

BUNGAN BEACH SURF LIFE SAVING CLUB INC.

BY- LAWS

Date: 3rd August 2014



1. AMENDMENT TO THE BY-LAWS

In accordance with the Constitution, the Board, by resolution, is specifically empowered by these rules to make, amend, alter, repeal or vary the By-laws contained in this annexure. Any amendment to the By-laws shall be promulgated to Members, who shall have the right under these rules of calling for a general meeting to discuss or rescind the resolution so made by the Board of Management.

A motion to rescind a resolution of Board of Management, or to alter, amend or vary that resolution at a general meeting is a special resolution.

2. SUMMARY OF TERMS

Club and BBSLSC: Bungan Beach Surf Life Saving Club Inc.

Clubhouse: Refers to the Club building and immediate surrounds including the car park, lawn area and patrolling sections of beach.

SLSA: Surf Lifesaving Australia

SLSSNB: Surf Lifesaving Sydney Northern Beaches Branch

SLSNSW: Surf Lifesaving New South Wales

3. OFFICERS OF THE CLUB

(3.1) The Club may elect the following Honorary Officers who shall have no voting rights and who need not be Members of the Club:

- Patron(s)
- Vice Patron(s)
- Solicitor
- Medical Officer(s)
- Architect(s)

These officers shall have the right to attend Annual and Special General Meetings and to speak or express opinions on business conducted at those meetings.

(3.2) The Club shall elect the following Officers who shall be Members of the Club and who shall not be Members of the Board but who shall be responsible to the Board for the performance of their duties:

- (a) Assistant Secretary and Registrar;
- (b) Vice-captain;
- (c) Boat Captain;
- (d) Race Secretary and Handicapper;
- (e) Public Relations Officer;
- (f) Social Secretary;
- (g) Board and Ski Captain;
- (h) Gear Steward;
- (i) House Captain;
- (j) IRB Captain;
- (k) Radio Officer;
- (l) Competition Manager;
- (m) First Aid officer; and
- (n) Junior Captain;

Any member may concurrently hold the positions of a Director and Officer(s) of the Club.

4. DUTIES OF OFFICERS

(a) The Assistant Secretary shall assist the Director Administration in the discharge of his/her duties and in his/her absence shall have like powers and authority as the Director Administration. He/she shall act as a minute secretary at all meetings. He/she shall be a standing member of the selection and judiciary committees. He/she shall keep a register showing:
 - Records of all examinations (SLSA) of Club Members.

(b) The Vice Captain shall assist the Director Lifesaving and be responsible for all lifesaving gear and shall be directly responsible to ensure sufficient persons to man patrols and will communicate with patrol defaulters to maintain efficiency of patrols, and in the absence of the Director Lifesaving shall exercise that officer's functions.

(c) The Boat Captain shall be responsible for the care, housing and maintenance of all surf boats and surf boat equipment and shall supervise and organise the training of Members in surf boat practices. The boat captain shall be empowered to require any member to assist in the launching or housing of a boat and shall at all times be subject to the direction of the Board.

(d) The Race Secretary and Handicapper shall receive and record all entries for competitions conducted within the club. He/she shall be responsible for the safe and effective conduct of all intraclub competitions including the authority to direct laying of the buoys. He/she will act as handicapper for all club competitions, point scores and the like and will keep an accurate record of such handicaps.

(e) The Public Relations Officer shall be responsible for the overall media coverage of relevant matters pertaining to events conducted by the Club and shall endeavor to create a good public relations image with the media, general public and supporters of the Club. The Public Relations Officer shall maintain a full record of all publicity coverage and report same to the Board. No mention shall be made of any domestic affairs of Members nor shall any media controversy be entered into involving any member, Club or the Association.

(f) The Social Secretary shall recommend, organise and supervise the conduct of all social functions held by the Club and shall submit financial statements of such functions to the Director Finance.

(g) The Board and Ski Captain, subject to the authority of the Director Lifesaving, shall have charge of all boards and skis and shall arrange that all are available for immediate use and maintain a register of all craft owned by or in possession of the Club or on the Club premises. He/she shall submit a report of all activities under his/her control and the state of repair of the boards and skis to each Board meeting.

He/she shall arrange the transport of boards and skis for interclub competition and be responsible for the repair and maintenance of club boards, skis, associated trailers and equipment.

