



TWEED HEADS & COOLANGATTA SLSC

THE BY-LAWS

PLEASE NOTE:

These By-Laws do not include all SLSA, SLSQ, Branch or Club policies, rules or regulations as these are available in Association Manuals and other published forms (both hard copy and on TH&C website).

Such Policies, Rules and Regulations are created, reviewed and amended from time to time.

SECTION 1: THE CONSTITUENTS

1.1 CLUB BOARD OF MANAGEMENT

- a) Shall be comprised as per clause 29 of the Constitution
- b) Shall be elected as per clause 30 of the Constitution
- c) Shall be managed as per clause 31 of the association constitution.

1.2 OTHER OFFICERS

a) As directed by the Club Board of Management, all or any of the following officers of Committees, shall be elected at the Annual General Meeting of the ensuing season year or Committee Meetings viz.

Patrol Coordinator, Chief Training Officer, Deputy Training Officer, IRB Captain, Gear Steward, First Aid Officer, Team Manager Surf Sport, Youth Development Officer, Beach Captain, Surf Boat Captain, Board Captain, Ski Captain, Board Riding Captain, Surf Swim /Pool Rescue Captain, Assistant Property & Amenities, Building Development Coordinator, Complaint Manager and a Member Protection Information Officer (MPIO)

b) The Club Board of Management may appoint or elect additional Officers or Committees as deemed necessary from time to time, however, all appointed positions shall have formally documented Position Descriptions which have been approved and endorsed by the Club Board of Management.

c) The core JAC may appoint additional Officers as deemed necessary from time to time, however, all appointed positions shall have formally documented Role Descriptions which have been approved by the core JAC and ultimately endorsed by the Club Board of Management.

d) The Club Board of Management shall appoint (by invitation) at the Annual General Meeting for the ensuing season year the Club Patron, Club Auditor, Honorary Club Solicitor, Honorary Club Doctor.

1.3 LIFE MEMBERS

Life Members of the Club shall be entitled to attend Club Committee Meetings and hold an Officer position if elected.

1.4 MEMBERS

a) Membership may be granted to any applicant in any category, subject to the Constitution and By-Laws of the Club and the Association and having completed the prescribed Association form and submitted the required fee.

b) Membership shall be limited by category qualifications as set out in the Constitution Schedule 1

c) A Member that has held Membership of the Club since gaining Bronze Medallion for 50 years or more shall be offered fee free Membership of the Club

1.5 BRANCH COUNCILOR

The Club President shall be the Branch Councillor and a member of the Branch Council, and the Deputy President shall be the Alternate to act as proxy should the need arise.

1.6 AUXILIARY ORGANISATIONS

Auxiliary Organisations may be formed as authorised in Clause 33 of the Constitution provided that the constitution and activities of such organisations are subject to the approval of the Club Board of Management and further provided that delegate representation to and from such organisation shall be as determined by the Club Board of Management from time to time.

SECTION 2: CONDITIONS PERTAINING TO BOARD OF MANAGEMENT, OFFICERS AND MEMBERS

2.1 DIRECTORS

a) Directors of the Club shall be elected according to clause 30 of the constitution.

b) The Directors of the Club shall be SLSA Bronze Medallion (Cert. 2 in Public Safety) to hold the following office positions of the Club.

President, Deputy President, Director of Surf Life Saving, Director of Surf Sports, Director of Junior Activities.

The roles and responsibilities of all Club Board of Management positions are set out in section 4.1 of the bylaws-

c) The Club Board of Management shall be required to understand the needs of the Club and their legal responsibilities as Directors. Club Directors owe a fiduciary duty to the Club and shall exercise their rights and powers in good faith and for the benefit of the Club.

d) Directors shall comply with the following principle statutory and common law duties:

(i) to act honestly and in good faith in the interests of the Club.

(ii) to exercise a degree of care, skill and diligence that a reasonable person in a like position would exercise in the Club's circumstances.

(iii) to exercise powers honestly and for the purposes for which they were conferred and not for collateral purposes.

(iv) to avoid any actual or potential conflict between their obligations owed to the Club and their personal interests and other duties.

(v) to keep confidential information obtained, and not to disclose advantage or business opportunities acquired, in the course of that office.

(vi) to prevent insolvent trading by the Club.

(e) Interests:

(i) A Club Director shall not hold any place of profit or position of employment within the Active Club, or in any company or incorporated association in which the Club is a shareholder or otherwise interested, or from contracting with the Club either as a vendor, purchaser or otherwise except with the express resolution or approval of the Club Board of Management. Any such contract or arrangement entered into by or on behalf of the Club in which a Director is in any way interested will be voided for such reason.

(ii) Club Board of Management Member may hold Office on the TH&CSLS Supporters Club Committee in accordance with the TH&CSLS Supporters Club Constitution.

(f) Disclosure of interests:

The nature and interest of a Board of Management Member must be declared by such person at the meeting at which the contract or arrangement is first taken into consideration if the interest exists or in any other case at the first meeting of the Council after the acquisition of the interest. If a Board of Management Member becomes interested in a contract or arrangement after it is made or entered into, the declaration of the interest must be made at the first meeting/s of the Club Board of Management held after the Board of Management Member becomes so interested.

(g) General Disclosure:

A general notice that a Board of Management Member is a member of any specified firm or company and is to be regarded as interested in all transactions with that firm or company is sufficient declaration. After such general notice it is not necessary for such Board of Management Member to give a special notice relating to any particular transaction with that firm or company.

(h) Recording Disclosures:

It is the duty of The Secretary to record in the Minutes any declarations made.

(i) Conflicts:

A Board of Management Member notwithstanding an interest, may be counted in the quorum present at any meeting, but cannot vote in respect of any contract or arrangement in which the Board of Management Member is interested. A Board of Management Member shall not sign a document where the Board of Management Member is interested in the contract or arrangement to which the document relates.

2.2 OFFICERS

a) Officers of the Club shall be elected from the members of the Club.

b) Club Officers of the Club shall be the Patrol Coordinator, Chief Training Officer, Deputy Training Officer, IRB Captain, Gear Steward, First Aid Officer, Team Manager Surf Sport, Youth Development Officer, Surf Swim / Pool Rescue Captain, Beach Captain, Surf Boat Captain, Board Captain, Ski Captain, Board Riding Captain, Surf/Pool Rescue Captain, Assistant Property & Amenities, Building Development Coordinator, Complaint Manager and a Member Protection Information Officer (MPIO) Only SLSA Bronze Medallion (Cert. 2 in Public Safety) holders shall be eligible to hold the following office positions of the Club.

Patrol Coordinator, Chief Training Officer, IRB Captain, Surf Swim / Pool Rescue Captain, Beach Captain, Surf Boat Captain, Board Captain and Ski Captain

The nominations for officer positions described in section 4.2 – 4.8 of these by laws must be in accordance with section 30.1 of the association's constitution.

c) Officers of the Club shall be required to understand the needs of the Club and their legal responsibilities as Officers. Club Officers owe a fiduciary duty to the Club and shall exercise their rights and powers in good faith and for the benefit of the Club.

d) Officers shall comply with the following principle statutory and common law duties:

(i) to act honestly and in good faith in the interests of the Club.

(ii) to exercise a degree of care, skill and diligence that a reasonable person in a like position would exercise in the Club's circumstances.

(iii) to exercise powers honestly and for the purposes for which they were conferred and not for collateral purposes.

(iv) to avoid any actual or potential conflict between their obligations owed to the Club and their personal interests and other duties.

(v) to keep confidential information obtained, and not to disclose advantage or business opportunities acquired, in the course of that office.

(vi) to prevent insolvent trading by the Club.

(e) Interests:

(i) A Club Officer shall not hold any place of profit or position of employment within the Active Club, or in any company or incorporated association in which the Club is a shareholder or otherwise interested, or from contracting with the Club either as a vendor, purchaser or otherwise except with the express resolution or approval of the Club Council. Any such contract or arrangement entered into by or on behalf of the Club in which an Officer is in any way interested will be voided for such reason.

(ii) Club Officer may hold Office on the TH&CSLS Supporters Club Committee in accordance with the TH&CSLS Supporters Club Constitution.

(f) Disclosure of interests:

The nature and interest of an Officer must be declared by such person at the meeting at which the contract or arrangement is first taken into consideration if the interest exists or in any other case at the first meeting of the Committee after the acquisition of the interest. If an Officer becomes interested in a contract or arrangement after it is made or entered into, the declaration of the

interest must be made at the first meeting/s of the Club Board of Management or Committees held after the Officer becomes so interested.

(g) General Disclosure:

A general notice that an Officer is a member of any specified firm or company and is to be regarded as interested in all transactions with that firm or company is sufficient declaration. After such general notice it is not necessary for such Officers to give a special notice relating to any particular transaction with that firm or company.

(h) Recording Disclosures:

It is the duty of Chairperson to record in the Minutes any declarations made.

(i) Conflicts:

An Officer notwithstanding an interest, may be counted in the quorum present at any meeting, but cannot vote in respect of any contract or arrangement in which the Officer is interested. An Officer shall not sign a document where the Officer is interested in the contract or arrangement to which the document relates.

2.3 DUTIES AND PRIVILEGES OF MEMBERSHIP

a) All financial Active, Long Service, Active Reserve, Life Members and Award members currently fulfilling patrol obligations, Past-Active SLSA Bronze Medallion holder members who are current award holders and fulfilling patrol obligations as determined by the Life Saving Committee of the Club shall have access to the club Gym, changerooms, toilets and showers with hired key FOB. All financial SRC Members shall have access to change room and shower facilities only with hired key FOB. The use of gym equipment and other Surf Club property is not available to Associate Members unless a Board of Management nominated Gym Fee has been paid for the season and key FOB hired.

b) All financial SLSA Bronze Medallion holder members in the following membership categories; Active, Active Reserve, Long Service, Past Active, Life Members and Award Members (refer Constitution Annexure 1) shall have the right to attend the Annual General Meeting, General Meetings and Special General Meetings of the Club.

c) All Active and Cadet Members may apply in writing for leave of absence from their duties, stating the reasons and time for such leave.

d) All members shall abide by the Constitution, By-Laws and Rules of the Club and the Association.

2.4 RENEWAL OF MEMBERSHIP

a) Members shall apply annually for renewal of membership as per clause 4 of the association's constitution.

b) For a member to be eligible to vote at any meeting, the member shall be required to be a current financial member and meets the Club Constitution Voting Clause 25 as well as fulfilled all club obligations and have no current defaults or suspensions.

c) Any member who fails to renew his subscription by the required date (prior to Annual General Meeting of the coming season) shall lose all rights and privileges in the Club and shall cease to be a member. In these circumstances application for membership re-acceptance is permitted, provided the prescribed form is submitted, accompanied by the current fees, and further provided that the relevant Committee shall have the sole right to grant or refuse such application.

SECTION 3 MEETINGS

3.1 ANNUAL GENERAL MEETING

a) The Annual General Meeting of the Club is fully detailed in Clauses 19, 20, 21, 22, 24, 25 and 26 of the associations Constitution. Y

3.2 SPECIAL GENERAL MEETINGS

a) A Special General Meeting of the Club is fully detailed in clause 23 of the Associations.

3.3 BOARD OF MANAGEMENT MEETINGS

a) The Club Board of Management shall comprise those members as listed in Clause 29.1 of the Constitution and the surf lifesaving club manager

b) The Board of Management shall meet as detailed in clause 32 of the Associations Constitution

c) Should any member of the Board of Management be absent without satisfactory reason for three (3) consecutive meetings, the position shall be declared vacant, and the position filled in accordance with Clause 31.1 of the Constitution.

