than one Club shall be entitled to compete in Club events.
- c) Any Member admitted as a Member to another club must fulfil any club and patrol requirements for Eimeo Surf Life Saving Club.

#### **BY-LAW 1.18 – DISCONTINUANCE OF MEMBERSHIP**

As prescribed in **Clause 17.1, 17.2, 17.3, 17.4, 17.5, 17.6** of the Constitution

- a) Notice of resignation shall be in writing to the Club Secretary as prescribed in the Policies and Procedures Manual **(Template No. T 10)**.
- b) Any notice of resignation shall be referred to the Board to ensure that there are no outstanding matters for consideration.
- c) Any discontinuance of Membership by Breach shall be dealt with under the discipline section of the By- Laws

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

### *MEMBERSHIP POLICIES*

#### **BY-LAW 1.19 – MEMBERS’ PROTECTION**

The Club adopts and is bound by the Member Protection Policies of NBB, SLSA, SLSQ and the Club which are in force at the relevant time. (Refer Clause 3.2 h) of the Constitution.)

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

#### **BY-LAW 1.20**

(Refer to current SLSA; SLSQ; Branch or Club Policies) as displayed on the Club’s Notice Board and the Club website.

The Codes of Conduct include but are not limited to:

- a) Code of Conduct – Administrators, Directors, Officers;
- b) Code of Conduct – Members;
- c) Code of Conduct – Team Managers, Age Managers, Chaperones;
- d) Code of Conduct – Youth Leaders; and
- e) Code of Conduct – Coach – Official.

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

### **SECTION 2 – MEETINGS**

#### *NOTICE OF ANNUAL GENERAL MEETING*

##### **BY-LAW 2.1 – ANNUAL GENERAL MEETING**

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

1. Every Member shall receive due notice of the date, time, place of the Meeting and the business to be conducted

A **PRELIMINARY notice** of the Annual General Meeting shall be sent out no less than twenty (20) days prior to the date of the meeting calling for any Notices of Motions, General business items and nominations for all office bearer positions and any elected committee positions which must be in the hands of the secretary within the prescribed time.

The secretary shall cause within seven (7) days after the closing date for Notices of Motions, General Business and Nominations, the Agenda to be sent out containing any Notices of Motions, General Business items and the Nominees for all office bearer positions and any elected committee positions together with the date, place and time of the meeting.

#### *NOTICE OF GENERAL MEETING*

##### **BY-LAW 2.2 – ANNUAL GENERAL MEETING BUSINESS**

The business to be transacted at the Annual General Meeting shall be as prescribed in **Clause 21 (a)**.

##### **BY-LAW 2.3 – GENERAL MEETINGS**

As prescribed in **Clause 20** of the Constitution

- a) Two General Meetings shall be convened annually which every Member shall receive due notice of the date, time, place of the Meetings and the business to be conducted.

##### **BY-LAW 2.4 NOTICES OF MOTION**

As prescribed in **Clause 22** of the Constitution

Any Notice of Motion shall be submitted in a clear and concise manner and include a reasoning to support the Notice of Motion so that a transparent presentation is made to voting Members for their deliberation at the Meeting at which the motion is to be put.

***No By-Laws are required for Constitution Clause 23, 24, 25, 26, 27, 28, 29***

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## **BY-LAW 2.6 - DIRECTORS AND OTHER OFFICER BEARERS ELECTIONS**

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

The following officers may be elected from the eligible Club Members as prescribed in the relevant Position Descriptions at the Annual General Meeting as prescribed in the Policies and Procedures Manual (Position Descriptions). All members who hold any position within the Club must hold a valid Bluecard.

- i. the President; (legislative requirement)
- ii. the Vice President;
- iii. the Director of Finance (Treasurer); (legislative requirement)
- iv. the Director of Administration (Secretary); and (legislative requirement)
- v. the Director of Lifesaving – Club Captain;
- vi. the Director of Education and Training;
- vii. the Director of Surf Sports;
- viii. the Chief Training Officer;
- ix. the Director of Junior Activities (JAC);
- x. the Director of Hospitality (bar and functions);
- xi. the Youth Development Officer;
- xii. Vice Club Captains;
- xiii. Gear and Equipment Officer – Surf sports;
- xiv. Building and Property Officer;
- xv. First Aid Officer;
- xvi. Grievance Officer; (defaults to Vice President)
- xvii. Fundraising Coordinator; (defaults to Treasurer)
- xviii. Sponsorship and Marketing Coordinator;
- xix. Uniform / Apparel Officer;
- xx. Publicity Officer;
- xxi. IRB and Mobiles and Vehicles Officer;
- xxii. Registrar; (defaults to secretary)
- xxiii. Surf Boat Officer (if applicable);
- xxiv. Team Manager /s;
- xxv. Youth Development Officer;
- xxvi. Patron

The standard nomination form for all Club positions shall include a declaration by the nominee regarding the matters required by Section 61A of the Associations Incorporation

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Act as current. As prescribed in the Policies and Procedures Manual (Template No. T 09).