(h) The Gear Steward shall be responsible for the care, repair and maintenance of all the Club's life saving equipment except as elsewhere provided for, and shall report to the Club Vice Captain.

(i) The House Captain shall have jurisdiction and control of the Club's premises. He/she shall have, subject to the approval of the Board, power to refuse the use of the premises to any member as he/she shall deem fit. He/she shall be responsible for the enforcement of "House Rules" as laid down from time to time by the Board and shall report to that Board on the conditions of the premises at each Board meeting.

(j) The Inflatable Rescue Boat Captain shall be qualified and currently proficient as an IRB driver in accordance with the manuals of the Surf Lifesaving Association and shall at all times be subject to the direction of the Director Lifesaving. The IRB Captain shall be responsible for the care, maintenance and housing of the inflatable rescue boat/s and gear and shall also be responsible for the training, rostering and supervision of all IRB drivers and crew in consultation with the Director Lifesaving.

(k) The Radio Officer shall be responsible for the upkeep, maintenance and supervision of all Club equipment relevant to communications and shall be responsible for the training of Members in the proper use and care of this equipment and shall report to the Club Vice Captain.

(l) The Competition Manager shall submit entries for all interclub competitions of club teams or representatives selected by the selection committee and shall record results of all such competitions. He/she shall report to the Board any member who fails to attend interclub competitions for which that member has been entered. He/she shall keep a register showing:-

- Conditions of all competitions conducted within the Club.
- Duplicates of all Club entries submitted for interclub competitions.
- Records of all wins and placing of team and individual Members in the interclub competitions.

(m) First Aid Officer shall be responsible to the Club Captain for the care and management of the First Aid Room and equipment. He/she shall maintain an inventory of all items needed in accordance with Surf Life Saving requirements, will inform the Director Lifesaving of any shortages, and may take action to replenish stock immediately without reference to the Board.

(n) The Junior Captain shall act as the spokesman for the junior and cadet Members of the Club and will maintain liaison between the Board and juniors.

5. ELECTION OF OFFICERS

1. Nominations of Candidates

- (a) The Club shall call for nominations for candidates to be elected as an Officer of the Club not less than 30 days prior to the Annual General Meeting. Candidates must:
 - (i) be aged 18 years or over;
 - (ii) be a member of the Club; and
 - (iii) reside in Australia.
- (b) Nominations for positions of Officers can be received:
 - (i) in person on the day of the meeting or;
 - (ii) in writing prior to the meeting.
 - (iii) all nominations must be seconded.
- (c) If insufficient nominations are received to fill all available vacancies as Officers of the Club:
 - (i) the candidates nominated shall, subject to declaration by the chairperson, be deemed to be elected; and
 - (ii) all remaining positions will be deemed casual vacancies under Rule 20.3 of the Club Constitution.
- (d) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall, subject to declaration by the chairperson, be deemed to be elected.
- (e) If the number of nominations exceeds the number of vacancies to be filled, voting papers shall be prepared containing the names of the candidates in alphabetical order, for each vacancy.

5.2 Voting Procedures.

Elections shall be conducted by such means as is prescribed by the Board.

6. APPOINTMENT OF SUB-COMMITTEES

The Club may elect or appoint any of the following sub-committees to ensure the efficient running of the affairs of the Club:

- Selection Committee
- Judiciary Committee

- Constitution Committee
- Improvement Committee.

The Selection Committee is elected at the first Board meeting and comprises the Director Lifesaving, Vice-Captain, Race Secretary and Handicapper, Boat Captain, Assistant Secretary and two Members elected by the Board. They shall select all Club teams, crews or representatives for interclub competition and shall select instructors and coaches for the same. This committee shall also prepare rules and conditions of all Club competitions subject to approval of the board and advise on any such matters referred to them by the management for opinion. The Assistant Secretary shall act as secretary to the selection committee and shall keep an accurate record of its meetings. The Director Lifesaving shall act as convener chairperson and three members of this committee shall form a quorum.

The Judiciary Committee is elected at the first Board meeting and consists of five Members from the Board (one to be Director Administration) three of whom shall form a quorum. They will deal with matters referred to them by the Board and they will submit their recommendations to the Board for endorsement.

The Constitution Committee shall be appointed at the first meeting of the Board. One member shall be appointed convener by the Board, to whom shall be referred all items for consideration by such sub-committee. Information shall be supplied by the Secretary's department from the minutes, after each Board meeting. The convener shall call a meeting at least once during each season, at a time to be mutually arranged among members of the sub-committee.