The order of Business shall be:

- Apologies
- Confirmation of Previous Minutes
- Business arising out of Minutes
- Correspondence
- Finance
- Membership
- Committee's Reports
- Notices of Motion
- Action Items
- General Business

d) Issues relating to major policies, constitutional change, incorporation responsibilities and authority, or major financial borrowings shall be handled by the general membership through a General Meeting.

3.4 SUB COMMITTEE MEETINGS

a) The Committee's shall comprise those members as listed in Clause 1.2 of these By-laws

b) The Committee's shall meet at least once in every calendar month and the Meeting dates shall be determined at the first Meeting of the Committee's and communicated at least 7 days prior to each meeting.

c) Should any member of a Committee be absent without satisfactory reason for three (3) consecutive meetings, the position shall be declared vacant, and the position filled.

The order of Business shall be:

- Apologies
- Confirmation of Previous Minutes
- Business arising out of Minutes
- Correspondence
- Action Items
- Reports
- General Business

d) The responsibility of the Committee's shall be managing the day-to-day business of the Committee's activities and the allotment of items to Committee's by the Club Board of Management.

e) Issues relating to major policies, constitutional change, incorporation responsibilities and authority, or major financial borrowings and strategic issues shall be directed to the Club Board of Management.

3.5 OTHER COMMITTEE MEETINGS

Other Committees shall meet and operate in the area for which they are specifically created at times and places as required or as decided by the Club Board of Management.

SECTION 4: DUTIES OF DIRECTORS AND OTHERS

This section provides for Role Descriptions for all Officer Positions (both elected and prescribed in the Constitution, By-Laws and those appointed and not formally prescribed).

4.1 CLUB BOARD OF MANAGEMENT

4.1.1 THE PRESIDENT shall:

- a) be the nominal head of the Club and shall be a member ex-officio of all Committees.
- b) be chairperson of the Club and Club Board of Management.
- c) preside at all meetings of the Club and shall exercise his authority by generally supervising the affairs of the Club in conjunction with the Club Board of Management.
- d) when presiding at a meeting, have a deliberative and a casting vote.
- e) have unlimited authority on every question of order, only to what is equitable and just in the circumstances.
- f) attend each Branch Council meeting, being the Club's representative on the Branch Council.
- g) where required, be responsible for the discipline of all Members in all matters in general.
- h) represent the Club at major award presentations throughout the season.
- i) facilitate all matters relating to conflict, grievances, harassment, equity and the like of any Club members.
- j) Manage surf lifesaving club management and administration

4.1.2 THE DEPUTY PRESIDENT shall:

- a) assist the President and shall deputise for him in his absence and shall carry out special assignments as directed by the President.

4.1.3 DIRECTOR OF SURF LIFE SAVING shall:

- a) be chairperson of the Surf Life Saving Committee.
- b) ensure all rostered patrols are conducted in accordance with Association Manuals, policies and procedures.
- c) be responsible for the conduct and discipline of all Active Members in all Club matters, and the general education of Members in Surf Life Saving.
- d) arrange patrols and conferences with Patrol Captains & Chief Training Officer during the season to discuss suggestions and observations made he or she, or them regarding the general efficiency of the Club in Surf Life Saving,
- e) have the power to refuse the use of Club lifesaving gear or property to any person.
- f) call upon any members to perform such duties as he deems necessary in the interests of the Club.
- g) be an ex-officio member of Sub-Committees associated with his Lifesaving duties.
- h) in consultation with the Branch or SLSQ Grievance Officer, be responsible for the discipline of all patrolling Members in respect of all lifesaving matters.
- i) liaise and coordinate with the Chief Training Officer the requirement to have addition award holders trained for any short fall in patrol teams to meet the required Club's Patrol Agreement to SLSQ.

- j) attend and represent the Club at all Branch or SLSQ Life Saving Meetings.
- k) be the Club's representative on the Branch Life Saving Committee.
- l) prepare and present to the Finance Manager a budget covering all financial matters associated with Surf Lifesaving Committee for their season.
- m) present a report to each months Board of Management meetings on Lifesaving issues.

4.1.4 THE SECRETARY shall:

- a) Supervise Administration staff to keep a register of all Members and an up-to-date record of their addresses, and a file all Application Forms whether or not the nominees have been accepted.
- b) forward notices of all meetings and the business to be transacted there at to Members in accordance with the By-Laws.
- c) record and keep Minutes of all Annual General, General, Special General, Club Board of Management Meetings.
- d) conduct the correspondence of the Club and be responsible for the custody of all documents and instruments of Incorporation belonging to the Club and for the disposition there of.
- e) Supervise Administration staff to and be responsible for the drafting of the Annual report to be submitted to the Club Board of Management for approval before printing and circulation to all Members at least seven (7) days prior to the Annual General Meeting.
- f) carry out all duties arising from decisions of Annual, Special, General and/or Committee Meetings.
- g) respond to all requests for Membership category changes or requests.
- h) Supervise Administration staff for the Club's Surfguard data entry accuracy and reporting.
- i) coordinate membership growth and youth development in the Club.
- j) Supervise Administration staff to manage the content on the club's Website, Publicity Media, Facebook, Instagram and social media.

4.1.5 DIRECTOR OF FINANCE (TREASURER) shall:

- a) be chairperson of the Finance and Audit Committee.
- b) supervise the receipt of all monies on behalf of the Club and the issuance of receipts for same and shall be responsible to the Club Board of Management for such monies. All monies received on behalf of the Club shall be banked within four (4) days of receipt thereof and all payments over \$250 shall be made by cheque, eftpos or electronic transfer.
- c) supervise the keeping of necessary records as required by the relevant Government Act, viz., a receipt book to acknowledge collections, a cheque book issued by the Club's bankers for the purposes of payments, and a Ledger to record income and expenditure. Ensure that details of cheque/EFT payments are to be recorded and duly presented to meetings. The Director of Finance Treasurer shall ensure that the annual audited statement, applicable statements and returns are submitted to SLSQ and/or the relevant Government Department, as and when required.
- d) at each Club Board of Management Meeting, present a report relating to the Club's finances, showing details of receipts and expenditure since the presentation of the previous report and shall produce the Bank statement together with a reconciliation statement, showing the balance as the debit or credit of the Club's finances.
- e) prepare the total Club's Annual Budget and monitor cash flow expenditure throughout the season.
- f) liaise with Club's Administration to prepare invoices for processing and payment.
- g) be responsible for the Club's Asset register for equipment and property.
- h) supervise the administration team regarding Club merchandising products, ordering, storage, distribution and sales.
- i) supervise the administration team regarding the overseeing and management of Club fundraising and events.

4.1.6 DIRECTOR OF SURF SPORTS shall:

- a) be the Chairperson of the Surf Sport Committee.
- b) be the Chairperson of the Surf Sports Selection Sub Committee.
- c) present a yearly budget covering all financial matters associated with the Club Surf Sports competition.
- d) be responsible for the assembly (after selection), transport, accommodation and general behaviour of the team.
- e) be responsible for overseeing and co-ordinating of carnival competition events in Surf Sport.
- f) be primarily responsible for the conduct of all Active Members in all Surf Sport matters, and the general education of Members in Surf Sport.
- g) attend all official briefings at carnivals/events as Team Manger where the Club is represented.
- h) in consultation with the Branch or SLSQ Member Protection Information Officer , participate in the discipline of all Members in all Surf Sport matters.
- i) attend Branch and SLSQ Surf Sport forums where required.
- j) be the Club's representative on the Branch Surf Sports Committee.
- k) arrange post carnivals/events gatherings with Supporters Club Events/Social Coordinator.
- l) Evaluate and review club coaches' performances annually,
- m) Negotiate, prepare and execute club coaches contracts each season
- n) present a monthly report the Board of Management on all Surf Sports issues

4.1.7 DIRECTOR OF JUNIOR ACTIVITIES shall:

- a) be chairperson of the Junior Activities Committee.
- b) be responsible for the conduct and co-ordination of all matters relating to Junior Activities,
- c) provide for Junior Members, an education experience in a wide range of subjects and skills within the aquatic/marine environment.
- d)-Supervise Administration staff to manage for the Club's JAC Surfguard data entry accuracy and reporting
- e) prepare and present to the Finance Manager a budget covering all financial matters associated with Junior Activities Committee for their season.
- f) be responsible for the assembly (after selection), transport, accommodation and general behaviour of the team.
- g) present a monthly report to the Board of Management regarding all Junior Activities issues.

4.1.8 DIRECTOR OF PROPERTY & AMENITIES shall:

The duties of the Property & Asset Officer are to oversee and report on the property and assets of the Club.

- a) be chairperson of the Building and Development Committee.
- b) be a member of the Finance and Audit Committee.
- c) Manage club administration and be responsible for the Club's Asset Register for all equipment and property.
- d) manage club administration to ensure property leases are up to date, all vehicle and trailer registrations are compliant.
- e) manage the Clubs property maintenance schedule and repairs.
- f) Report monthly on works to be carried out on Club property and assets.
- g) Maintain a master key and electronic entry to all area of the surf lifesaving club. Manage and distribute all master keys according to the requirements of Appendix E

4.2 LIVESAVING OFFICERS

4.2.1 PATROL COORDINATOR shall:

- a) in the event of the absence of the Chairman of the Surf Life Saving Committee, assume all of the defined responsibilities of the Chairman of the Surf Life Saving Committee
- b) represent all Patrols Captains on the Life Saving Committee.
- c) as required, report back to Patrol Captains on matters of relevance to all patrol operations from the Life Saving committee.
- d) as required, assist in the training and preparation of all Members for patrol operations.
- e) maintain an up-to-date knowledge of the latest methods of Surf Life Saving and the Training Manuals and impart such knowledge to all patrol members.
- f) manage patrols such that all members, including SRC members, are encouraged to upgrade their lifesaving skills through training activities and/or scenario work.

4.2.2 THE IRB CAPTAIN shall:

- a) be a qualified IRB Driver.
- b) at all times be subject to the direction of the Director of Surf Life Saving.
- c) be responsible for the care, maintenance and housing of Club IRB's and associated equipment.
- d) be responsible for the training, rostering and supervision of all IRB Drivers and Crew in consultation with the Chief Training Officer and Director of Surf Life Saving.
- e) Be a member of the surf sports committee and be responsible for the provision of IRB equipment and crews as required to satisfy the Club's carnival competition requirements.

4.2.3 THE CHIEF TRAINING OFFICER shall:

- a) be a qualified SLSA TAE Cert IV in Training and Assessing.
- b) conduct and oversee or assist in the instruction and preparation of all members awards training and probationary members for Award examinations.
- c) maintain an up-to-date knowledge of the latest methods of Surf Life Saving and the Training Manuals and impart such knowledge to all Club, Trainers, Assessors and Facilitators.
- d) coordinate club run proficiency days.
- e) attend all SLSQ and Branch CTO Meetings and training days.
- f) be the Club's representative on the Branch CTO Committee.
- g) liaise and coordinate with the Director of Surf Life Saving the requirement to have addition award holders trained for any short fall in patrol teams to meet the required Club's Patrol Agreement to SLSQ.

4.2.4 THE FIRST AID OFFICER shall:

- a) possess a current SLSA First Aid Award and be responsible for fostering high standards for first aid treatment and liaise with other accredited First Aid organisations eg St. John and Red Cross.
- b) maintain adequate stocks of approved first aid material and equipment provided that he must first obtain the approval of the Life Saving Committee for the purchase of materials.
- c) maintain the first aid room in a clean and orderly condition and for the purpose, may, with the approval of the Director of Surf Life Saving Chairman, call on the services of any member.
- d) organise and arrange instruction for First Aid Awards in conjunction with the Association.
- e) keep a record of names and addresses of patients treated for major first aid and also a record of the number of patients treated for minor first aid.