The following officers:

xxvii. Publicity Officer;

xxviii. Workplace Health and Safety Officer;

require specific credentials. Nominations for these positions may be proposed at the Annual General Meeting for further consideration by the Board who shall then appoint these officers.

Where two Members hold and share the same officer's position (dual Office Bearers) only one of the two shall have voting rights at any committee or subcommittee Meeting.

Where a Member holds two positions that Member shall be entitled to one vote at any Meeting.

Assistants to Officers may also be elected and be eligible to attend appropriate committee or sub-committee Meetings. These assistants, at their respective committee only, have voting rights, and are not assistant Directors, unless designated by the Board and consistent with the Club's Constitution, By-Laws, and Policies and Procedures.

The Board shall recommend for adoption at the Annual General Meeting the following positions: Honorary Grievance Officers; Honorary Club Solicitor; Honorary Judiciary Committee Chairperson; Honorary Club Medical Officer; Honorary Club Chaplain; Patrons and any number of Vice Patrons, which are honorary Club positions.

Position Descriptions for all Club Officers are prescribed in the Policies and Procedures Manual. (**Position Descriptions**)

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### **BY-LAW 2.7 – DIRECTORS AND OFFICERS**

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

1. Directors and Office Bearers of the Club shall be required to understand the needs of the Club and their legal responsibilities in accordance with the Associations Incorporations Act (as current) and the Australian Charities and Not-For Profits Commission Act (as current). **(Procedure No GOV 01)**

The responsibility of the Board shall be to provide:

- i. **Accountability** – making sure the Club meets its obligations, manages its finances, and operates transparently;
  - ii. **Strategy** – setting the Club’s long-term goals and making sure it pursues its charitable purposes;
  - iii. **Resourcing** – securing funding and other resources to support the work of the Club;
  - iv. **Advocacy** – representing the Club to the community and to its members and stakeholders
  - v. **Monitoring** – making sure the Club is operated as required under its governing documents and the law; and
  - vi. **Risk Management** – be constantly aware of risks that may face the Club and implement strategies to manage those risks whilst considering and managing the risk of the Club.
- a) Directors and Office Bearers shall be guided by the matters prescribed in the Policies and Procedures Manual (**Procedure No.GOV 01**).
  - b) The standard nomination form for all Club positions shall include a declaration by the nominee regarding the matters required by section 61A of the Associations Incorporation Act (as current).

### **BY-LAW 2.8 – MINUTES**

- a) Minutes of every Committee, General, Special General and Annual General Meeting must be recorded faithfully using the template provided so that the obligations of the ACNC are met.
- b) The obligations include:
  - i. Financial Report
  - ii Strategy: The current status of the strategic plan
  - iii Governance
  - iv Charity compliance
  - v ATO compliance
  - vi Operational compliance
  - vii Risk Management
  - viii Insurance compliance
  - ix Membership

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- c) The minutes of every committee or sub-committee must be provided to the Board together with a covering committee report on the template provided.
- d) All minutes must be filed and held for a period of seven (7) years.
- e) Minutes of General, Special General and Annual General Meeting must be available for members inspection as prescribed in the Act.
- f) A request may be made for inspection of Board Meeting minutes as prescribed in **Clause 34.10 a) and b)** which the Board may provide but may redact or restrict access to certain parts of the minutes for privacy or financial reasons if approval is given.

***No By-Laws are required for Constitution clause 31, 32***

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## SECTION 3 - DELEGATIONS

### BY-LAW 3.1 – DELEGATION MEETINGS

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

Committees and Sub- committees are considered **DELEGATIONS** by the Constitution and the Board.

- a) Committees shall meet and operate in accordance with their terms of reference at times and places as required, or as decided by the committee/sub-committee chairperson.
- b) The main Board shall endeavour to meet monthly at the following suggested times to avoid meetings clashing:
  - i. Life Saving Operations Committee
  - ii. Junior Activities & Surf Sports Committee
  - iii. Building Maintenance and Hospitality Committee
- c) Notice of all committee Meetings shall be provided to the Club Secretary, at least, seven days prior to the Meeting being held.
- d) An agenda shall be prepared for each Meeting on the prepared proforma, as prescribed in the Policies and Procedures Manual (**Template No T 03**).
- e) Minutes of all committees/sub-committees shall be submitted to the next Board Meeting for ratification on the prepared proforma, as prescribed in the Policies and Procedures Manual (**Template Nos. T 04 & T 05**).
- f) **ALL** members of committees must be aware of and abide by the Club Constitution, By-Laws and the requirements of the Australian Charities and Not for Profit Commission (ACNC) Governance Standards and the Associations Incorporation Act as current.

