

DENMARK SURF LIFE SAVING CLUB (INC).

CONSTITUTION

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Amended

11/08/2001

10/08/2003

20/06/2004

26/06/2016 Special General Meeting held.

1. NAME OF CLUB

The name of the club is the
“DENMARK SURF LIFE SAVING CLUB (INC).”

2. OBJECTS

The objects of the Club are:

- 2.1 To study and practice the methods of surf lifesaving as specified by Surf Life Saving Australia Ltd. (SLSA)
- 2.2 To be affiliated with Surf Life Saving Western Australia (SLSWA) and to adhere to the amateur status specified by SLSWA.
- 2.3 To minimise the loss of life from drowning and render all possible aid to those in distress by providing beach patrols as specified by SLSWA within the borders of Ocean Beach Denmark.
- 2.4 To promote demonstrations and arrange classes of instruction in water safety, life saving and resuscitation and to organise and to conduct competition and improve the efficiency and lifesaving skills of members.
- 2.5 To co-operate with the local governing authorities in taking such measures as are considered necessary by the Club to ensure the safety of users of the beach.
- 2.6 To promote social interaction between members of the Club and their friends and to provide conveniences, facilities, premises and accommodation with all the usual privileges and advantages of a Club.
- 2.7 To adhere to all other requirements and procedures as laid down in the Constitution of SLSWA and the manuals of SLSA.

3. POWERS

For the purpose of achieving or furthering the above objects the Club shall have power:

- 3.1 To purchase, sell, hold, lease or rent or otherwise acquire real or personal property.
- 3.2 To borrow, raise or secure the payment of money to secure the repayment or performance of any debt, liability, contract or guarantee incurred or to be entered into by the Club.
- 3.3 To enter into any arrangements with any government or local government authority or instrumentality.
- 3.4 To employ, appoint, hire, engage, pay, dismiss or suspend any officer, manager, clerk, secretary, instructor, coach, workman or any other person.
- 3.5 To invest the monies of the Club
- 3.6 To receive and make gifts and to give prizes.
- 3.7 To amalgamate or associate with any other surf lifesaving Club or association or any other sporting Club or association.
- 3.8 To procure any permits and licenses from time to time required by the Liquor Act 1970 as amended.
- 3.9 To do all such other things as are incidental or conducive to the attainment of the objects of the Club.

4. INCOME AND PROPERTY

The income and property of the Club shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of pecuniary profit to the members, PROVIDED THAT remuneration may be paid in good faith to officers or servants of the Club or other persons in return for services actually rendered to the Club.

5. MEMBERSHIP

- 5.1 Membership of the Club shall be open to all persons interested in surf lifesaving at the absolute discretion of the Management Committee. In all cases, the ages of persons eligible for membership shall be determined by SLSA and specified in the By-Laws. In admitting a person to membership the Management Committee shall take into account the need to maintain a good standard of surf lifesaving.
- 5.2 The classes of membership shall comprise those classes set out in the by-laws of the Club from time to time which in any event shall comprise at least those categories laid down by SLSA and furthermore the following classes of membership shall be available:
- (a) Award Membership – shall be any member holding an award approved by the Management Committee and specified in the by-laws, other than the SLSA Surf Rescue Certificate or Bronze Medallion;
 - (b) Associate Members – shall be not less than 25 years of age unless in the opinion of the Management Committee, extenuating circumstances warrant otherwise;
 - (c) Life Members – may be elected from members who have rendered special and outstanding service to the Club and have completed at least 10 years consecutive membership from at least the age of 15 years. Life Members shall only be elected at an Annual General Meeting upon attaining by secret ballot a four fifths majority of those personally present and eligible to vote provided that the nomination has first been submitted to a meeting of the Management Committee and approved by a four fifths majority vote at that meeting.
- 5.3 The Management Committee shall have power to create or modify the classes of membership within the above classes.
- 5.4 Restrictions on Membership
- (a) Active, Junior, Cadet, Active Reserve, and Life Members shall be the only classes of membership eligible for entry in Club competitions;
 - (b) Conditions of entry in SLSA competitions shall be as stipulated in the relevant SLSA Handbook;
 - (c) Probationary members shall be required to complete an application form and satisfactorily pass a test swim. In addition, applicants for Junior and Cadet Membership must produce a Birth Certificate or Extract of Birth entry, or alternatively, Statutory Declaration confirming their date of birth.

6. ENTRANCE FEES SUBSCRIPTIONS AND OTHER MONIES

- 6.1 The entrance fee and subscription for each class of member shall be determined by the Management Committee.
- 6.2 Any person wishing to become a member shall submit an application on a form approved by the Management Committee together with an entrance fee and the membership fee for one year and the Management Committee may accept with or without conditions or reject any application without being required to give reasons.