4.2.5 THE GEAR STEWARD shall:

- a) be responsible for all the lifesaving gear (with the exception of surf sport boards & skis, surf boat or its gear) belonging to the Club, refer to Appendix E.
- b) keep all such gear in good repair and condition, and report to the Director of Surf Life Saving any damage which he is unable to repair. Any expense shall require the approval of the Life Saving Committee.
- c) at the request of the Director of Surf Sports and or Team Manager, prepare gear and equipment, other than Surf Boats and Surf Sport Craft, required for carnivals/events.
- d) for the purpose of implementation of such duties and with the approval of the Director of Surf Life Saving, have power to call on the services of any member.

4.3 SURF SPORTS OFFICERS

4.3.1 THE TEAM MANAGER shall:

- a) Shall in the event of the absence of the Director of Surf Sports
 - i) be the nominal head of the Surf Sports Selection Sub Committee in an acting capacity.
 - ii) preside at all Surf Sports Meetings of the Club and shall exercise their authority in the capacity as acting Director of Surf Sports.
 - iii) have unlimited authority on every question of order, only to what is equitable and just in the circumstances.
 - iv) be the Club representative on the Branch Board of Surf Sports as acting Director of Surf Sports.
- b) Shall in the event of the absence of the Director of Surf Sports, act as proxy at Club Board of Management meetings with full voting rights of the Director of Surf Sports.
- c) Coordination of all funds raising of the Surf Sport Team/s.
- d) Arrange and coordinate the transport to and from carnivals of all Club equipment.
- e) Attend Branch and SLSQ Surf Sport forums where required.
- f) sit on both the Surf sports committee and the Surf sports selection Committee and notify members of team selections.
- g) promote and manage involvement in surf sports activities and competition
- h) Co-ordinate member entries for surf sports events
- i) attend all official briefings at carnivals/events where the Club is represented or arrange a suitable substitute
- j) Co-ordinate and manage team scheduling at surf sports events.

4.3.2 THE SURF SWIM / POOL RESCUE CAPTAIN shall:

- a) be responsible for the care, maintenance and housing of all gear appertaining to Swimming, Lifesaving and pool rescue competition.
- b) at all times be subject to the direction of the Director of Surf Sports and Team Manager.
- c) be responsible for the training and supervision of all Swimming, lifesaving and pool rescue competitors in consultation with the Director of Surf Sports.
- d) be a member of and responsible for all functions required of the surf sports committee

4.3.3 THE SURF BOAT CAPTAIN shall:

- a) be responsible for the care, maintenance and housing of the surf boat(s) and all gear appertaining thereto.
- b) at all times be subject to the direction of the Director of Surf Sports and Team Manager.
- c) be responsible for the supervision of all surf boat crews in consultation with the Director of Surf Sports and Team Manager .
- d) be a member of and responsible for all functions required of the surf sports committee

4.3.4 THE BOARD CAPTAIN shall:

- a) be responsible for all the Club's boards and its orderly housing.
- b) at all times be subject to the direction of the Director of Surf Sports and Team Manager.
- c) be responsible for the housing of boards belonging to the Club & members,
- d) in consultation with the Director of Surf Sports permit or prohibit the use of any Club boards or Association gear.
- e) maintain Club boards and skis in a serviceable condition.
- f) be a member of and responsible for all functions required of the surf sports committee

4.3.5 THE SKI CAPTAIN shall:

- a) be responsible for all the Club's skis and its orderly housing.
- b) at all times be subject to the direction of the Director of Surf Sports and Team Manager.
- c) be responsible for the housing of skis belonging to the Club & members,
- d) in consultation with the Director of Surf Sports permit or prohibit the use of any Club skis or Association gear.
- e) maintain Club skis in a serviceable condition.
- f) be a member of and responsible for all functions required of the surf sports committee

4.3.6 THE BEACH CAPTAIN shall:

- a) be responsible for all the Club's beach equipment and its orderly housing.
- b) at all times be subject to the direction of the Director of Surf Sports and Team Manager.
- c) in consultation with the Director of Surf Sports permit or prohibit the use of any Club beach equipment or Association gear.
- d) maintain Club beach equipment in a serviceable condition.
- e) be a member of and responsible for all functions required of the surf sports committee

4.4 THE YOUTH DEVELOPMENT OFFICER shall:

- a) be subject to the direction of the Membership Committee.
- b) In consultation with the Secretary, prepare club youth development policy and implementation plan.
- c) lead and participate in Youth Development activities.
- d) be responsible for promoting and delivering development programs, mentoring programs and other activities for youth members (generally 13 years to 18 years).
- e) oversee youth recruitment and retention programs and activities within the Club.
- f) promote youth members' participation in development camps and leadership programs.
- g) pursue any issues of benefit to the safety and enjoyment of youth members.
- h) work with and assist the Membership & Grievance Officer to enhance recruitment and retention and transition through the various age levels.
- i) maintain an up-to-date knowledge of Surf Life Saving policies in respect of Youth Development and Child Protection and impart such knowledge to all Club Officers.

4.5 COMPLAINTS MANAGER

- a) Dealing with all complaints in a fair, timely and transparent manner.
- b) Escalating complaints as appropriate to ensure that appropriate persons are involved.
- c) Considering the reasonable wishes of all parties involved.
- d) Providing communication on a regular basis as to the progress of the complaint.
- e) Clearly explaining the next steps and options to all parties involved in a complaint.
- f) Maintaining appropriate confidentiality regarding complaints.

- g) Reporting any serious issues involving children and young people or allegations of a serious criminal offence to relevant authorities.
- h) Maintaining appropriate records of complaints in a safe and confidential manner.

4.6 MEMBERSHIP PROTECTION INFORMATION OFFICER (MPIO)

- a) Helping members by providing information relating to options available when resolving concerns including child protection, harassment, bullying, welfare and conduct matters.
- b) Help members make informed decisions, providing guidance on complaint procedures.
- c) Responsible for providing information about a person’s right, responsibilities and options to make a complaint or raise a concern. Under 6.06 SLSA Complaints Resolution Policy
- d) Has extensive knowledge on all other club, state and national surf lifesaving policies and procedures.
- e) Understanding their role is to not handle the complaint, nor provide emotional support, but rather guide members to the various policy instruments applicable.
- f) Help SLSQ clubs with necessary resources, tools and education to resolve issues at an early stage.
- g) Maintaining confidentiality at all times.
- h) Have a thorough knowledge of the Member Protection Policy and the Complaint Resolution Policy/Procedure

4.7 BUILDING COMMITTEE OFFICERS

4.7.1 ASSISTANT PROPERTY & AMENITIES shall:

The duties of the Assistant Property & Amenities is to assist, oversee and report on the property and assets of the Club.

- a) be subject to the direction of the Building Committee
- b) assist with the compilation of and manage the Club’s Asset Register for all equipment and property.
- c) assist the Director of Property and Amenities with property leases are up to date, all vehicle and trailer registrations are compliant.
- d) assist the Director of Property and Amenities to manage the Clubs property maintenance schedule and repairs.
- e) assist the Director of Property and Amenities to Report monthly on works to be carried out on Club property and assets.

4.7.2-THE BUILDING & DEVELOPMENT OFFICER shall:

- a) be subject to the direction of the Building Committee.
- b) assist the Director of Property and Amenities with all proposed property development investigations including future staging of the building.
- c) investigate and prepare all development proposals for presentation to the Finance & Audit Committee.
- d) the single point of contact with GCCC Officers regarding all issues associated with the property
- c) a member of the Building Committee when convened to obtain a Building Application and subsequent costing, procurement and project construction.

SECTION 5: STAFF AND EMPLOYEES

5.1 STAFF APPOINTMENTS

The Club Board of Management may appoint an Administration Officer and/or other paid employees for specific assignments.

SECTION 6: COMMITTEES

6.1 GENERAL

- a) Composition and membership shall be as prescribed in the respective By-Laws.
- b) Membership may be drawn from members of the Club.
- c) A member appointed to a Committee shall retain his appointment only whilst he retains his membership of the Club: provided that the Club Board of Management may, at its discretion, remove any member from membership of a Committee.
- d) In the event of the absence of the Chairman from any meeting the meeting shall appoint one of its members to act during such absence.
- e) It shall be the duty of the Club Secretary to refer for consideration and recommendation all matters as properly relate to the jurisdiction of each Committee.
- f) In the event of any matter coming within the jurisdiction of two or more Committees, the President may direct such Committees to jointly consider and report and/or recommend to the Club Board of Management thereon.
- g) Unless specified otherwise in these By-laws, a quorum for a meeting of a Committee shall be a simple majority of the members thereof.
- h) A Committee may, at its discretion, co-opt the services of any member of the Club or other person to assist in its deliberations, but such co-opted member or person shall have no voting rights, except as may be determined by the Committee.
- i) Reports and recommendations of the Committees shall be presented in writing to the Club Secretary or appointing body.

6.2 LIFE SAVING COMMITTEE

- a) The Life Saving Committee shall comprise the Director of Surf Life Saving (Chairman), Patrol Coordinator (Deputy Chairman), Chief Training Officer, IRB Captain, First Aid Officer and Gear Steward.
- b) It shall be responsible for:
 - (i) maintaining and improving lifesaving patrols and services.
 - (ii) co-ordinating the training, instructional and proficiency programs for members.
 - (iii) disseminating lifesaving information to all patrol teams/groups.
 - (iv) dealing with matters referred to it from the Club.
 - (v) making recommendations relating to lifesaving to the Club Board of Management.
 - (vi) preparation of detailed annual budget of all operational costs and equipment purchases for the forthcoming season

6.3 SURF SPORTS COMMITTEE

- a) The Surf Sports Committee shall comprise of Director of Surf Sports (Chairman), Team Manager (Deputy Chairman), Surf Swim / Pool Rescue Captain, Beach Captain, Board Captain, Ski Captain, Surf Boat Captain, Surf/Pool Rescue Captain, IRB Captain, JAC Rep and paid and volunteer coaches.
- b) It shall be responsible for:
 - (i) promoting involvement in surf sports activities.
 - (ii) co-ordinating of competition at surf sports carnivals/events for members.
 - (iii) dealing with matters referred to it from the Club Board of Management.

- (iv) making recommendations related to surf sports to the Club Board of Management.
- (v) preparation of detailed annual budget of all operational costs, training, touring and equipment purchases for the forthcoming season

6.4 FINANCE AND AUDIT COMMITTEE

a) The Finance and Audit Committee shall comprise of the Director of Finance (Chairman), Deputy President, Directory of Property and Amenities, and a representative of the TH&CSLSS Association

b) It shall be responsible for:

- (i) the management and co-ordination of property, assets, fund raising events, merchandising activities.
- (ii) dealing with matters referred to it from the Club Board of Management.
- (iii) assess all budgets submitted by all Committees and provide commentary to each Committees on available funds to enable finalisation for submission to the Club Board of Management.
- (iv) making recommendations related to all expenditure from the Life Saving, Surf Sports, Membership, Surf Sports Selection, Junior Activities, Building and or any other Committee to the Club Board of Management.

6.5 JUNIOR ACTIVITIES COMMITTEE

a) The JAC Committee shall comprise of the Director of Junior Activities (Chairman), Deputy President Junior Activities, Secretary, Treasurer, Registrar, Awards Officer, Education Officer, Water Safety Officer, Team Manager, Gear Steward and Officials Rep.

b) It shall be responsible for:

- (i) the conduct and co-ordination of all matters relating to Junior Activities.
 - (ii) providing for Junior members an educational experience in a wide range of subject and skills within the aquatic/marine environment.
 - (iii) preparing Junior members for their eventual transition to the marine and patrol environment of the Senior movement.
 - (iv) participating in such junior activities.
 - (v) preparation of detailed annual budget of all operational costs for the forthcoming season
- c) Be represented on the Club Board of Management by the Director of Junior Activities.