The Improvement Committee shall consist of five Members and shall be appointed at the first meeting of the Board. It will be responsible for co-coordinating the Club's fund-raising activities and all special projects.

The President and the Director Administration shall be ex-officio members of all committees except as otherwise may be determined.

7. CLUB COLOURS AND COMPETITION CAP

- The Club colours shall be Royal Blue and Gold and the design of the Club Competition Cap shall be Royal Blue with two parallel gold stripes running from front to back.
- Any desired alterations must first receive the approval of the SLSA.

8. BADGES AND BLAZERS

The design and colour of Club badges and blazers shall be as adopted at a general meeting and can only be changed by the passing of a motion as provided for in Rule14. The official Club emblem shall be a castle (similar to the chess rook). Any use of the Club emblem must be approved by the Board.

9. PATROL CAPTAINS

The Director Lifesaving will select all Patrol Captains. All Patrol Captains are automatically members of any Beach Management Sub-Committee. They will be encouraged to obtain an Advanced Resuscitation Certificate, Inshore Rescue Boat License, and Silver Medallion in Basic Beach Management. They will be responsible for their patrol, and if any member of their patrol fails to perform their duties or functions, they must report them to the Director Lifesaving.

In the event of a rescue or other emergency the Patrol Captain has charge of the beach, and any member may be called upon to assist the Patrol Captain until the emergency has been dealt with. Any member performing such duties will be under the direct command of the Patrol Captain only. In the event of an emergency, the Patrol Captain may deploy the Club's Members and equipment as the Patrol Captain deems necessary in order to remove any threat to human life and treat injured persons.

10. PATROLS

(a) All Members eligible to patrol, other than those who are exempt from patrol duties, and those to whom leave of absence has been granted by the Board, shall patrol Bungan Beach during the patrol season and at such hours as may be determined by the SLSSNB.

(b) Patrols shall be appointed by the Director Lifesaving in conjunction with the Club Vice-captain. Once appointed, the patrol members shall be under the immediate direction of the Patrol Captain assisted by the Patrol Vice-captain.

(c) Dates of patrol rosters and hours of duty of each patrol member shall be set out on patrol roster cards and forwarded to each rostered patrol member. Receipt of patrol roster cards shall be deemed to be sufficient notice of the times such member shall be on duty. Patrol members must ensure that they are at the beach and ready for duty and suitably attired at the rostered starting time for their patrols.

(d) A Member unable to attend an allotted patrol may arrange a substitute provided that the substitute has no less SLSA qualification.

(e) No member of a patrol shall be permitted to leave the area being patrolled during the period of duty without the permission of the Patrol Captain.

(f) Members of patrols shall perform any duty allotted by the Patrol Captain in the actual work of life saving or any other task deemed necessary for the efficient patrolling of the beach.

(g) Members of patrols who are candidates for any award of the SLSA will be granted leave to attend classes on notification to the Club Vice-captain.

(h) Life Saving practice shall be carried out from time to time under instruction from the Patrol Captain or the Patrol Captain's nominee.

(i) Patrol Captains shall:

(i) Check and have placed on the beach all gear as is required by the SLSSNB.

(ii) Allot duties to each patrol member immediately on the commencement of the patrol.

(iii) Ensure that the last patrol on duty each day returns all gear in a cleaned and serviceable condition and see that such gear is securely stored.

(iv) Enter appropriate information into the various Association log books.

(v) Supervise the signing of the patrol log book at the commencement and termination of patrols.

(vi) Be conversant with Local Government Ordinance relating to the powers of surf clubs, beach inspectors, etc. The utmost discretion should be used in all dealings with the general public.

(j) Any patrol member failing to carry out a rostered patrol without providing a substitute, or who fails to fulfill a duty allocated by the patrol captain shall be required within 14 days to explain in person or in writing reasons to the Board which shall determine what action, if any, shall be taken.

(k) In the event of a patrol finishing its period of duty and not being relieved on time, the Patrol Captain shall retain sufficient patrol members to maintain efficiency until relieved.

11. ANNUAL REPORT

The Annual Report shall be prepared under the direction of the Board and presented for adoption at the Annual General Meeting.

The Report shall contain;

- (a) A report of the activities of BBSLSC during the season closing; and
- (b) Audited financial statements for the financial year last ended, duly certified by the Auditor or Auditors and signed by the Director Finance.