### BY-LAW 3.2 –DELEGATED FUNCTIONS

Prescribed in **Clause 33** of the Constitution

- a) All delegated functions (committees and sub-committees) are subordinate and accountable to the Board.
- b) All resolutions determined by committees and sub-committees are only recommendations to the Executive, which shall either endorse or return such resolutions to the committee or sub-committee, with a direction for further consideration with the total exemption of the any Judiciary Committee meeting.
- c) No committee or subcommittee has the authority to commit the club financially unless the Executive has provided prior direction, consistent with the club purchasing Policies and Procedures.
- d) The Board after its first Meeting after the Annual General Meeting shall communicate to each committee and sub-committee: their terms of reference;

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specific items; and reporting criteria; and complete an induction process This shall be completed prior to the first Meeting of the committee/subcommittee  
**(Template No T 04 & 015 & GOV 15).**

- e) Membership of committees may be drawn from eligible Club Members and any Members or persons with appropriate experience to act in advisory roles. Any co-opted Member or person shall have no voting rights, except at the committee's discretion.
- f) Any Member elected or appointed to a committee or sub-committee who is absent for three or more consecutive Meetings may be required to relinquish Membership of that committee or sub-committee. No proxy can be appointed. The Board shall appoint a replacement Member.
- g) A Member elected or appointed to a committee shall retain their positions only while they retain their Membership of the Club.
- h) The Club Council may, at its discretion, remove any Member from the Membership of a committee.
- i) In the event of the absence of the Chairperson and Deputy Chairperson from any Meeting, the Meeting shall appoint one of its Members to act in this role, during such absence.
- j) In the event of any matter coming within the jurisdiction of two or more committees, the President may direct either one or both committees to consider the matter independently or conjointly. The outcomes of deliberations shall be reported to the Board.
- k) All correspondence to and from any committee or sub-committee shall be through the Club Secretary.
- l) Committee Members, including Life Member nominees, must be advised of the date, time and place of the committee or sub-committee Meeting, at least, seven days prior to the Meeting being conducted.
- m) Members of delegations (committees) shall have voting rights for the committee on which they sit.
- n) The President shall be an ex officio Member of any club delegation and as such may attend, participate and vote at any constituted delegation Meeting.

## EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS

### **BY-LAW 3.3 – LIFESAVING COMMITTEE**

- a) The Lifesaving Committee shall be comprised of:
- i. the Club Captain (Chairperson);
  - ii. Vice-Captain;
- and up to any five (5) – minimum 3 of the following club officers
- iii. Director of Education and Training (CTO);
  - iv. First-Aid Officer;
  - v. Gear and Equipment Officer;
  - vi. IRB and Mobiles and Vehicles Officer;
  - vii. Vice-Club Captains;
  - viii. Patrol Captains;
  - ix. Youth Development Officer;
  - x. Life Member nominee;
  - xi. Registrar;
  - xii. Workplace Health and Safety Officer;
  - xiii. Youth Development Officer;

and other officers may be added as determined by the Board.

- b) It shall be responsible for matters as prescribed in the Policies and Procedures Manual (**Procedure No. GOV 07**).
- c) The Club Captain, on behalf of the Lifesaving Operations Committee, shall prepare and present a budget of anticipated expenditure and income to the Board by the 15 March of each calendar year.
- d) This Committee shall provide minutes of each Meeting and monthly reports as prescribed in the Policies and Procedures Manual to the Board (**Template T 04 & T 05**).
- e) The Club Captain shall have a discretionary spending limit as determined by the Board and as prescribed in the Policies and Procedures Manual (**Procedure No. GOV 04**).

### **BY-LAW 3.4 – JUNIOR ACTIVITIES AND SURF SPORTS COMMITTEE**

- a) The Junior Activities and Surf Sports Committee shall be comprised of:
- i. the Surf Sports Officer (Joint Chairperson);
  - ii. The Junior Activities Coordinator (Joint Chairperson);
- and up to any five (5) – minimum 3 of the following club officers,
- iii. Assistant JAC
  - iv. Team Manager;
  - v. Gear Steward;
  - vi. Club Coach(es);
  - vii. Officials'
  - viii. Junior Activities Team Manager;
  - ix. Liaison Officer;
  - x. Life Member nominee;
  - xi. Surf Boat Officer;
  - xii. Surf Rescue Competition representative;
  - xiii. Youth Development Officer;

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

and any other officers as determined by the Board.

- b) It shall be responsible for matters including all coaching appointments and procedures as prescribed in the Policies and Procedures Manual (**Procedure No. GOV 08**).
- c) The Surf Sports Officer, on behalf of the Surf Sports Committee, shall prepare and present a budget of anticipated expenditure and income to the Board by the 15 March each calendar year.
- d) This Committee shall provide minutes of each Meeting and monthly reports as prescribed in the Policies and Procedures Manual to the Board (**Template No. T 04 & T 05**).
- e) The Chairperson of the Surf Sports Committee shall have a discretionary spending limit as determined by the Board and prescribed in the Policies and Procedures Manual (**Policy No. GOV 08**).

### **BY-LAW 3.5 – HOSPITALITY & BUILDING COMMITTEE**

- a) The Hospitality & Building Committee shall be comprised of:
  - i. The Director of Hospitality (Chairperson);
  - ii. Two nominated Directors;
  - iii. A member with experience and expertise with marketing and media;
  - iv. The Club treasurer, and
  - v. any other Member/s as determined by the Board.
- b) The Committee shall be responsible for matters as prescribed in the Policies and Procedures Manual (**Procedure No. GOV 09**).
- c) The Committee shall provide minutes of each Meeting and monthly reports as prescribed in the Policies and Procedures Manual to the Board (**Template No. T 04 & T 05**).