6.6 JUDICIARY COMMITTEE

a) The Judiciary Committee shall be appointed by the Club Board of Management (based on past and relevant experience) on an as needed basis and shall comprise a Chairman, a secretary (who shall keep records of findings and decisions) and three (3) SLSA Bronze Medallion holder members. It shall function in accordance with the Rules of Procedure attached to the By-Laws as Appendix "A" and act on matters referred to it under the Constitution Clauses 15, 16 and 17.

Note: Club Board of Management Directors cannot be members of the Judiciary Committee.

6.7 SURF SPORTS SELECTION COMMITTEE

a) The Surf Sports Selection Committee shall comprise of the Director of Surf Sports (Chairman), Director of Finance, Deputy President, Team Manager, Youth Development Officer, Paid and volunteer coaches.

b) It shall be responsible for:

- (i) the selection of competition teams to carnivals/events.
- (ii) responsible for the coordination of fund-raising activities for State, Australian and International touring
- (ii) the Team Manager is responsible for the notification of team selection/s.

(iv) preparation of annual budget of all touring costs for the forthcoming season

6.8 LIFE MEMBERSHIP COMMITTEE

As determined by Schedule 1 of the Associations Constitution

6.9 BUILDING DEVELOPMENT COMMITTEE

a) The Building Development Committee shall comprise of the Director of Property & Amenities (Chairman), Director of Finance - Treasurer, Building & Development Officer, representative of the TH&CSLSS Association and a Club Member who has extensive design, development and construction experience as nominated by the Club Board of Management.

b) It shall be responsible for the major building activities associated with the property when the designated authority has been issued by the Club Board of Management after approval by the Members at a General Meeting.

6.10 OTHER COMMITTEES

a) The Club Board of Management may appoint other Committees, Sub-Committees, panels or groups to deal with particular items or projects from time to time.

b) In such circumstances, the Club Board of Management shall clearly define the composition, responsibilities, and terms of reference of such Committees, panels, groups etc. The Club Board of Management shall encapsulate these terms in a formal Charter which shall be subject to subsequent endorsement by the Club Board of Management.

SECTION 7: PROCEDURES AND RULES

7.1 ASSOCIATION POLICIES, RULES, REGULATIONS

a) Without limiting the current and future scope of SLSA and SLSQ Policies, Rules and Regulations, the Club acknowledges and accepts the following SLSA and/or SLSQ Policies, Rules and Regulations:

- (i) Surf Life Saving Training Manual
- (ii) Competition Manual
- (iii) Capital Expenditure
- (iv) Business Development/Venture
- (v) Member Protection
- (vi) Competitive Rights, Obligations and Qualifications
- (vii) Trophies, Prizes and Eligibility
- (viii) Team Management
- (ix) Membership Categories and Restrictions
- (x) Membership Clearances
- (xi) Competitive Rights and Transfers
- (xii) Intellectual Property
- (xiii) Sponsorship
- (xiv) Visits and Tours

7.2 AUXILIARY ORGANISATIONS

a) The Club may authorise the formation and/or affiliation of auxiliary organisations, e.g. - Supporters Club, and Winter Swimmers Club etc. with the approval of the SLSQ.

b) Each organisation's formation and function shall be reviewed annually and shall be compatible with the "Objects and Powers" provisions contained in Clause 3 of the Constitution.

c) The Constitution of any such organisation and any amendments thereto shall at all times be subject to the endorsement of the Club Board of Management.

d) The Club may be represented on any such organisation by a Club Board of Management Director or member of the Club appointed annually for the purpose; and such organisation may by special invitation likewise be represented on the Club.

e) Such organisations shall be registered incorporated bodies subject to the restriction that membership of any properly formed Auxiliary Organisation shall not entitle any member to vote or hold office in the association unless otherwise allowed in the constitution

7.3 CORRESPONDENCE

a) All correspondence from the SLSQ to the Club, or from the Club to the SLSQ, shall in the first place be transmitted through the Branch and no such correspondence shall be considered and/or attended to by the SLSQ unless and until it has been so transmitted; provided that the provisions of this By-Law shall not apply to correspondence which has been copied by the SLSQ to the Branch and Club for attention and/or action on the following subject matters:

(i) Government subsidy and/or subsidy returns.

(ii) State or Local Government matters.

(iii) Workcover, Public Risk and general Insurance matters.

(iv) Large financial investments or borrowings.

(v) Clubhouse buildings, extensions or alterations.

(vi) Cancellation or suspension of membership.

(vii) Purchasing orders.

(viii) Hire of SLSQ /Branch gear, equipment or premises.

(ix) Constitutional matters.

(x) Response to Circulars.

(xi) Any other matter which the SLSQ or Branch may, from time to time, direct be exempted from this By-Law as a matter of expediency.

b) Upon receipt of any correspondence from a Club, which is required to be transmitted through a Branch, the SLSQ Chief Executive Officer shall, at his discretion, either forward such letter to the Branch concerned for appropriate action or return it to the Club concerned for transmission through the Branch.

7.4 AUDITS

a) The books and accounts of the Club and any affiliated auxiliary organisations shall be audited at such intervals as may be required by law and/or the appropriate State Government Department. Such audits shall be carried out by an auditor approved to operate in the State of Queensland.

b) Auditors shall be appointed annually at the Annual General Meeting

c) To ensure the independence of the audit and therefore the integrity of the accounts, the following rules govern the appointment of an individual as an auditor:

The Auditor:

(i) must be formally qualified.

(ii) must be a member of a recognised professional accounting body.

(iii) must not be a past or present employee of the entity being audited.

(iv) must not be related to the Director of Finance Treasurer or Club President of the entity being audited.

7.5 COLLECTION SANCTION

a) The Club or Auxiliary Organisation shall comply with the provisions of the relevant Government Acts and any subsequent amendments gazetted from time to time.

b) The Club shall make application to the relevant Government Department for entitlement under the "Collection Sanction". When Registration is approved and a "number" issued, all relevant requirements to maintain Registration shall be complied with in every detail.

7.6 FUND RAISING

a) The Club and any affiliated auxiliary organisation shall comply with the law with respect to fundraising.

b) Fundraising authority is vested in the Club Board of Management which may allocate portions of its responsibilities pertaining to specific projects to Committees, and/or other special Committees, panels etc to maintain, direct and/or develop these projects.

c) The Club is authorised to solicit monetary donation, sell art union ticket by door to door, canvas to any company, firm, newspaper or other business operation or trading or any person within the area of the Club as defined. Similar fund raising shall be permitted outside these areas after prior negotiation and with approval of the SLSQ.

d) The area of the Club referred to in (c) above is all that area designated by the Branch.

e) The Branch shall determine, from time to time, areas from within the area prescribed in (b) above, which shall be referred to as "Club" Fund Raising Areas" and it shall be incumbent upon the Club to adhere to this area in relation to fund raising activities within the Branch area.

7.7 INSURANCE

a) General

It is mandatory that the Club and auxiliary organisations hold insurances approved by SLSQ. In cases where SLSQ has appointed one or more Insurance Brokers and the Club does not insure through such Brokers, the Club shall submit such policies to SLSQ for approval.

b) Personal Accident Insurance

i) Paid Staff and Employees

A Workcover policy shall be affected by the Club. With Workcover Queensland to cover all paid staff of the Club.

ii) Members

Personal Accident Insurance is granted under the SLSQ's Workcover policy for all registered members of Surf Life Saving Queensland (except Junior Activity (Nipper) members aged 5 to 14 years – i.e. non-BM holders) whilst engaged in Surf Life Saving activities.

iii) Cover/benefits

The benefits and conditions applying under the policy are described in the relevant Government Act and/or contracts of insurance. An application for compensation is valid and enforceable only if the application is lodged in accordance with policy requirements.

iv) Junior Activity Members (5-14 years)

A Personal Accident Policy shall be affected by SLSQ to cover all financial Junior Activity members (non-BM holders). The benefits cover exceptional items (refer Insurance Manual), e.g. Death, Liability, Medical (restricted), Dental, Ambulance.

v) Volunteer Workers

A Personal Accident Policy shall be arranged by SLSQ to cover all persons engaged in voluntary work for the Club, and/or who are not eligible for workers' compensation. The benefits cover exceptional items (refer Insurance Manual), e.g. death, liability, medical (restricted), dental, ambulance. A register of workers shall be established for each relevant activity which should be signed by all volunteer workers prior to commencement of work.

c) Public Liability Insurance

i) A Public Liability policy shall be negotiated by the SLSQ to cover the Club and Auxiliary Organisations against legal action instigated by a member of the public during activities approved by the SLSQ.

ii) Whilst the cover can apply to normal Surf Life Saving Association activities, a separate cover may need to be taken out by the Club or Auxiliary Organisations entering into some activity away from the Club facilities or beach, such as a display or fundraising activity where the public are involved. The Insurance Brokers should be consulted in these situations.

d) Insurance on Property

i) SLSQ shall negotiate on behalf of the Club insurance policies to cover loss or damage to its own property, or upon goods in transit destined for one of its affiliated bodies.

ii) It is mandatory for the Club to hold property insurances to be held with a reputable Insurance Company approved by the SLSQ, and it is a requirement that such policies, if not managed by SLSQ's brokers, be submitted to the SLSQ for its endorsement to ensure that the protection provided is adequate and serves the interest of the Association.

iii) Branches, Clubs and Auxiliary Organisations shall be responsible for the cost of their own insurance and shall be well advised to reassess values at least every second year.

e) Directors and Officers Insurance

i) A Directors & Officers policy shall be negotiated by SLSQ to cover officers of the SLSQ and its affiliated Branches and Clubs and auxiliary organisations against claims made against an officer during the policy period for a wrongful act.

ii) It is noted that this is a "claims made" policy, e.g. no claim can be made against the policy once it has expired or has been cancelled. Also, if a case exists where a claim may be possible, immediate notification must be given to the SLSQ's Insurance Broker.

f) Professional Indemnity Insurance

i) A Professional Indemnity policy shall be negotiated by SLSQ to cover members whilst engaged in authorised Association activities.

ii) The indemnity covers claims the insured is legally liable to pay for, e.g. breach of professional duty or by reason of any negligent act, error or omission.

7.8 AFFILIATION

The Club and its affiliates agree:

a) that they are bound by this Constitution and By-Laws, and that the Constitution and By-Laws operate to create a single, uniform entity through and by which the objects of the Club and surf lifesaving are to be conducted, promoted and administered.

7.9 DISSOLUTION OF AFFILIATED BODIES

a) The Constitution of every affiliated body shall contain a dissolution clause similar to that set out in Clause 41 of the Constitution and should any affiliated body fail to make any such specific provision Clause 41 of this Constitution is deemed to be included in the Constitution of such affiliated body.

b) In the event of any affiliated body becoming inactive, going into recess or having its affiliation terminated, the Club is empowered to require such body to implement the requirements of Clause 41 of the Constitution regarding dissolution. Should there be no remaining responsible Officers of such affiliated body capable of carrying out the required procedures for dissolution; the Club is empowered by its Constitution to take any necessary action in this regard.

c) Upon the dissolution of an affiliated body in terms of the preceding Clauses, the books, accounts and assets of the affiliated body shall be handed over to or taken possession of by the Club to deal with as it may, in its absolute discretion, see fit.

7.10 CAPITAL OR BUSINESS EXPENDITURE

a) The Club shall notify the SLSQ and Gold Coast City Council of any proposed Capital or Business Expenditure over \$200,000.00 and comply with section 35 of the Associations Constitution.

b) Capital or Business Expenditure means:

(i) alterations, additions or improvements to existing facilities.