6 SUSPENSION EXPULSION AND OTHER DISCIPLINARY MATTERS.

- 7.1 The Disciplinary Committee shall be convened to hear all matters referred to it in writing and determine action to be taken in accordance with the Constitution and By-Laws and in the best interests of the Club and report on its findings to the Management Committee.
- 7.2 The Disciplinary Committee may expel, or, for any period or indefinitely, suspend from the privileges of membership, or otherwise penalise any member who violates a rule or By-law of the Club or who is found guilty of misconduct or who acts contrary to the general policy of the Club, provided that such member has had the opportunity to state their case either personally or through another member, to the Committee before it arrives at its decision.
- 7.3 An Executive Officer of the Club may suspend any member who disobeys instructions when given in time of emergency or who is considered to have committed an act of misconduct. The incident shall be immediately reported in writing to the Executive Committee who will call a meeting of the Disciplinary Committee within 7 days to hear the case. The member concerned is to be advised of the date of the meeting in writing at least 3 days before the set meeting time and he may state his case personally or through another member.
- 7.4 The findings of the Disciplinary Committee shall be presented to the next or a special meeting of the Management Committee. The member concerned shall be given at last 3 days notice of the time of the meeting in writing to allow him if he desires, to appeal to the Executive Committee either personally or through another member. The Management Committee may revoke or endorse the penalty or otherwise increase or decrease the penalty as seen fit by the Committee.
- 7.5 Any further rights of appeal shall be as governed by the Constitution and rules of SLSA and/or SLSWA.

8 RESIGNATION

- 8.1 Any person who wishes to resign membership shall do so in writing by letter addressed to the Secretary;
- 8.2 Any person who has registered and fails to pay the annual subscription before December 31st of each year shall be deemed to have resigned from the membership of the Club.

9 OFFICERS

- 9.1 The Club shall appoint a Patron, Vice Patron and a Medical Advisor.
- 9.2 The Elected Officers of the Club shall include a President, Vice President, Secretary, Treasurer, Club Captain, Junior Officer, Youth Officer, Education Officer, Competition and Coaching Officer, Inflatable Rescue Boat (IRB) Officer, Publicity Officer and First Aid Officer. ~~and Radio Officer.~~
- 9.3 All nominations for office as detailed in Para 9.2 must conform to the following conditions:
 - (a) Nominees for the office of Club Captain and Education Officer must hold the SLSA Bronze Medallion. In addition nominees for the office of Captain and Education Officer must hold a SLSA Training Officer's Certificate;
 - (b) Nominees for office of First Aid Officer shall hold a current recognised First Aid Certificate or equivalent.
- 9.4 Other officers as mentioned from time to time in the By-Laws may be appointed;
- 9.5 No person shall be an officer of the Club unless that person is a financial, honorary or life member of the Club.

10 COMMITTEES

- 10.1 The management and operational activities of the Club shall be the responsibility of the Management Committee, which shall consist of the President, Vice President, Secretary, Treasurer, Club Captain, Junior Officer, Youth Officer, Education Officer, and Competition and Coaching Officer.
- 10.2 The officers of the Club as listed in clause 9.2 shall be nominated by and elected from the financial members of the club and shall be elected annually at the Annual General Meeting and shall take office on the following day.
- 10.3 The Management Committee shall meet at least monthly, and shall have the power to make or amend or delete By-Laws which are to be presented for confirmation at a General Meeting thereafter and shall have the power to appoint sub-committees to oversee any operational aspect of the Club or for any other purpose as determined by the Committee.
- 10.4 A quorum of the Management Committee shall consist of 5 persons;
- 10.5 The Management Committee shall have power to fill any vacancy or office or replace any other member of the Management Committee as may occur before the next Annual General Meeting.
- 10.6 In the event that any member of the Management Committee is absent from 3 consecutive meetings or a total of 4 meetings in any one season without reasonable excuse, the seat shall be declared vacant and the Management Committee shall then appoint another member in his or her stead;
- 10.7 In the event that any member of the Management Committee holds more than 1 office, that person shall be entitled to 1 vote only;
- 10.8 The Chairman of any Committee shall have a deliberative as well as a casting vote;
- 10.9 The Executive Committee shall comprise the President, Vice President, Treasurer and Secretary, and shall have the power to deal with all urgent

matters at a moment's notice. Their action shall be reported to the next meeting of the Management Committee for confirmation and any 2 of the above persons shall form a quorum for this committee.

10.10 The Life Membership Committee shall comprise two Management Committee Members and 2 Life Members; one of the latter category being elected Chairman. Three shall form a quorum. This Committee shall meet at least three months prior to the Annual General Meeting to review all members who may be eligible for Life Membership. This Committee shall then forward any nominees to the Management Committee for their ratification before final submission to the Annual General Meeting;

10.11 The Disciplinary Committee shall comprise three Life Members nominated by the management committee. Two of the three members shall not hold any other elected office in the Club.

11 ANNUAL GENERAL MEETING

11.1 The Annual General Meeting shall be held within 60 days of the commencement of the financial year on a day and a time to be arranged by the Management Committee;

11.2 Thirty percent of members with the right to vote and personally present shall form a quorum at any general meeting;

11.3 The business of the Annual General meeting shall include:

- (a) confirmation of the minutes and matters arising;
- (b) President's Report;
- (c) The Treasurer's Report and statement of accounts for the preceding financial year;
- (d) The election of officers and members of the Management and other Committees;
- (e) The election of a Patron, Vice Patron and honorary officials;
- (f) The appointment of an auditor;
- (g) Notice of motion which has been duly given to all members in accordance with the notice specified for extraordinary general meetings;
- (h) General-Business.