### **BY-LAW 3.6 – YOUTH DEVELOPMENT COMMITTEE**

- a) The Youth Development Committee shall be comprised of:
  - i. the Youth Development Officer (Chairperson);
  - ii. a Director as nominated by the Board;
  - iii. Junior Club Captains;
  - iv. Youth Coaches
  - v. a nominee from Junior Activities;
- b) Life Member nominee and any other officers as determined by the Board.
- c) The Committee shall carry out matters as prescribed in Policies and Procedures Manual (**Procedure No. GOV 10**).
- d) The Youth Development Officer, on behalf of the Youth Development Committee, shall prepare and present a budget of anticipated expenditure and income to the Board by the 15 March each calendar year.

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

- e) The Committee shall provide minutes of each Meeting and monthly reports as prescribed in the Policies and Procedures Manual to the Board (**Template No. T 04 & T 05**).

### **BY-LAW 3.7– CONSTITUTION REVIEW COMMITTEE**

- a) The Constitution Review Committee shall be elected at the Annual General Meeting.
- b) The committee shall be comprised of:
  - i. the Club Secretary or Board Nominee as Chairperson; plus,
  - ii. four committee Members, one of whom may preferably have some legal background, and one of whom shall be a Life Member;
  - iii. the others with governance experience or previous Constitutional experience.
- c) The Committee shall carry out matters as prescribed in the Policies and Procedures Manual (**Procedure No. GOV 11**).
- d) The Committee shall provide minutes of each Meeting and reports as prescribed in the Policies and Procedures Manual to the Board (**Template No. T 04 & T 05**).

### **BY-LAW 3.8 - FUNDRAISING SUBCOMMITTEE**

- a) The Fundraising Sub-Committee shall be appointed by the Board after the Annual General Meeting.
- b) The Fundraising Sub-Committee shall be comprised of Members interested in raising funds for the Club and assisting with social and entertainment activities for the Members. This sub-committee must include a Finance Committee; Junior Activities and Surf Girl representative if applicable. The Chairperson of this subcommittee shall be the Volunteer Coordinator.
- c) The Fundraising Sub-Committee shall be responsible for matters as prescribed in the Policies and Procedures Manual (**Procedure No. GOV 06**).
- d) This Sub-Committee shall provide minutes of each Meeting and reports as prescribed in the Policies and Procedures Manual to the Finance Committee (**Template No. T 04 & T05**).

### **BY-LAW 3.9 - CLUB APPAREL SUB-COMMITTEE**

- a) The Club Apparel Sub-Committee shall be a Sub-Committee of the Finance Committee.
- b) This Sub-Committee shall be comprised of:
  - i. a Board nominated Member (as the Chairperson);
  - ii. Junior Activities Uniform Officer/s;
  - iii. a youth Member nominee;
  - iv. a senior club Member;
  - v. a master's representative and

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

- vi. any other officers as determined by the Board.
- c) The Club Apparel Sub-Committee shall be responsible for matters as prescribed in the Policies and Procedures Manual (**Procedure No. GOV 12**).
- d) This Sub-Committee shall provide minutes of each Meeting and reports as prescribed in the Policies and Procedures Manual to the Finance Committee (**Template No. T 04 & T05**).

### **BY-LAW 3.10 – HONOURS AND AWARDS COMMITTEE**

- a) The committee shall be elected at the Annual General Meeting.
- b) The committee shall be comprised of:
  - i. Deputy President (Chairperson);
  - ii. Club Secretary;
  - iii. Chief Training Officer;
  - iv. Registrar
  - v. Two Life Members or Members with a thorough knowledge of lifesaving and
  - vi. any other Member as determined by the Board.
- c) The committee will make confidential recommendations to the Board for but not limited to the following awards:
  - i. Branch/SLSQ/SLSA Life Membership;
  - ii. Branch/SLSQ/SLSA National Awards;
  - iii. Community awards;
  - iv. Meritorious awards.
  - v. Order of Australia nominations;
  - vi. Outstanding Service Certificate;
  - vii. Service pins;
  - viii. Sports awards; and
- d) The committee procedure and nomination process are to comply with the Policies and Procedures Manual (**Procedure No. GOV 13**)
- e) The Committee shall provide minutes of each Meeting and monthly reports as prescribed in the Policies and Procedures Manual to the Board (**Template No. T 04 & T05**).

