

Mandurah Surf Life Saving Club (Inc)
New Constitution Adopted 11th June 2005

1. Name:

- 1.1** The Club shall be called the “Mandurah Surf Life Saving Club (Inc)”, hereinafter referred to as the Club, and shall consist of all persons duly elected as members.

2. Objects:

- 2.1** To promote and develop the youth of the community, in the principles of Surf Life Saving through personal development, team participation, club representation and service to the community;
- 2.2** To promote demonstrations and arrange classes of instruction in water safety, lifesaving and resuscitation, and to organise and conduct a program of events that will improve the fitness, efficiency and lifesaving skills of members;
- 2.3** To maintain efficient patrolling of the beach under control of the Club;
- 2.4** To ensure the most effective methods of rescuing persons in distress and the resuscitation of the apparently drowned by study and practice of the methods of Surf Life Saving as taught by Surf Life Saving Australia Limited, (know hereafter as ‘the SLSA’);
- 2.5** To affiliate with Surf Life Saving Western Australia Inc, (known hereafter as ‘the SLSWA’);
- 2.6** To cooperate 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;
- 2.7** To promote social interaction between members and their friends and families, and to provide conveniences, facilities, premises and accommodation with all the usual privileges and advantages of a club;
- 2.8** To enter into commercial arrangements, including sponsorship and marketing opportunities, as appropriate to further the viability of the Club; and
- 2.9** To adhere to all other requirements and procedures as specified by the SLSWA and SLSA.

3. Attaining the Objects:

- 3.1** The Club shall be empowered to do all things necessary which are incidental to and necessary for the attainment of the objects of the Club.

4. Income and Property:

- 4.1** The Income and property of the Club shall be applied solely towards the promotion of the objects or purposes of the Club;
- 4.2** No part of that property or income shall be paid or otherwise distributed, directly or indirectly, to members of the Club, provided that nothing shall prevent the payment in good faith in the promotion of those objects or purposes;
- 4.3** All monies received shall be banked in the name of the Club. Payments shall be made by cheque, cash or bank authority authorized jointly by any two (2) of the following Management Committee members of the Club; President, Vice President, and/or Director of Finance & Administration;
- 4.4** No member shall have authority to commit the Club to any expenditure unless approved jointly by any two (2) of the Management Committee nominated as in item 4.3. above;
- 4.5** The financial year of the Club shall be from 1st July to 30th June in the following year; and
- 4.6** The Club name may only be used on any literature or fund raising promotion with prior approval from the Management Committee. All monies raised by the use of the Club name shall become property of the Club;
- 4.7** An accurate up to date register of all Club assets shall be kept by the Finance & Administration Officer.

5. Powers of the Club:

- 5.1** To acquire, hold, deal with and dispose of any real or personal property;
- 5.2** To open and operate bank accounts;
- 5.3** To invest its money in any security in which trust moneys may be invested or in any manner authorised by the rules of the Club;
- 5.4** To borrow money upon such terms and conditions as the Club Management Committee sees fit;
- 5.5** To give such security for the discharge of liabilities incurred by the Club as the Management Committee sees fit;

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- 5.6 To appoint agents to transact any business of the Club on its behalf for reward or otherwise;
- 5.7 To build, construct, erect, maintain, alter and repair any premises building or other structure of any kind and to furnish equip and improve the same for use by the Club;
- 5.8 Accept donations and gifts in accordance with the objects of the Club;
- 5.9 Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the Club;
- 5.10 Provide gifts and prizes in accordance with the objects of the Club;
- 5.11 Organise social events for members and the promotion of the Club; and
- 5.12 To enter into any other contract the Club considers necessary or desirable.

6. Membership:

- 6.1 Membership shall be open to any person who wishes to further the interests of the Club;
- 6.2 All new applications shall be on the appropriate form as issued by the SLSWA. The application must be submitted with the appropriate membership fee;
- 6.3 Applicants under eighteen (18) year of age must produce a Birth Certificate, Birth Extract of Birth Entry or Statutory Declaration confirming their date of birth;
- 6.4 Any person seeking membership shall make application to the Management Committee and the Management Committee shall determine whether the application is successful or not;
- 6.5 Each person admitted to membership shall be bound by the Constitution and By-Laws of the Club, become liable for such fees and subscriptions as may be fixed by the Club, and entitled to all advantages and privileges of membership;
- 6.6 Membership shall consist of the following classifications, qualifications and conditions of such, shall be governed by the relative clauses of the By-Laws;
 - Probationary;
 - Junior (Nipper);
 - Cadet;
 - Active;
 - Reserve Active;