(ii) acquisition of any land, buildings or other property.

(iii) the building of any new facilities.

(iv) the building or refurbishment of any other facilities either singularly or in partnership.

(v) the purchase of investment in any business venture, community project, or other project using Club (including affiliated supporter's club) funds or borrowings.

(vi) major development or re-development of a clubhouse.

(vii) development or re-development of any property.

(viii) and and/or property acquisition (Freehold or lease).

(ix) negotiation and/or renewal of leases.

(x) a commercial or non-commercial venture on either side (eg at the Clubhouse) or off-site, either singularly or in partnership.

c) Such notification to the SLSQ and Gold Coast City Council is to include:

(i) a brief outline of the proposed Capital or Business Expenditure clearly stating the intended purpose.

(ii) details of architectural plans (where necessary).

(iii) cost estimates with recommendation and justification.

(iv) details of recommendation of the above proposal in General Meeting Minutes.

(v) latest financial information (Profit & Loss & Balance Sheet) prepared in accordance with accrual accounting requirements.

(vi) confirmation that appropriate insurance cover is in place; and

(vii) any other information considered relevant by the SLSQ.

d) Where financing is required to support the Capital or Business Expenditure, the Club must provide details of the proposed financing arrangements, and appropriate financial data supporting the capacity to service the proposed debt.

e) In the situation where future anticipated income (eg future distributions from Supporters Clubs including gaming, meals and bar revenue) is being relied upon to service the debt, an independent professionally prepared financial analysis must also be prepared and submitted to the SLSQ, including the following:

(i) a detailed business plan.

(ii) cash flow projections for at least five (5) years.

(iii) market survey/sensitivity analysis confirming the feasibility of the proposal.

(iv) funding arrangements.

(f) The Club shall ask the SLSQ Board of Finance and Property to assess the proposals for Capital or Business Expenditure and to issue an Approval to Proceed on receipt by the Board of all relevant information.

(g) No Capital or Business Expenditure over \$100,000 shall be undertaken by the Club until the SLSQ has issued an Approval to Proceed.

(h) No significant expenditure (>\$20,000) shall be undertaken by the Club without the approval of the Club Members at a General Meeting.

7.11 INTELLECTUAL PROPERTY

a) The Policy and Procedures for the use of "red and yellow" Surf Life Saving imagery and property shall be as determined by SLSA.

- b) No one shall be permitted to inappropriately exploit Surf Life Saving imagery such as the red and yellow cap, flags, patrol uniforms, logos/trademarks etc.
- c) The following procedures shall apply with the Club wishes to use red and yellow imagery/property:
 - (i) The Club shall obtain the SLSQ approval to use, or allow someone else to use images or pictures of lifesavers wearing red and yellow patrol caps, or patrol uniforms, or patrol flags:
 - (ii) The SLSQ has the authority to approve the use of such red and yellow imagery if the promotion is restricted to the Clubs/Branch's local area.
 - (iii) SLSQ has the authority to approve the use of the red and yellow imagery in advertisements/promotions that go beyond a club/Branch area if the use of the imagery is in good taste, not conflicting with a State or National sponsor. There may be a license fee attached.
 - (iv) The Club has every right to use its own Club caps, uniforms and imagery in Queensland.

7.12 CONFIDENTIALITY

- (a) "Confidential Information" refers to:
 - (i) Any non-public information including but not limited to all trade secrets and all financial, accounting, marketing and technical information, member and supplier lists (including, without limitation, any prospective or proposed member and supplier lists or information), ideas, concepts, know-how, intellectual property, information pertaining to clients and their businesses or affairs technology, operating procedures, processes, business methods, knowledge and other information created by, provided or belonging to or developed by The Club or used or intended to be used in The Club's transactions and affairs.
 - (ii) All notes, reports and documents in whatever form incorporating or derived from information referred to in paragraph (i) of this definition; or
 - (iii) All copies of the information, notes, reports and documents in whatever form referred to in paragraphs (i) or (ii) of this definition.
 - (iv) But in each case always excludes information that is in the public domain other than as a consequence of a breach of confidentiality owed to The Club, information which is compelled by law to be disclosed or information which is acquired from the third party who is entitled to disclose such information.
- (b) All personnel during the term of their position with The Club and at all times after the termination of their position (howsoever caused), except in the proper course of duties or as may be required by law or by The Club, must:
 - (i) Maintain the secrecy and confidentiality of any confidential information.
 - (ii) Not divulge or disclose any confidential information to any other person, firm or corporation.
 - (iii) Not use or attempt to use confidential information in any manner which will or may cause or be calculated to cause injury or loss to The Club or our members.
 - (iv) Not copy, transmit, retain or remove any confidential information, or attempt to do so; and
 - (v) Use their best endeavours to protect the disclosure of any confidential information to third parties not entitled to the disclosure.
- (c) The restrictions in paragraph (b) are separate, distinct and servable so that the unenforceability of any restriction in no way affects the enforceability of any other restriction.
- (d) Each Director, Officer, Committee member, Advisor, Panel member and member of The Club acknowledges and agrees that:
 - (i) they will become possessed of confidential information.
 - (ii) disclosure of such confidential information may diminish the value of the confidential information or could materially harm The Club, The Club's members, or both; and
 - (iii) the restrictions in paragraph (b) are reasonable in all the circumstances and necessary to protect the business, including its reputation and goodwill.

- (iv) all intellectual property rights in works (including but not limited to computer software, programs, designs, briefs, drawings, letters, advices, documents, materials, manuals, records, procedures, systems, photographs, databases, marketing techniques, plans and specifications) conceived, developed, written or otherwise created by you in the course of your employment with The Club, whether during or outside your normal working hours, vest solely in The Club and you will, at our request and expense execute such assignments and assurances as may be reasonably necessary to perfect ownership by The Club of those rights; and
- (v) they consent to any act or omission which would otherwise constitute infringement or their moral rights in relation to intellectual property created by them in the course of their engagement.

SECTION 8: MEMBERSHIP

8.1 MEMBER PROTECTION

- a) The Club is committed to the health, safety and well-being of all members, and shall use its best endeavours to ensure a safe environment exists for all members participating in surf lifesaving activities.
- b) The Club shall not condone any form of discrimination, harassment or abuse of, or by, members.
- c) All members shall abide by the relevant SLSA policies with respect to Member Protection, Equity and Harassment, and the Codes of Conduct as determined from time to time.
- d) All members involved, either directly or indirectly in leading, chaperoning, coaching, instructing, examining, or supervising (or the like) youth members shall be screened in accordance with legislative and Association requirements as determined from time to time.
- e) All members shall immediately report any suspected breaches of the SLSA Membership Protection or Equity Policies or Codes of Conduct to the appropriate authority with their Club or Branch, or to the SLSQ Chief Executive Officer. The Chief Executive Officer shall, in accordance with Association policies and procedures, determine the most appropriate method of dealing with such reports.
- f) All members over the age of 18 shall hold and maintain Queensland Government Child Safety Blue Card. To access any area of the surf lifesaving club all members need to hold or have an active application for a Blue card in the Queensland Government system. If any member receives a Blue Card Negative Notice, they are not able to access any area of the Surf Lifesaving Club, be a member of the Surf lifesaving Club or any associations until the Queensland Government issues a Blue Cards to the member. If a member requires no access to the Surf Club and holds no roles within the surf club wishes to maintain membership, they may apply in writing to the Board of Management for exemption from holding a blue card.

8.2 CODES OF CONDUCT

All members, Officers and staff shall comply with the following Codes of Conduct:

- a) Individual members shall:
 - (i) Respect the rights, dignity and worth of others
 - (ii) Be fair, equitable, considerate and honest in all dealings with others.
 - (iii) Be aware of, and maintain an uncompromising adherence to, SLSA standards, rules, regulations and policies.
 - (iv) Be professional in and accept responsibility for actions.
 - (v) Make a commitment to providing quality service.
 - (vi) Use facilities and equipment for their proper purposes, and care for and maintain such facilities and equipment correctly.
 - (vii) Refrain from anything which may abuse, intimidate or harass others.
 - (viii) Preserve and protect the standing and reputation of the Association.

- (ix) Understand the consequences of any breach of SLSA's Member Protection Policy or Codes of Conduct.
- b) Team Managers/Age Managers/Chaperones shall:
 - (i) Abide by the "Code of Conduct" for Members.
 - (ii) Be responsible for the overall welfare and well-being of team members and officials when travelling with a team.
 - (iii) Maintain a duty of care towards team members and an accountability for the management of the team.
 - (iv) Have a sound knowledge of SLSA policies, responsibilities (and competition rules where necessary), and ensure that the conduct of the team is in accordance with these policies and guidelines.
 - (v) Foster a collaborative approach to the management of the team.
- c) Coaches/Officials shall:
 - (i) Abide by the Code of Conduct for members.
 - (ii) Be responsible for matters concerning the coaching, training, development and competition of surf lifesavers.
 - (iii) Maintain a duty of care towards others and an accountability for matters relating to training and competition.
 - (iv) Have a sound working knowledge of SLSA policies, rules and regulations, officiating and coaching techniques.
 - (v) Ensure that any physical contact with others is:
 - (a) appropriate to the situation
 - (b) necessary for the person's development
 - (vi) Provide a safe environment for training and competition.
 - (vii) Be a positive role model for surf lifesavers and SLSA.
- d) Administrators/Directors/Officers shall:
 - (i) Abide by the Code of Conduct for members.
 - (ii) Be fair, considerate and honest with others.
 - (iii) Operate within the rule of SLSA.
 - (iv) Be professional in all actions. Language, presentation, manner and punctuality should reflect high standards.
 - (v) Resolve conflicts fairly and promptly through established procedures.
 - (vi) Maintain strict impartiality.
 - (vii) Maintain a safe environment for others.
 - (viii) Show concern and caution towards others.
 - (ix) Be a positive role model.
- e) Youth Leaders shall:
 - (i) Abide by the Code of Conduct for members.
 - (ii) Recognise the importance of, and encourage the development of members, encompassing camaraderie and teamwork.
 - (iii) Treat members with respect and accept the duty of care for the welfare, safety health and happiness of members and conduct themselves responsibly.
 - (iv) Be a role model to all members and conduct themselves in a manner befitting a leader with Surf Lifesaving.
 - (v) Adhere to all Association Policies and ensure that the duty of care to all members is met in these areas.
 - (vi) Accept that adults in Surf Lifesaving do not involve themselves in unobserved activities with individual youth members.

- (vii) Realise that physical or verbal abuse, neglect or any other type of abuse, is unacceptable conduct by any member of the Association.
- (viii) Allow members the opportunity and access to gain valuable leadership qualities and skills through lifesaving and surf sports activities.
- (ix) Provide the best possible lifesaving and sporting activities for members with the view to encouraging and promoting long term active participation.
- (x) Be reasonable in demands on members time, energy, enthusiasm and commitment.
- (xi) Ensure young members are involved in planning, leadership, evaluation and decision-making processes at various levels within the Association.
- (xii) Ensure that equal opportunities for participation in lifesaving are made available to all members regardless of ability, race, colour, religion or sex.

SECTION 9: CLUB COLOURS/BADGES, COMPETITIVE CONDITIONS

9.1 COLOURS AND BADGES

- a) The existing Club's colours, badges and competition cap design shall not be altered without re-endorsement of the SLSQ and the approval of the Association.

9.2 COMPETITIONS

- a) The SLSQ shall have power to regulate all competitions between Club, Branches and/or directly affiliated Clubs within its boundaries.
- b) The Branch shall have power to regulate competitions between Clubs affiliated with the Branch.
- c) The Club may participate in competitions endorsed by the Branch, SLSQ or SLSA or other events as sanctioned by the Club.
- d) No Inter-Club competition within the Branch shall be held without the approval of the Branch.
- e) Wagering and/or gambling by persons competing or participating (eg as a competitor, coach, official, manager, organiser etc) in events conducted by the Association is not permitted. Such members proven to have gambled on an Association competition event in which they are involved, will be liable to appropriate disciplinary action.