***No By-Laws are required for Constitution clause 34 BY-LAWS***

***No By-Laws are required for Constitution clause 35 FUNDS, RECORDS AND ACCOUNTS***

***No By-Laws are required for Constitution clause 36 AUDITOR***

***No By-Laws are required for Constitution clause 37 NOTICE***

***No By-Laws are required for Constitution clause 38 SEAL***

***No By-Laws are required for Constitution clause 39 ALTERATION OF CONSTITUTION***

***No By-Laws are required for Constitution clause 40 INDEMNITY***

***No By-Laws are required for Constitution clause 41 DISSOLUTION***

# EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS

## SECTION 4 - JUNIOR ACTIVITIES

### **BY-LAW - 4.1 GENERAL**

The Junior Activities is a section of the Eimeo Surf Life Saving Club incorporating junior Members from a minimum of five years of age up to a maximum of 14 years on a seasonal basis and their parents or guardians administered by a committee reporting to the Board.

The *Junior Activities and Surf Sports Committee* shall be responsible for the management of Junior Activities and shall comprise current financial Members who have applied for Membership of the Club through the Junior Activities and whose Membership has been endorsed by the Board.

The *Junior Activities and Surf Sports Committee* is subordinate and responsible to the Board and therefore has no authority to make decisions that may bind the Club financially.

The following officers shall be elected at the Junior Activities Annual Meeting to carry out the Junior Activities program:

- i. Junior Activities Coordinator;
- ii. Assistant Junior Coordinator;
- iii. Junior Activities Minute Secretary;
- iv. Junior Activities Registrar;
- v. Junior Activities Team Manager;
- vi. Chief Water Safety Coordinator;
- vii. Junior Activities Fundraising overseer and
- viii. Appointed Life Member as an Advisor and voting Member.

The above positions comprise the Junior Activities Committee.

- ix. Junior Activities Junior Team Manager;
- x. Junior Activities Apparel Coordinator
- xi. Junior Activities Gear and Equipment Steward
- xii. Canteen Coordinator; and
- xiii. Age Managers.

The election of the Junior Activities Committee is subject to its ratification by the Club Council at the Annual General Meeting.

### **BY-LAW 4.2 - JUNIOR ACTIVITIES AIMS and OBJECTIVES**

- a) Abide by the Objects of the Club as prescribed in Clause 3 of the Club Constitution and By-Laws and the ACNC Governance Standards.
- b) Ensure Junior Activities is working towards the mission and vision and implementation of the Club's Strategic Plan in consultation with the Board.

# EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS

## **BY-LAW 4.3 - JUNIOR ACTIVITIES MEETINGS**

### **Annual and General Meetings**

- a) The Junior Activities Annual Meeting shall be conducted no later than May annually. A quorum for the Junior Activities Annual, General or Special Meetings shall be twice the number of officers of the Junior Activities Committee plus one.
- b) Every Member shall receive due notice of the date, time, place of the annual Meeting and the business to be conducted as prescribed in the Policies and Procedures Manual (**Template No. T 14**).
- c) A General Meeting shall be held in early December annually, where every Member shall be given due notice stating the date, time, place of such a Meeting and the business to be conducted. (**Template No. T 07**).
- d) Junior Activities Committee Meetings will hold a minimum of 6 meetings in a calendar year, due notice of which shall be given to all Members stating date, time and place of such Meetings. (**Template No. T 04 & T05**).
- e) The Junior Activities Committee resolutions shall abide by the general rules contained in these By-Laws, the Constitution and Club Policies and Procedures, and shall be subject to ratification by the Board, and where appropriate, the Club Council.
- f) The Junior Activities Chairperson shall provide minutes of each Meeting and monthly reports in the required format as prescribed in the Policies and Procedures Manual (**Template No. T 04 & T05**).
- g) Financial Members aged 15 years and over and parents or guardians of Junior Activity Members who are Associate Members may attend, participate and vote at Junior Activity Annual Meeting, Junior Activity General Meetings or Junior Activity Special General Meetings only.

## **BY-LAW – 4.4 ELECTIONS**

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

- a) The standard nomination form for all Junior Activities Officer positions shall include a declaration by the nominee regarding the matters required by section 61A of the Associations Incorporation Act (as current) (**Template No. T 15**).

## **BY-LAW – 4.5 FINANCES**

- a) The Junior Activities Chairperson on behalf of the Junior Activities Committee shall prepare and present a budget of anticipated expenditure and income to the Board by the 15 March of each calendar year.
- b) The Junior Activities Chairperson shall have a discretionary spend limit as determined by the Board and as prescribed in the Policies and Procedures Manual (**Procedure No. GOV 04**).
- c) The Junior Activities Accounts Manager shall be the Junior Activities representative on the Club Finance Committee.

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

### **BY-LAW 4.6 - COMPETITIONS**

- a) A sub-committee comprising the Team Managers, Coaches and one Committee Member elected by the *Junior Activities and Surf Sports Committee* shall select the competitors and teams for all Inter Club competitions and carnivals and may alter such selections at its discretion, and this sub-committee's decision shall be final.
- b) Junior Activities points' days shall be conducted throughout the season and in accordance with the Policies and Procedures Manual (**Procedure No GOV 15**)

### **BY-LAW 4.7 – DISCIPLINE**

- a) The conduct of all Junior Activities Members, parents and guardians who participate in Junior Activities shall be subject to the Codes of Conduct and the control of the penalising authority in accordance with the disciplinary process as prescribed in **Clause 18** of the Constitution and **By-Laws 2.3 – 2.9**.
- b) Any disciplinary action taken by the penalising authority shall be referred to the Board in the first instance for their direction.
- c) Minor matters of Discipline can be dealt with by the Age Manager, Team Manager or the Junior Activities Chairperson.