12. SUBSCRIPTIONS

(a) The Annual subscription for each year shall be due and payable in advance before the commencement of the Annual General Meeting in each year and shall be in respect of the year then ensuing and no member shall be entitled to be elected to office or permitted to vote until fees from the ensuing season, together with any arrears due, have been paid.

(b) Any member failing to pay their subscription by October 1st in any year shall not be entitled to any privileges of the Club so long as the subscription shall remain in arrears and at the discretion of the Board, if the arrears are not paid by that date, membership may be terminated.

(c) No person financially indebted to any other affiliated Club of the Surf Life Saving Association of Australia shall knowingly be admitted to membership.

13. VISITORS

A Member may invite a visitor into the Club premises provided that such visitor is first introduced to a Director or Officer. The introducing Member shall be responsible for such visitor.

Notwithstanding the foregoing, an Officer may permit distinguished visitors to use the Club premises at his discretion and shall report such permission to the Board.

14. PREMISES AND PROPERTY

(a) The security of the Surf Clubhouse shall be vested in the Board.

(b) The President shall have custody of all keys and will be responsible to the Board for the proper allocation of them to selected Office Bearers at each Annual General Meeting and throughout the season.

- (c) A register of all keys issued shall be kept and be under the President's control and the keys shall be returned to the President at the Annual General Meeting.
- (d) The Surf Clubhouse is for the use of the Club Members and/or others at the direction of the Board.
- (e) The Board's consent must be obtained for the hiring or leasing of the building or its precincts.
- (f) No unseemly conduct likely to interfere with the comfort of Club Members will be permitted.
- (g) No Member shall remove from the Club or use any of the Club's property for any purpose other than that for which it is intended without the sanction of the Club President.
- (h) All property willfully damaged or destroyed shall be paid for or replaced by those found to be responsible.
- (i) It shall be the duty of the patrols to clean the Club House. Members are also requested to use their individual efforts in preserving the cleanliness of the premises.
- (j) All Members must report the breakage or unsuitability of any equipment to the Director Lifesaving or other office-bearer as appropriate.
- (k) The Board shall at all times ensure that Club property is adequately insured.

15. ALCOHOL

- (a) Alcohol shall not be brought to the Club premises by any person except with the permission of the Board.
- (b) When alcohol is provided in the Club premises it shall only be at the direction of the Board.
- (c) Service of alcohol at social functions shall be in accordance with the Responsible Service of Alcohol Regulations.

16. POLITICS AND RELIGION

- (a) The Club shall be strictly non political and non sectarian, and shall not directly or indirectly allow to be introduced at any meeting any matter intended or likely to support or attack any cause in any political or religious controversy, actual or potential.
- (b) Any Member who publicly participates in any political gathering or meeting, or who publicly makes any political statement, express or implied, shall not act or suffer to be done, so as to indicate that the views expressed are those of the Club.

17. DISPLAY OF RULES, BY LAWS AND REGULATIONS

A copy of the Rules, By Laws and Regulations shall be readily available from the Director Administration at all reasonable times and each Member shall be deemed to have read them and to have agreed to accept them.

18. PROCEDURES AND RULES OF DEBATE

(a) Whenever the Chairman rises during debate, the speaker then speaking shall be silent and resume his/her seat.

(b) In the case of any remark considered by the Chairman to be offensive or imputing improper motives, the Chairman may call upon a speaker to withdraw and apologise.

(c) The Chairman may call a Member to order. If such Member persists in being disorderly, the Chairman may call upon such Member to withdraw from the meeting.

(d) It shall not be permissible to dispute the Chairman's rulings, or move a motion of dissent from a ruling, on matters of procedure and points or order.

(e) Any Member desiring to speak shall stand up and address the Chairman.

(f) If two or more Members rise to speak at the one time, the Chairman shall decide who is entitled to priority.

(g) 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.

(h) No Member shall interrupt another speaker who is speaking except to raise a point of order.

(i) No Member shall digress from the subject under discussion.

(j) No Member shall use offensive or unbecoming words.

(k) During the debate, a Member may raise a point of order, whereupon the Member then speaking shall be seated until the point of order is ruled upon by the chairman.

(l) It shall be competent for any Member to move a motion of dissent from the Chairman's ruling other than on matters of procedure and points of order. The mover of a motion of dissent shall concisely state the point. The seconder and Chairman only may then speak to the motion.