12 EXTRAORDINARY GENERAL MEETING

12.1 An Extraordinary General Meeting may be called in one of the following ways:

- (a) By resolution of the Management Committee;
- (b) By petition in writing by at least thirty percent of members of the club with the right to vote;
- (c) By the President; or
- (d) By resolution at a previous Annual General Meeting or Extraordinary General Meeting.

12.2 Thirty percent of members with the right to vote and personally present shall form a quorum at any General Meeting.

- 12.3 At least 7 days' notice shall be given by letter to all members and only business outlined in the notice shall be dealt with at the Extraordinary General Meeting.

13 CHAIRMAN OF GENERAL MEEETING

- 13.1 The President or in the absence of the President the Vice President shall preside at the Annual General Meeting and at an Extraordinary General Meeting;
- 13.2 In the absence of the President or Vice President, the meeting shall elect any member of the Club to preside;

14 VOTING

Only elected officers and Active, Active Reserve, and Life Members shall be eligible to vote at any General Meeting of the Club. All members must be financial for the current season, or in the case of the Annual General Meeting for the ensuing season as provided in rule 18.3 hereof. At every General Meeting a resolution put to the vote shall be decided by a show of hands by a numerical majority of members personally present.

15 MINUTES OF MEETINGS

- 15.1 The Secretary or in the absence of the Secretary another member shall keep minutes of all General Meetings and Committee Meetings.
- 15.2 Subject to the discretion of the President, minutes of all meetings shall be open to inspection by any member at a time and place convenient to the Secretary.

16 AFFILIATION

The Club shall be affiliated with Surf Life Saving WA.

17 BY-LAWS

The Management Committee shall have the power to make amend adopt and rescind any By-Laws for "the Club" from time to time and the duties of all officers of the Club shall be defined in those By-Laws.

18 SEASON AND FINANCIAL YEAR

- 18.1 The financial year shall be the 1st day of May to the 30th day of April in the following year.
- 18.2 The season for the Club shall be determined from time to time by the Management Committee of the Club.
- 18.3 Registrations shall be due and payable at a time to be determined by the Management Committee of the Club.

18 FINANCE

- 19.1 The Management Committee shall cause true accounts to be kept of the monies received and expended;
- 19.2 A balance sheet containing a summary of the assets and liabilities of the Club as at April 30th together with a statement of profit and loss for the preceding year shall be made out and submitted to the Annual General Meeting;
- 19.3 The accounts shall be audited by the Auditor who shall make a report on the accounts;
- 19.4 The Management Committee shall conduct its financial statements through a bank or other financial institution.

19.5 All payments shall be approved by any two of the following:

- (i) the President
- (ii) the Vice President;
- (ii) the Secretary; or
- (iii) the Treasurer.

19.6 The accounts shall be open to inspection by any member upon giving reasonable notice to the Treasurer at a time and place convenient to the Treasurer.

19.7 No member shall have the authority to commit the Club to any expense unless approved jointly by any two of the officials nominated in clause 19.5 above.

19.8 No Club officer, as defined in Section 4 of the By-laws, can commit the Club to any expenditure, beyond a budget amount approved annually by the Management Committee, unless approved by resolution passed by the Management Committee.

20 AUDITOR

The Auditor shall be appointed by resolution at the Annual General Meeting to audit the accounts and shall not be a member of the Management Committee. The Auditor may attend the Annual General Meeting and take part in discussions.

21 COMMON SEAL

The Club shall have and use a common seal inscribed with the name of the Club which shall be held in the custody of the Secretary and it shall be used or affixed to any document after authority has been given by the Management Committee. The affixation of the seal shall be witnessed by the President and any two members of the Committee.

22 CUSTODY OF BOOKS AND DOCUMENTS AND INSPECTION

The Secretary shall hold all books and documents and other papers and information relating to the Club affairs and these shall be open to inspection by any member upon the member giving reasonable notice to the Secretary at a time and place convenient to the Secretary.

23 CLUB COLOURS

The Club colours shall be Teal Green and Gold and subject to approval by SLSWA.

24 ALTERATION.

- (a) Notice of any such alteration, addition or amendment shall be given in writing to the Management Committee. The Management Committee shall then ensure that this notice is circulated with the notice of the general meeting to which the matter is referred.
- (b) No alteration addition or amendment to the Rules shall be made unless and until carried by a resolution at any general meeting called for such purpose by a majority of 75% of the members present.

25 DISSOLUTION

- (a) The Club may at any time, with the consent of a majority of 75% of the members present at a General Meeting called for the purpose, be dissolved.
- (b) If upon the dissolution or winding up of the Club there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the Club but shall be given or transferred to Surf Life Saving WA.

26 GENERAL

Any matter not provided for in these Rules or any matter requiring clarification shall be governed by the Constitution and By-Laws of Surf Life Saving WA as amended from time to time.