### **BY-LAW 4.8 – POSITION HOLDERS AND THEIR DUTIES**

- a) Position Descriptions for all Junior Activities position holders are prescribed in the Policies and Procedures Manual (**Position Descriptions No. PD27 to PD38**)

### **BY-LAW 4.9 - MEMBERSHIP**

(Prescribed in **Clause 12.1** of the Constitution.)

- a) Junior Activities participants must be financial Members of the Club and apply by electronic means on the relevant online Membership system or by submission on the prescribed SLSA form and pay the required fee as determined by the Junior Activities Committee and endorsed by the Club Council at the Annual General Meeting.
- b) The Family Membership fees only apply to Junior Activities Memberships. Any Junior Activities application for Membership shall be accompanied by a parent or guardian application for Membership of some type, depending on their SLSA award qualifications. (For example, Associate Member).
- c) Composition of family Membership shall be:
  - i. Two (2) Adults and up to three (3) children
  - ii. Additional children at an extra fee
  - iii. Families may choose to buy membership as individuals if this is a more economical option

# EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS

## SECTION 5 - PROCEDURES AND RULES

**BY-LAW - 5.1 SLSA and SLSQ POLICIES, RULES, REGULATIONS** (As prescribed in **Clauses 10 and 11** of the Constitution).

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

### **BY-LAW - 5.2 – AUXILIARY ORGANISATIONS**

- a) As prescribed in **Clause 2(b)** of the Constitution and any current SLSA; SLSQ; or Branch policies.

### **BY-LAW - 5.3 – FUNDRAISING**

- a) The Club and any affiliated Auxiliary Organisation shall comply with the current legislation and SLSA rules and guidelines regarding fundraising.
- b) The fundraising authority is vested in the Board, which may allocate portions of its responsibilities pertaining to specific projects, to other committees/subcommittees to maintain, direct and/or develop these projects. As prescribed in the Policies and Procedures Manual (**Procedure No. GOV 06**).

### **BY-LAW - 5.4 – INSURANCE**

1. This specifically relates to the SLSQ Administration Guide (Insurance); and as prescribed in current SLSA, SLSQ and Branch policies and the Club's Policies and Procedures Manual (Procedure No. ADM 02).

The Board must ensure adequate insurance cover is provided annually, ensuring all insurance coverage will fully support and cover the operations of the Club and its Members and property; and

Ensure insurance invoices or dues are paid within the required time frames, and

That policies are reviewed on an annual basis providing optimal insurance cover for the Club, and facilities.

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

### **SECTION 6 - POLICIES AND PROCEDURES MANUAL – CLUB HANDBOOK**

#### **BY-LAW 6.1 POLICIES AND PROCEDURES MANUAL – CLUB HANDBOOK**

1. The Policies and Procedures Manual is a supplement to the By- Laws, and as such it provides the comprehensive processes for the By- Laws.
2. The Policies and Procedures manual contains, but is not limited to the following:
  - i. Basic tenure of delegations;
  - ii. Meeting practice, agenda, minute, and reporting templates;
  - iii. Rules of debate;
  - iv. Club Policies combined with protocols;
  - v. Patrol, Clubhouse, Gear, and Equipment Rules;
  - vi. Club Office Bearer Position Descriptions including JAC Office Holders; and
  - vii. Codes of Conduct.
  - viii. Club Gymnasium use and Membership thereof
3. The templates provided consist of:
  - i. Meeting Notices,
  - ii. Agendas
  - iii. Minutes
  - iv. Reports to the Board
  - v. Officer Nominations
4. And various other forms are provided for consistency in recording and reporting and include the necessary requirements of the ACNC, the Constitution and By-Laws.

#### **BY – LAW 6. 2 AMENDMENTS TO THE POLICY AND PROCEDURE MANUAL ITEMS**

1. The Executive can amend the Policies, Procedures, Position Descriptions and Rules.
2. Amendments made must be advised to Members within 14 days of the amendment being formulated.

#### **BY – LAW 6.3 POLICIES AND PROCEDURES BINDING**

- a) The Policies and Procedures, Rules and Position Descriptions are binding on all Members in the same manner as the By-Laws and Constitution are binding as prescribed in **Clause 32.2(a) and (b)** of the Constitution.

# EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS

## SECTION 7 - COMPETITIVE CONDITIONS

### BY-LAW 7.1 – COMPETITIONS

1. Due to the changes regularly made by SLSA and SLSQ and the Branch, Members shall follow the Policies and Procedures of the current SLSA, SLSQ, Branch, Club and Carnival Bulletin prescribed for the relevant competitions as current at the time, and emphatically the SLSA Surf Sports Competition Manual as current at the time.
2. All local competitions must be approved by Branch.