9.3 COMPETITIVE RIGHTS, OBLIGATIONS AND QUALIFICATIONS

Members and competitors acknowledge and agree that competing in lifesaving events, contests, carnivals and competitions attracts certain rights and obligations, and requires certain qualifications. In relation to rights, obligations and qualifications the following shall apply:

- a) Inherent in membership of SLSA, but subject always to gaining the appropriate qualification as prescribed by SLSA and complying with the competition rules issued by SLSA, is the right to enter, participate in events, contests, carnivals and competitions conducted by SLSA.
- b) Members are obliged to ensure they obtain and maintain the appropriate qualifications, including but not limited to, awards, age limits, patrols, proficiency tests, equipment and limiting disabilities, to enable them to enter and participate in Association events, contests, carnivals and competitions.
- c) Members acknowledge and agree that should they participate in, and/or use any SLSA equipment in any event, contest, carnival and competition, which has not been licensed, sanctioned or otherwise authorised by SLSA that they will attract disciplinary action under the Regulations which may result in forfeiture of their competitive rights set out in By-Law 9.3 (a) above.

9.4 CLUB CHAMPIONSHIPS

- a) The Club Championships shall be conducted annually on a date determined by the Surf Sports Committee.

b) The list of events to be conducted at the Championships shall also be determined by the Surf Sports Committee in consultation with the Club Board of Management under direction of the Director of Surf Life Saving.

9.5 TROPHIES, PRIZES AND ELIGIBILITY

In relation to trophies, prizes whether cash or kind and the eligibility of Individual Member/s representing a section of the Association to compete for or accept such trophies or prizes the following shall apply:

- a) The Association shall reserve unto itself the authority to determine, from time to time, conditions relative to the acceptability of trophies or prizes, reimbursement of accommodation, travel and other expenses, and eligibility to compete for trophies or prizes.
- b) wagering or gambling on any competition conducted by the Association, State, Branch or Club is not permitted.
- c) The Association shall be the authority to approve competitions involving “cash prizes” and therefore any Affiliated Club or other section of the Association wishing to allocate any “cash prizes” for competition events shall seek the approval of their respective Branch, SLSQ or in the case of events involving international or interstate competitors, the Association.
- d) “Cash prizes” shall not be awarded for any event at an Association, State or Branch championship carnival.
- e) “Cash prizes” shall not be made available from Affiliate Club general funds, however, sponsor income may be distributed utilising the club banking account.
- f) Notwithstanding the foregoing, sponsors should be strongly encouraged to provide items of lifesaving gear as prizes rather than cash but where “cash prizes” are presented they shall be portrayed as coming direct from the sponsors.
- g) The distribution of any prizes, including cash, will be in accordance with the direction of the Club Board of Management.

9.6 TEAM MANAGEMENT

- a) The Club when participating in any carnival or similar function shall appoint the Team Manager of its competitors and other members of the Club selected to represent and/or assist the Club at such carnival.
- b) Every Manager so appointed shall be responsible for the proper conduct themselves of the members under his control and attend all briefings.
- c) A Manager shall, as far as practicable, remain with the party under his control during the entire period of his managership. In the event of the party under his control separating into sections the Manager shall be responsible for appointing a member of each and every section to act as his Manager of the section.
- d) In the case of mixed gender teams including minors, a chaperone or chaperones shall also be appointed.
- e) In the case of a carnival or similar function conducted under the control of the Branch, the name of the Manager so appointed shall be notified to the Branch with the Carnival entries, or, at the latest, before the commencement of the carnival.
- f) The Manager shall remain in attendance with his team during the course of such carnival or similar function and shall take action to ensure that competitors under his control report to the Check Marshal immediately they are called upon to do so.
- g) The Manager shall report to the Carnival Referee or other nominated official whenever called upon to do so by the Carnival Announcer or other authorised official and shall comply with the directions then given to him or her.

SECTION 10: DISCIPLINE, PENALTIES AND APPEALS

(Refer Appendix A)

10.1 JURISDICTION

a) The penalising authority for the Club shall be vested in the following:

The Club Board of Management

The Judiciary Committee

The President

The Deputy President

The Secretary

The Director of Life Saving (for patrolling members in respect of Lifesaving matters)

Patrol Coordinator (for patrolling members in respect of Lifesaving matters)

b) Should the Club decide the alleged offence is beyond the responsibility of the Club, the matter may be referred to the Branch or SLSQ for determination.

10.2 DISCIPLINE

a) General

i) The Club may penalise or refer to the Judiciary Committee, a member of any Auxiliary Organisation within its jurisdiction or any member of such who, in the opinion of the Club has practised or counselled any unbecoming conduct or conduct which reflects upon the good name of the Club, the Association or any or all of its Officers, whether at any competition, meeting, function or other activity, or at any other time.

ii) Penalty decisions shall be promptly conveyed in writing to the body or member concerned and it shall be incumbent on the Club to give immediate effect to such decision, and to notify the Branch and the SLSQ.

10.3 PENALTIES

a) Without limiting the scope of penalties that may be imposed, the form a penalty may take includes:

(i) Reprimand - with the offence being recorded in the books of the penalising body.

(ii) Suspension - may be applied as a complete or partial suspension of a member's privilege for a definite period of time or until a definite pre-set goal is reached, and partial suspension could well require the member to carry out all or part of his duties in the Club without being able to avail himself of the normal facilities and privileges of a member. The extent or limit of the penalty must be set by the penalising authority imposing the said penalty, provided that a period of suspension shall not be longer than 5 calendar years from the date of the order.

(iii) Termination - Club membership may be terminated because of the prevailing circumstances, and when the extreme action of expulsion is not warranted; A member whose membership is terminated may re-apply for membership of the Association at some later time.

(iv) Expulsion - from "Club Membership" would be applied only as a response to a very serious offence against the Club, the Association or their principles or ideals.

(v) Fines - imposed in such amounts as the penalising authority thinks fit.

(vi) Such combination of any of the above as the penalising authority thinks fit.

(vii) Such other penalty or penalties as the penalising body thinks fit.

b) Where an individual Club member is suspended by the Club, he shall forfeit either completely or partially, as may be decided, all privileges as a member of the Club during the period of his suspension. In the case of complete suspension, a member shall forfeit all rights during the currency of his suspension. Partial suspension shall limit such member's participation in inter-Club or Association activities but shall not interfere with his rights as a Club member.

10.4 APPEALS

a) Any member penalised by a penalising authority for the Club shall have the right to lodge an appeal against such penalty to the next highest penalising authority within the Club provided that the appeal shall be lodged in writing to the Club within fourteen (14) days of the notification of the penalty and shall set out clearly the grounds of the appeal. The appeal shall be placed before the next highest penalising authority within the Club, and shall be dealt with in the following manner:

- dismissed and the penalty upheld.
- dismissed and a heavier penalty imposed.
- upheld and a lighter penalty imposed.
- upheld and the appellant exonerated.

b) Any member penalised by the Club shall have the right to appeal to the Branch against the penalty, provided that:

i) Such an appeal shall be allowed only after the party concerned has properly availed himself of the rights of appeal to the Club as contained in the Constitution and By-Laws of the Club.

ii) the appeal shall be made within fourteen (14) days of the imposition of the penalty, or if the party concerned has exercised its right of appeal to the Club within fourteen (14) days of the notification of the decision of such appeal.

iii) the appeal shall be made through the Club who shall forthwith refer the appeal to the Branch, provided that the Club may at the same time submit any representations on the appeal which it may wish to make.

iv) upon the setting of an appeal hearing, the Branch shall either itself or by its Judiciary Committee or by a Committee appointed for the purpose, hear the appeal and communicate its decision in writing to the appellant.

v) pending an appeal hearing by the Branch or by the Branch Judiciary Committee or by a Branch Committee appointed for the purpose, the President of the Branch, after written application by the appellant and only after good cause is shown, may suspend the operation of the penalty until the appeal is heard by the Branch.

10.5 REFERENCES

a) In addition to the matters set out in By-Law 10.1 - 10.4 which are of a disciplinary nature, any interested party may submit a Reference or Grievance to the Club upon any matter touching the affairs of the Club, the Association and its members.

b) Every Reference or Grievance shall be in writing setting out clearly the matters sought to be investigated by the Club, and the Club Council shall then decide where such Reference shall be directed.

c) The hearing of a Reference or Grievance shall proceed in accordance with Appendix "A" to these By-Laws.

d) The hearing of any appeal from a decision on a Reference or Grievance shall proceed in accordance with Appendix "A" to these By-Laws. (Refer to Appendix "A").

APPENDIX "A": JUDICIARY COMMITTEE

RULES OF PROCEDURE

1. DEFINITIONS

In these Rules:

1.1 "The Committee" means the Judiciary Committee.

1.2 "Secretary" means the Secretary for the time being of the Judiciary Committee.

1.3 "Member" for the purposes of these rules of procedure means a member of the Association, and includes a Club, subject to the jurisdiction of SLSQ or Branch by which the Committee shall have been appointed.

1.4 "Reference" includes any complaint against a member of the Club brought by any person, and any dispute under the Club's Constitution and/or rules. The term also includes Grievances brought by a member of the Association against another member.

2. JURISDICTION

2.1 The Committee primarily has jurisdiction to hear a Reference of a disciplinary nature referred to it pursuant to By-Law 10.2.

2.2 The Committee may also hear References directed to it by the Club Council pursuant to By-Law 10.5.

2.3 Every reference directed to the Judiciary Committee shall be dealt with by that Committee or it may refer the conduct of the Reference to the Branch or SLSQ:

- a) in whose area the matter for Reference arises, or
- b) having the most direct interest in the matters raised by the reference

If the Reference is referred to a Branch or SLSQ that Branch or SLSQ shall appoint its Judiciary Committee to hear the Reference and proceed in the terms of Rule 3 set out hereunder.

2.4 Every person bringing a reference shall have a right to be heard by the Committee provided that-

- a) he has an interest in the subject matter of the reference.
- b) his reference is in clear and unambiguous terms.

2.5 In every case the committee is required to proceed in accordance with the rules of natural justice.

3. PROCEDURE

The following procedures shall be followed by the Judiciary Committee:

3.1 Upon receipt of a reference, the Chairman of the Committee or his Delegate may appoint an independent person to act as investigator upon the reference. Such appointment shall be in writing, enclosing a copy of the reference and instructing the investigator to make all relevant enquiries and prepare to assist the Committee within fourteen (14) days.

3.2 The investigator, if appointed, shall make all relevant enquiries and shall appear at the time and place appointed for the hearing by the Secretary of the Committee.

3.3 Upon receipt of a reference the Secretary shall forthwith appoint the time and place for the hearing suitable to the members of the Committee. He shall give at least seven (7) days' notice of the hearing to all interested parties and such notice shall be in or to the effect of the following form:

TWEED HEADS & COOLANGATTA SURF LIFE SAVING CLUB

To: The Secretary

Dear Sir/Madam,

You are hereby notified that a meeting of the Judiciary Committee of this Club will be held at on20.. ata.m./p.m. to enquire into the following matter, referred to the Committee by the Club.

.....
You are required to be (present) (represented) at that time and place together with such witnesses as you may desire to call.

(Mr/Ms has been appointed pursuant to the Club By-Laws as an independent investigator to make all relevant enquiries and to appear to assist the Committee at the hearing.) - Optional

The Secretary will, upon receipt of your request in writing, at least five (5) days before the day appointed for the investigation setting out the names and addresses of members of the Association who you desire to call as witnesses, require such members to be present at the investigation. If the time and place appointed are not suitable to you, you may apply for an adjournment by application in writing, to be in my hands at least three (3) days before the time appointed.