(m) At any time during the debate, a Member may move, "that the question be now put". Provided the Chairman 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 who has spoken to the original motion or amendment to move, "that the question now be put".

(n) 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.

(o) A Member may move the adjournment of the debate to a subsequent meeting. If a 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.

(p) Any Member proposing a motion or an amendment shall state its nature before addressing the meeting thereon.

(q) 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.

(r) No Member may speak more than once to a motion except with the Chairman's permission, in explanation or reply, or to ask a question - but may speak again on any amendment to the motion.

(s) The mover of a motion's right of reply shall be exercisable at the end of the debate.

(t) The mover of an original motion must get the consent of the seconder, and the approval of the meeting, before making any alteration to the wording of his/her motion.

(u) Any Member (other than as provided in sub clause (v)) may move an amendment to a motion, provided it is not a direct negative of the motion proposed to be amended.

(v) 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.

(w) A particular Member may move or second one amendment only to each motion, but may speak on amendments moved by others.

(x) 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 one time.

(y) 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.

(z) The mover of an amendment has no right of reply.

(aa) A Member who formally seconds a motion or amendment without speaking, may speak in support at a subsequent stage of the debate.

(ab) 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.

(ac) When an amendment is carried, the motion as amended becomes the motion before the meeting.

(ad) 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.

(ae) 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 a two to one majority vote, order its recommittal.

19. JUDICIARY MATTERS

(a) Where a Member has allegedly:

- i) Breached, failed, refused or neglected to comply with the membership directives or any resolution or determination of the Club, a State Centre, a Branch, or any duly authorised SLSA committee; or
- ii) Acted in a manner unbecoming of a Member or prejudicial to the Objects and interests of the Club and/or surf lifesaving; or
- iii) Brought themselves, the Club, any State Centre, Branch or surf lifesaving into disrepute;

the Board may commence or cause to be commenced investigatory and/or disciplinary proceedings ("proceedings") against that Member, and that Member will be subject to and submits unreservedly to the jurisdiction, procedures, penalties and appeal mechanisms set out in these Regulations; providing that the Club may commence proceedings, or investigate conduct which may warrant the commencement of proceedings by referring the matter to a Judiciary Committee.

- (b) Any person who alleges that a Member of the Club has committed any matter referred to in (a) above shall provide details of the alleged breach in writing to the Director Administration or any Board Member.
- (c) The Board shall refer the allegation to the Judiciary Committee who shall follow the procedures under the Discipline and Judicial Regulation of The Regulations of SLSA that were in place at the time of the alleged breach.

20. SAVING PROVISIO

In the event of anything occurring not within the scope of these Rules and By-Laws, the Board shall first determine if the matter is covered in Branch, State or Association rules and by-laws, and if not provided for, shall deal with same and their decision shall be binding.

21. RESIDENT CARETAKER

The resident caretaker shall be an Honorary Member or an Active or Associate Member and shall be appointed by the Board. The Resident Caretaker shall sign an Agreement drawn up by the Board outlining the duties and responsibilities of the position.

22. CLUB COMPETITIONS

Club competitions shall be conducted in accordance with the rules of the current SLSA Competition Manual/s and Association Rules and By-Laws. The types of events, grades of events, scheduling of events and minimum requirements for the number of starters for events, shall be determined from time to time by the Board.

23. CLUB CHAMPIONSHIPS

The number of rounds and dates for Club Championships are to be decided by the Board and advised to all Members. Events will be run in accordance with SLSA rules and regulations for competition by the Race Secretary and Handicapper or his/her nominee. Points for placings in events are to be allocated as 64 for first, 48 for second, 36 for third and 24 for fourth. The member with the highest cumulative total will be the winner of the overall point score in each division.

24. OPEN ORDERS, TROPHIES AND PRIZES

In relation to Open Orders, Trophies and Prizes (cash or kind) and eligibility to accept or compete for such open orders, trophies and prizes shall be in accordance with the ruling of the current Competition Manual/s and Rules and By-Laws of the SLSA.

25. CLUB APPAREL

Apparel, other than that referred to in By-Law No.7 and By-Law No.8 and bearing the Club's name, shall require the approval of the Board.

26. HALL HIRE

The Club hall may be hired subject to Board approval and subject to the hirer signing an Agreement drawn up by the Board stipulating the terms and conditions of hire.