### BY-LAW 7.2 – COMPETITIVE RIGHTS, TRANSFERS, OBLIGATIONS AND QUALIFICATIONS

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

### BY-LAW 7.3 – CLUB CHAMPIONSHIPS

- a) Shall be conducted annually, preferably before the State Championships.
- b) As prescribed in the Policies and Procedures Manual (**Procedure No. ADM 04**).

### BY-LAW 7.4 – TROPHIES, PRIZES AND ELIGIBILITY

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

### BY-LAW 7.5 - TEAM MANAGEMENT

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

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

### BY-LAW 7.6 – CLUB SUBSIDY / BURSARY

- a) Club Subsidies and Bursaries are available to Members and are dependent on the Club's financial status as prescribed in the Policies and Procedures Manual (**Procedure No. ADM 05 and ADM 06**).

### BY-LAW 7.7 – CARNIVAL OFFICIALS

- a) As provided for in the Policies and Procedures Manual (**Procedure No. ADM 07**).

### BY-LAW 7.8 – VISITS & TOURS

- a) As prescribed in current SLSA, SLSQ, Branch and Club Policies and Procedures Manual (**Procedure No. ADM 20**)
- b) Any Member or competitor of the club shall request permission from the Director of Surf Sports, giving appropriate notice, to undertake any tour, visit or enter in a competition to any jurisdiction outside of North Barrier Branch.

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

### **SECTION 9 - CLUB COLOURS/BADGES/ AND CLUB EMBLEM, LIFE MEMBERSHIP BADGE AND COMMON SEAL**

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

- a) The existing Club's colours, badges and competition cap design shall not be altered without re-endorsement of SLSQ and the approval of the Association.
- b) The **Club logo** shall be used where possible to identify the club.
- c) **Common Seal** refer to **Clause 42 of the Constitution**

### **SECTION 10 - STAFF & EMPLOYEES**

#### **BY-LAW 10.1 - STAFF APPOINTMENTS**

The Board may appoint an Administrator and/or other paid employees for specific assignments.

#### **BY-LAW 10.2 - THE ADMINISTRATOR**

The Administrator is a paid Officer position and subject to the provisions of the and to the directions from time to time of the Board shall:

1. Carry out and implement all decisions of the Meetings and within the scope of such decisions use their best endeavours to further the Policies of the Club and the advancement of Surf Life Saving;
2. Liaise with the Club Officers and assist wherever possible or as directed;
3. Attend meetings of any Meetings if required;
4. Be responsible to the President or other Board members on matters of day to day routine business;
5. Be available at all reasonable times for consultation with and assistance in matters which are within the jurisdiction of the Club to the Officers and members;
6. Maintain close contact with Branch and the State levels of SLSA and SLSQ including any visits provided that he shall inform the Committee of proposed visits;
7. Approach and develop Club donors and sponsors with the assistance of the Fundraising Committee and the Board and oversee all fund-raising activities as directed by the Board;
8. In all aspects of their activities observe and comply with existing procedures of the Club as regards correspondence and communications;
9. Maintain the Club web site and the Policies and Procedures and form templates.
10. Assist Club Officers and committees to use the templates provided for the correct

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

format of Agendas, Minutes and Reports.

11. Prepare and issue notices and agendas Meetings in accordance with the Constitution and By-Laws, if required;
12. Attend to the preparation and presentation of the Annual Report, or any other prepared matter for Club distribution.

# **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

## **APPENDIX**

### **APPENDIX "A" - RULES OF DEBATE**

#### **1. GENERAL**

- 1.1 The undermentioned Rules shall apply to the conduct of all Meetings of the Council, Board and Committees.
- 1.2 For the purpose of these Rules, the word "Member" shall refer to Members of the Club.

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

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

#### **3. DEBATE**

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

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

who has spoken to the original motion or amendment to move "that the question be now put";

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

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

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

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

- 4.13 Amendments shall be put to the Meeting before the motion is put and shall be committed to the Meeting in the order in which they are received.
- 4.14 When an amendment is carried the motion as amended becomes the motion before the Meeting.
- 4.15 Motions and amendments can be withdrawn only when a majority of those present at the Meeting consent. A motion for withdrawal is open to debate, which however must be confined to the matter of withdrawal.
- 4.16 If, after a motion has been determined, it is considered in the general interest that the matter should be re-opened for discussion before the termination of the same Meeting, the Meeting may, by unanimous vote, order its recommittal.

### **5. VOTING**

- 5.1 Voting shall be by the show of hands or by secret ballot.
- 5.2 The Chairperson may appoint scrutineers to assist them in counting a vote.

## **EIMEO LIFE SAVING CLUB Inc. THE BY-LAWS**

### ***APPENDIX "B" - PATROL RULES***

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

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

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direction of the Patrol Captain, and Members are not allowed to leave the patrolled area unless extenuating circumstances arise and then must first obtain permission from their Patrol Captain.