In any event, you are required to advise the committee of your intention to attend or not to attend as the case may be, 3 days before the hearing is due to commence.

You are not entitled to legal representation as of right, but you may apply at the commencement of the enquiry for such representation, and the Committee may grant or refuse such application as it thinks fit. The same provisions shall apply where representation other than legal representation is required.

Yours faithfully,
The Secretary

3.4 The Committee shall have power to require the attendance of any member at any hearing by the Committee. The Secretary shall give reasonable notice to a member informing him of the time and place of the hearing, and that he is required to attend.

3.5 In the case of a complaint against a member of the Club who has been suspended, he shall remain under suspension until the decision of the Committee, unless the Chairman of the Committee decides otherwise.

3.6 The independent investigator if appointed by the Chairman of the Committee shall make enquiries within a reasonable time.

3.7 The Committee shall likewise conduct the enquiry within a reasonable time, subject to any reasonable application for an adjournment in writing and received by the Secretary at least three days before the time fixed for the enquiry.

3.8 No interested party shall be entitled to legal representation as of right at the Committee hearing provided always that an application may be made at the commencement of the hearing for such representation. The Committee may grant or refuse such an application as it sees fit. The same provisions shall apply where an application is made for representation other than legal representation, provided that where a minor (U18) member is charged it shall be mandatory for a parent/s or guardian, or an adult approved by the parent(s) or guardian to be invited to attend at all material times, and every effort should be made to encourage these persons to be in attendance in the interests of the minor (U18) member.

3.9 Any notice required by the Rules to be given by the Secretary shall be given in writing delivered personally or sent by prepaid post addressed to the member concerned. A notice given by post shall be deemed to have been given on the day following that on which it shall be posted.

3.10 Any member who fails without reasonable excuse to comply with the requirements of any notice addressed to him by the Secretary shall be subject to such action as the Club Board of Management, shall, on the report of the Committee think fit.

4. AT THE HEARING

4.1 All interested parties shall be present at the hearing, provided that a hearing may proceed in the absence of an interested party only where the committee is satisfied by evidence that the party had due notice of the meeting and has chosen to be absent from the hearing, or the Committee agrees that it is in the best interest of the party not to be present.

4.2 A quorum of the Committee shall be three (3) members.

4.3 In the case of a complaint against a member, all witnesses other than the member concerned must remain out of the hearing until called upon to give evidence.

4.4 The independent investigator, if appointed, shall be present to assist the Committee.

4.5 The reference to the Committee shall be read by the Chairman.

4.6 The independent investigator, if appointed, shall present relevant evidence, including the calling of witnesses. Any submissions by the investigator, or documentary evidence submitted by him, shall be given whatever weight the Committee thinks fit, subject always to the consideration that oral evidence from a witness may be of more weight than other forms of evidence. If the independent investigator is not appointed, the Committee itself shall receive the evidence relevant to the reference.

4.7 The person who is the subject of the reference shall then present relevant evidence on his own behalf.

4.8 In all cases where witnesses are called, they shall be examined by the party (if any) on whose behalf they have been called, and then cross-examined by the other interested parties to the reference. The party calling the witness shall have the right to re-examine the witness. The Committee members may ask questions of the witness, but no other examination or cross-examination of that witness shall be allowed except by leave of the Chairman. Such cross-examination may be conducted through the Chairman and/or by telephone or other multi-media as determined by the Committee.

4.9 The Committee may, in its discretion, refuse to admit evidence which is irrelevant or of so little weight as to be properly excluded.

4.10 At the conclusion of all the evidence, each interested party and the investigator, if appointed, may make submissions to the Committee in such speaking order as the Chairman may direct. Right of reply by any party shall be at the discretion of the Chairman.

5. AT THE CONCLUSION OF THE HEARING

5.1 The Committee shall meet after the hearing has been completed and formulate its findings.

5.2 The findings of the Committee and the order or penalty agreed upon may be by the majority, with the Chairman having a casting vote in the event of a tied decision. The minority may furnish separate findings, but the majority findings and order or penalty shall be deemed to be the decision of the Committee.

6. DETERMINATION OF ANY PENALTY

6.1 The Chairperson or other member of the Committee shall deliver the Committee's findings in the presence of such interested parties who wish to attend.

6.2 If an adverse finding is delivered, the party against whom the finding has been made, shall be invited to make submissions on penalty.

6.3 The Committee shall make any determinations of penalty as may be required and it sees fit. If necessary, the Committee may meet again in camera to consider a penalty.

7. NOTIFICATION

7.1 The Secretary of the Committee shall forthwith give notice of the decision of the Committee to all interested parties, together with notice of any made order or penalty imposed, which upon being confirmed by the appointing authority shall become effective forthwith.

7.2 The Committee shall furnish its report at the first meeting of the appointing authority after the hearing is completed. That authority shall either confirm the decision of the Committee or proceed according to the next succeeding paragraph.

7.3 The decision of the Committee cannot be altered by the appointing authority, but a two-thirds majority of those present and voting at the meeting may return the reference to the Committee for further consideration or the hearing of additional evidence. The grounds of such return of the reference shall be clearly stated.

7.4 A person exonerated by the Committee may start under protest at any Carnival or Association event held before the meeting of the appointing authority at which the Committee's decision is presented for confirmation or return as the case may be.

8. APPEALS

8.1 Any person aggrieved by a decision of the Committee upon a Reference has a right to appeal to the next highest authority from that which appointed the committee which conducted the hearing within twenty-eight (28) days of being notified of a decision in writing.

APPENDIX "B": RULES OF DEBATE

1. GENERAL

1.1 The undermentioned Rules shall apply to the conduct of all meetings of the Club Board of Management, and Committees.

1.2 For the purpose of these Rules, the word "member" shall refer to members of the Club.

2. CHAIRMAN'S AUTHORITY

2.1 Whenever the Chairman 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 Chairman to be offensive or imputing improper motives, the Chairman may call upon a speaker to withdraw and apologise.

2.3 The Chairman 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 Chairman'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 Chairman.

3.2 If two or more members rise to speak at the one time, the Chairman 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 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 Chairman'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 Chairman 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 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 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 Chairman's permission, in explanation or reply, or to ask a question provided that he 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 seconder, and the approval of the meeting, before making any alteration to the wording of his 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.

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 Shall be in accordance with clause 24 of the constitution.

APPENDIX "C": PATROL RULES

The patrol season shall be as decided by SLSQ and Branch, annually. The method of patrol duties shall be determined by the Life Saving Committee prior to the commencement of each Season.

1. Active Members shall attend patrols as rostered or appointed provided that:

a) Active Cadet Member shall be eligible for duties only commensurate with their qualifications.

b) A member desirous of transferring from one Patrol to another shall do so only with the consent of the Surf Life Saving Committee of the Club.

c) 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.

d) 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.

e) Exemption for patrol duty may be granted by the Director of Surf Life Saving and or Patrol Coordinator in special circumstances but for extended periods of exemption written application shall be made to the Club Board of Management who shall decide the issue.

f) At each Meeting of the Surf Life Saving Committee a report, taken from the Patrol Register/Surfguard system, shall be tabled by the Patrol Coordinator indicating any breaches that require investigation.

2. 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 gear room.

3. The Patrol shall assemble in the Club Room five (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.

4. A member who is late for Patrol duty or who misses a Patrol without notifying the Patrol Coordinator will be allotted a Penalty Patrol or other duties at the discretion of the Surf Life Saving Committee.

5. A member who has who misses two rostered Patrols in the season shall be required to meet with the Deputy President and Patrol Coordinator and will be allotted a Penalty Patrols or other duties at the discretion of the Deputy President and Patrol Coordinator.

6. A member who has who misses three rostered Patrols in the season shall be required to appear before the Surf Life Savings Committee to show cause why their Membership should not be terminated.

7. A member or members that enter false information into the Patrol Register will be allocated an automatic three-month suspension and shall be required to appear before the Surf Life Savings Committee to show cause why their Membership should not be terminated.

8. Patrol members shall wear Association Caps and other dress as directed by the Association.
9. Before the Patrol commences duty, the Patrol Captain shall detail the position each man 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.
10. In the absence of the Patrol Captain the Patrol Vice-Captain shall have like power and authority.
11. Members of Patrol and activities of the patrol are under the control and 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.
12. 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 he reports to the Patrol Coordinator.
13. Patrol Captains are held responsible for the efficiency of their Patrols and are required to record in the Patrol Register the names of all patrolling members, details with commencement and completion times.
14. Patrol Captains shall regularly test their Patrol on their ability and knowledge of the resuscitation methods and rescue procedures utilising the gear on patrol.
15. A member shall obey his Patrol Captains, either in the actual work of lifesaving, or any other duty associated with the activities of the Patrol within the Club.
16. Members are reminded of requirements as per the Association's Memorandum of Association, Articles of Association and Rules & Regulations:
Patrol Exemption Policy
In relation to patrol duties the following shall apply:-
 - a) 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.
 - b) Exemptions from patrol, or other duties, may only be granted in the most exceptional of circumstances.
 - c) Clubs may provide exemptions for 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.
 - d) The Association may provide exemption from all - or part - of Club patrol duties for members of Boards of Surf Life Saving, Association Officers or, members of Association patrols or rescue support services.
 - e) Under no circumstances shall competitors be granted patrol, or Club duty exemptions, solely upon competition reasons.
 - f) Any patrol, or duty exemption, granted by a Club - unless those provided for in (c) and (d) above must be immediately submitted for ratification to the Association (Branch or State) stating names and reasons for exemption.
17. Patrol Captains are required to ensure that the Patrol, Radio, Risk Assessment and IRB logs are completed.
18. Patrol Captains are to ensure that motorised equipment is driven only by members with the appropriate licences.

APPENDIX "D": CLUBHOUSE & PROPERTY RULES

GENERAL

1. The benefits of Club privileges shall be permitted only to members of the Club and such Association visitors as are approved by the President, Director of Surf Life Saving, Director of Property & Amenities and/or written approval of the Secretary via the Club Board of Management.
2. 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.
3. Damage occasioned to clubhouse facilities shall be subject to investigation and decision of liability by the Club Board of Management.
4. Members shall use their individual efforts in preserving the cleanliness of the Club's facilities.
5. Bad language shall not be tolerated in the Club's facilities.
- 6 Key allocations will be managed by the Board of management and held only by people that hold positions listed in these by laws.
7. The First Aid Officer, Surf Life Saving Committee, Patrol Captains and assistants with patients are the only persons permitted in the First Aid Room. First Aid equipment shall be used for first aid purposes only.
- 8- Junior Activity (Nippers) members shall be permitted the use of the Club facilities whilst under the supervision of a Parent or Guardian that is a member.

APPENDIX "E": GEAR RULES

1. BOARDS & SKIS

- 1.1 Board & Ski owned by the Club, or its members shall be stored under the control of the Board Captain & Ski Captain. Positions will be allocated first to active members which train with the club coaches, active members secondly and other members thirdly if available.
- 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 Captain, Ski Captain, Coaches, Gear Steward, Director of Surf Life Saving , Chief Training Officer or Trainers.
- 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.

2. SURF BOAT

- 2.1 The Surf Boats 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 Surf Boat Captain.
- 2.2 No members of the Club shall use the boat unless it is in charge of a Surf Boat Sweep, Surf Boat Captain or a Coach, 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 Surf Boat and such member shall be responsible to the Surf Sport 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 The Surf Boats and gear shall be housed in suitable storage areas provided for that purpose and securely locked up, or a designated storage place approved by the Surf Boat Captain. The Sweep or appointed Member last in charge of the Surf Boat each day shall be responsible for its return to the shed/storage place and shall report to the Boat Captain any damage to or loss of gear that may have occurred.
- 2.4 Members, except those on patrol, may be called upon to assist in getting the Surf Boats in and out of the water.

- 2.5 No more than a boat crew of five (5) or less than that number shall be taken in a Surf Boat unless under special circumstances at the discretion of the Surf Boat Sweep or Surf Boat Captain.
- 2.6 The Surf 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.

3. POWER BOAT RESCUE CRAFT

The IRB Captain shall:

- 3.1 be responsible for the general maintenance and up-keep of all powered surf rescue craft and equipment.
- 3.2 at all times ensure that the IRB is ready for patrols and adequate fuel is on hand.
- 3.3 in consultation with the Director of Surf Life Saving, be in charge of all powered surf rescue craft operations.
- 3.4 have an IRB in attendance at all examinations were directed by the Director of Surf Life Saving, Chief Training Officer or Training Facilitator.
- 3.5 have an IRB in attendance at the buoys on all occasions that surf events or tests are being held.

4. MASTER KEYING

- 4.1 With the exception of the following only individuals with a role mentioned in the by laws will be supplied with a master key to club areas.
- 4.1.1 Patrol Captains shall be provided a Patrol Captains master key, and
- 4.1.2 JAC Committee members are excluded from any master key unless the JAC approved and issues a Nipper Shed master key only.
- 4.2 All individuals will return the master key on resignation from their club role.
- 4.3 All individuals allocated a key will sign as acceptance of the master key and an acknowledgement that loss of the master key will require the surf lifesaving club to replace keys, padlocks and locks that the lost key has access to. The individual that loses the master key will be required to attend the next Board of Management meeting to justify not reimbursing the full costs of the system change. Failure to advise of a lost master key that leads to property loss or damage may have further liabilities for the individual that lost the master key.
- 4.4 It is not acceptable for master keys to be shared or left, hidden or otherwise, in a public area. Any individuals that wish to exercise outside of the club but maintain access must keep their master Key on their person or purchase a wrist FOB and leave the master key safely inside the locked surf club premises. Any Master Key left in a public area will be confiscated.

5.0 KEY FOB ACCESS

- 5.1 Key FOB access is a privilege sold as an annual fee to approved members to allow ease of access into the club facilities. In September when fees for the next season are due, all unpaid key FOB will be turned off.
- 5.2 It is not acceptable for the key FOB to be shared or left, hidden or otherwise, in a public area. Any individuals that wish to exercise outside of the club but maintain access must keep their Key FOB on their person or purchase a wrist FOB. Any Key FOB left in a public area will be confiscated.
- Any Member that is proven to have allowed access to the club by non-members of the club will have their key FOB cancelled for the rest of the season.

APPENDIX "F": JUNIOR (NIPPER) ACTIVITIES COMMITTEE

Rules of Procedure

1. APPOINTMENT, OBJECTS, COMPETITION, MEETINGS AND PROCEDURES.

1.1 Appointment

The Club, at its Annual General Meeting shall endorse the appointment of a Junior Activities Committee (hereinafter referred to as the JAC), as provided for in By-Law 6.6 of current financial members of the Club who are interested in the objects and duties of the JAC. The JAC decisions shall be subject to ratification of the Club Board of Management and the general rules as provided for in By-Law 6.1.

1.2 The Objects and Duties of the JAC shall be:

- a) The responsibility for the conduct and co-ordination of all matters relating to Junior Activities.
- b) To provide for Junior (Nipper) members an educational experience in a wide range of subjects and skills within the aquatic/marine environment.
- c) To prepare Junior (Nipper) members for their eventual transition to the marine and patrol environment of the Senior section of the Movement
- d) To provide for the instruction and the conduct of examinations of Junior (Nipper) members willing to gain the Junior Age Awards.
- e) To organise, in conjunction with the Club, the instruction and/or examination of Junior (Nipper) members willing to gain the Surf Rescue Certificate
- f) To provide rules and regulations for the conduct of Junior Activities for Junior (Nipper) members who have attained the age of five (5) but who have not attained the age of fourteen (14) years.
- g) To endeavour to raise finance to provide for the foregoing objects.

1.3 Management and Composition

- a) The JAC shall be responsible for the management of Junior Activities and shall be comprised of current financial members who have applied to the Junior Activities Committee for membership of the JAC and been endorsed. Group applications are also acceptable.
- b) The President (Chairman) of the JAC shall be a member of the Club Board of Management and shall be elected at the AGM of the Club following an endorsed nomination from the Annual Meeting of the JAC.
- c) The JAC shall elect all or any of the following officers to conduct the activities of the JAC: Junior Activities President (Chairman), Deputy President, Secretary, Treasurer, Registrar, Awards Officer, Education Officer, Water Safety Officer, Team Manager, Gear Steward and Officials Rep.
- d) The JAC decisions shall be subject to ratification of the Club Board of Management and the general rules of Committee control as provided for in By-Law 6.1.
- e) An Executive shall be responsible for JAC decisions between JAC meetings, and shall be comprised of the President, the Deputy President, the Secretary, the Treasurer and the Team Manager.

1.4 Meetings of the JAC

a) The Annual Meeting of the JAC shall be held prior to the Club Annual General Meeting with the following agenda:

- Attendances
- Apologies
- Annual Report of Activities
- Endorsement of Junior Activities Officer Nomination(s)
- Election of Officers
- Meeting dates

b) JAC meetings which shall be held monthly during the active season with the following agenda-

- Attendances

- Apologies
- Confirmation of Minutes of previous Meeting
- Business Arising
- Correspondence
- Reports
- General Business

There are to be a minimum of three (3) General Meetings throughout the Active Season. Dates to be set at the beginning of the season.

c) Executive Meetings may be held as required to deal with urgent matters providing decisions are subject to ratification by a JAC meeting, and if necessary, the Club Council.

d) Special Meetings with a specific agenda may be held at the discretion of the Chairman or the JAC.

e) Voting at meetings of the JAC shall be limited to currently endorsed members of the JAC

1.5 Elections

a) Nominations for the Election of Officers shall be in writing on the Club Policy Nomination Form and signed by the nominee signifying his willingness to stand for election and lodged with the JA Secretary three (3) weeks prior to the Annual Meeting of the JAC. Nominations can be taken from the meeting floor of the Annual Meeting with a seconder to the nomination, should there be no written nomination received. If the nominee is not present the nomination cannot be accepted.

b) If the number of candidates for any one office exceeds one, a decision shall be determined by secret ballot of the members present and voting at the meeting.

1.6 Finance

a) The Director of Finance, and where convenient assisted by the JA Treasurer, shall receive all monies, issue receipts and bank such monies to the account of the Club to be used for Club endorsed Junior Activities.

b) Payment of accounts shall be affected by the Director of Finance, following checking of the accounts by the JA Treasurer.

c) Credit and Debit ledgers shall be established and maintained by the JAC to determine the financial standing of the JAC in relation to the Club.

d) The finance of the JAC shall be supported by means approved by the Club which shall include a Club budget allowance, donations, capitation levies, carnivals, socials and other functions.

1.7 Competition

a) The JAC shall have power to regulate all Intra-Club competitions providing such competition has been approved by the Club Board of Management.

c) No Inter-Club contest or competition shall be held without the approval of the Club Board of Management and the Branch.

d) All Junior competitors shall wear approved protective clothing by the Association in all water activities as directed by the Branch and SLSQ.

d) A Selection Sub-Committee comprised of the Age Managers and the Team Manager shall select the competitors and teams for all inter/intra Club competitions and carnivals and may alter such selections at its discretion, and its decision shall be final.

1.8 Discipline

The conduct of members who participate in Junior Activities shall be subject to the control of the JAC in the first instance, provided that any disciplinary actions are subject to review by the Club Board of Management.

2. OFFICERS AND THEIR DUTIES

2.1 The Director of Junior Activities (Chairman): Shall chair all meetings of the Committee at which he is present and shall exercise a general supervision over the affairs of the JAC. They shall be an Executive Officer of the Club and shall represent the JAC on the Branch JAB. The Chairman shall, when presiding at a meeting, have a deliberative and a casting vote. They shall submit an Annual Report of the JAC to the Club Board of Management and submit regular reports to Club Board of Management.

2.2 The Junior Activities Deputy President: In the absence of the Director of Junior Activities, the Deputy President shall perform all the duties usually undertaken by the Chairman. Shall be responsible for the publicity of the Committee, to publish the results of the Committee Activities and Carnivals from time to time as well as points of interest from the Committee Meetings. They shall also work in conjunction with the Club Publicity and Media Officer.

2.3 The Junior Activities Secretary: Shall attend to all the correspondence, attend all meetings, record the minutes of the meetings in a Minute Book and assist in the preparation of the Reports. They shall issue notices of meetings and any circulars of matters of interest to the JAC in conjunction with the Club Administration Manager.

2.4 The Junior Activities Treasurer: Shall be responsible for the overall supervision of any financial commitments of the JAC and shall submit reports to the JAC. They shall submit budget of income and expenditure and shall maintain Credit and Debit ledger of the JAC financial dealings with a view to establishing the standing of the JAC. They shall provide and seek co-operation of the Director of Finance.

2.5 The Junior Activities Registrar: Shall be responsible for keeping a true and correct record of the birth dates of all Juniors (nippers), compiling the registration of all competitors for annual submission to the Registrar of the Branch, and provide other relevant information as required. Shall be responsible for obtaining costumes, caps and clothing and merchandising marketing following decisions by the JA Committee.

2.6 The Junior Activities Awards Officer: Shall be responsible for the training and examination arrangements for the Junior Age Awards. They shall be responsible to and work in conjunction with the Club Chief Training Officer and Youth Development Officer.

2.7 The Junior Activities Team Manager: Shall be responsible for the control and conduct of the competitors and shall submit a team report following each carnival with the support of an Assistant JA Team Manager. Shall be responsible for Carnival Nominations in conjunction with the JA Age Managers to the Club Director of Surf Sports.

They or the Age Managers shall record the attendance of the competitors at Carnivals. They shall be responsible for preparing the age competitors and teams as selected by the Selection Sub-Committee for their respective events and ensure the competitors are at the marshalling area at the prescribed time for such events. They shall be responsible for lodging all protests as per the Association Handbook. They shall be assisted by an Assistant JA Team Manager and the JA Age Group Managers.

2.8 The Junior Activities Gear Steward: Shall be responsible for all the JAC equipment, making sure such equipment is in good condition and repair and properly housed and co-ordinate beach setup for training.

2.9 The Junior Activities Water Safety Officer: Shall be responsible for water safety at JAC training days.

2.10 The Junior Activities Education Officer: Shall be responsible for organising specific educational programs and events to further the education of the JAC membership.

2.11 The Junior Activities Age Managers: Shall prepare programs and work in conjunction with the JA Awards Officer in their duties and act as an assistant to the JA Team Manager during the performance of the duties.

3. MEMBERSHIP

3.1 To participate in Junior (Nipper) Activities at Tweed Heads & Coolangatta SLSC all shall be members of the Tweed Heads & Coolangatta SLSC.

3.2 All applicants for membership of Tweed Heads & Coolangatta SLSC shall be required to complete the prescribed SLSA form and pay the required fee as determined by the Club Board of Management.

3.3 Any Nipper applicant for membership shall be accompanied by a Parent or Guardian applicant for membership of some type depending on their qualifications i.e. Associate Junior Activities Parent, Award, Active, Active Reserve, etc.,

APPENDIX "G": THE COMMON SEAL

APPENDIX "H" CLUB BADGE

APPENDIX "I" LIFE MEMBERSHIP BADGE