- xiv. In the event of the Patrol having finished its term of duty, and the succeeding Patrol failing to relieve it, the Patrol Captain shall ensure that an adequate Patrol is maintained, whilst they report to the Club Captain.
- xv. Patrol Captains are held responsible for the efficiency of their Patrols and are required to record in the Patrol Register the names of absentees from their Patrols, and any irregularity such as being late, leaving early or not being in the regulation dress.
- xvi. Patrol Captains shall regularly test their Patrol on their ability and knowledge of the resuscitation methods and rescue procedures utilising the gear on patrol.
- xvii. A Member shall obey his Patrol Captain, either in the actual work of lifesaving, or any other duty associated with the activities of the Patrol within the Club.
- xviii. Clubs are reminded of requirements as per the SLSA's Constitution and Rules & Regulations: Patrol Exemption Policy
- xix. In relation to Patrol duties the following shall apply:
  - i. Members, Clubs and the Association generally, must recognise the obligation of all Members to perform patrol duties and/or other duties within the Surf Life Saving structure;
  - ii. Exemptions from patrol, or other duties, may only be granted in the most exceptional of circumstances;
  - iii. The Club may provide exemptions for senior Club Officers, and persons whose Club duties are such that exemption is provided in the Club Constitution and By-Laws or, by special resolution of a General Meeting of the Club;
  - iv. The Club may provide exemption from all - or part - of Club patrol duties for Members of the Surf Life Saving Operations Committee, Senior Club Officers or, Members of SLSQ patrols or rescue services;
  - v. Under no circumstances shall competitors be granted patrol, or Club duty exemptions, solely upon competition reasons;
  - vi. Any patrol, or duty exemption, granted by a Club - unless those provided for in (c) and
  - vii. (d) above must be immediately submitted for ratification to the SLSA (Branch or State) stating names and reasons for exemption.
- xx. Patrol Captains are required to ensure that the Patrol, Radio and IRB logs are completed.
- xxi. Patrol Captains are to ensure that motorised equipment is driven only by Members with the appropriate licences.

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### *APPENDIX "C" - CLUBHOUSE RULES*

#### **GENERAL**

1. The benefits of Club privileges shall be permitted only to Members of the Club and such SLSA/SLSQ visitors as are approved by the Club Captain and Clubhouse Officer and/or written approval of the Club Secretary.
2. Junior Active Members shall be permitted to stay in the clubhouse on weekends for organised and board sanctioned training camps providing, there are two or more Senior Active Members, or the Board Member present.
3. Visiting surf clubs on prearranged and board sanctioned visits may stay at the clubhouse provided that they have 2 or more senior club officials as chaperones. They must abide by this clubs' rules and Codes of Conduct.
4. Where female Members are part of the cohort in clauses 3 and 4 above there must be a female chaperone in attendance for the entire time.
5. Unseemly conduct likely to interfere with the comfort of other Members of the Club shall not be tolerated and Members are requested to assist in preventing such conduct.
6. Damage occasioned to clubhouse facilities shall be subject to investigation and decision of liability by the Board of Management.
7. Members shall use their individual efforts in preserving the cleanliness of the Club's premises
8. Any refusal of clubhouse duties shall be dealt with by the Board.
9. Bad language shall not be tolerated in the clubhouse.
10. Pets shall not be allowed in the clubhouse.
11. Clubhouse keys shall be in the control of the Club's Administrator as authorised by the Board.
12. Wet costumes shall not be permitted in the upstairs "Club Room" area of the clubhouse.
13. Food stuffs shall not be brought onto Club premises or stored or consumed therein except in the kitchen/ kiosk or such other areas as may be designated from time to time by the Board
14. Liquor may only be consumed in the clubhouse at an organised function arranged by the Board.
- 15.. The First Aid Officer, his/ her assistants and patients are the only persons permitted in the First Aid Room. First Aid equipment shall be used for first aid purposes only.

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### ***APPENDIX "D" - GEAR RULES***

#### ***BOARD & SKI***

- 1.1 Board & Ski owned by the Club shall be stored under the control of the Board & Ski Officer and stored at owner's risk.
- 1.2 Members shall not use other Members' Board & Ski without prior approval of the owner.
- 1.3 Members shall not use Club gear without prior approval of the Board & Ski Officer, Gear Steward, Director of Surf Lifesaving, Director of Surf Sports or Chief Training Officer and JAC.
- 1.4 The Skis and Boards shall never be launched or brought in near the marked surf bathing area or buffer area, nor where bathers are likely to be encountered.
- 1.5 Members shall not store personal gear in the Club sheds without Gear Steward approval, and may be charged a fee for storage if approval has been granted.

#### ***SURF BOAT if applicable***

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

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- 2.6 Members, except those on patrol, may be called upon to assist in getting the Boat in and out of the water, and a refusal to do so will be a matter for report to the Board for appropriate action.
- 2.7 No more than a boat crew of five (5) or less than that number shall be taken in a Boat unless under special circumstances.
- 2.8 The Boat shall never be launched or brought in near the marked surf bathing area or buffer area, nor where bathers are likely to be encountered.

### *POWER BOAT RESCUE CRAFT*

**The Power Boat Officer** shall:

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