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- Long Service;
- Award;
- Associate;
- Honorary;
- Life;

6.7 The Finance & Administration Officer shall maintain an up to date accurate register of all Club members details; and

6.8 A financial member may at any reasonable time inspect the records and documents of the Club.

7. Termination of Membership:

7.1 Any person's membership may be terminated by resignation, expulsion or when a member's annual membership fee remains unpaid after two months of it falling due;

7.2 The Management Committee shall have the power to suspend or expel any member of the Club for any of the events as in item 7.1, or if false and inaccurate statements are made in the member's application for membership to the Club or by any act detrimental to the Club, after having undertaken due inquiry;

7.3 Any member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their case to a General Meeting called for such purpose, and the decision of the General Meeting shall be final; and

7.4 The resignation of any member shall be by written notice addressed to the Finance & Administration Officer.

8. Management Committee:

8.1 Management of the Club shall be vested in the Management Committee as elected by members at the Annual General Meeting and consisting of;

- President;
- Vice-President;
- Finance & Administration Officer;
- Marketing & Public Relations Officer;
- Club Captain;
- Director of Life Saving;
- Education Officer;
- Competition Officer;
- Youth Development Officer;

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- 8.2** The duties of all Management Committee Officers shall be defined in the Club By-laws.
- 8.3** Honorary Officers of the Club shall be Patron, Vice Patron(s), Legal Advisor, and Auditor;
- 8.4** The Management Committee shall ensure that the provisions of the Club Constitution and By-Laws, and the requirements and procedures of the SLSWA and the SLSA are upheld and adhered to;
- 8.5** The Management Committee may create such other positions or form sub-committees as are deemed necessary for the efficient administration of the affairs of the Club. The duties of such positions or committees and method of appointment shall be defined in the Club By-laws;
- 8.6** A person may hold more than one position on the Management Committee, (i.e. Education Officer/Youth Development Officer) at any one time, but will only have one vote;
- 8.7** All Officers of the Club, including Honorary Officers, shall be elected at the Annual General Meeting by members with the power to vote;
- 8.8** A person shall cease to be a member of the Management Committee, or Honorary Officer at the conclusion of the Annual General Meeting which follows their election and they will be eligible for re-election;
- 8.9** The Management Committee shall meet as often as necessary to enact the business of the Club. During the season they should meet at least once per month;
- 8.10** The members of the Management Committee shall be given at least three days notice of place and time of meetings;
- 8.11** A quorum of six (6) shall be required at all meetings of the Management Committee;
- 8.12** If the President or Vice President is unable to attend a meeting, then a chairperson shall be nominated by the Committee;
- 8.13** The Chair Person presiding shall have a deliberative vote as well as a casting vote in the event of a tie;
- 8.14** A member of the Management Committee may lose their seat on the Committee for either being absent from two or more meetings without a leave of absence or found not to be a financial member;
- 8.15** All members of the Management Committee shall be financial members, and have obtained a Federal Police clearance within sixty (60) days of taking office; and

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8.16 No act or resolution shall be binding on the Club unless it has been approved by the Management Committee.

9. Powers of the Management Committee:

9.1 The Management Committee shall carry out the day to day running of the Club and shall have power to administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;

9.2 Fix the manner in which such banking accounts shall be operated upon, providing the Management Committee passes all payments;

9.3 Fix fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof;

9.4 Adjudicate on all matters brought before it which in any way affect the Club;

9.5 Cause minutes to be made of all proceedings at meetings of the Management Committee, Annual General Meeting, and General Meetings of members;

9.6 Make, amend and rescind rulings and By-laws;

9.7 Should a vacancy occur on the Management Committee during the season, the Management Committee shall appoint a successor until the next Annual General Meeting;

9.8 May at their discretion employ a person or persons to carry out certain duties required by the Club, at salaries or remunerations for such period or time, as may be deemed necessary; and

9.9 Appoint an officer/s or agent of the Management Committee to have custody of the Club's records, documents and securities.

10. Auditor:

10.1 The Annual General Meeting shall elect or appoint an Auditor or Auditors; and

10.2 The Auditor/s shall examine and audit all the books and accounts of the Club annually, and have the power to call for all books, papers, accounts, receipts etc., of the Club and report thereon to the Annual General Meeting.

11. Annual General Meetings:

- 11.1** Annual General Meeting, (know hereafter as ‘the AGM’);
- 11.2** The AGM of the Club shall be held in June in each year;
- 11.3** The business of the AGM shall be to receive the Annual Report and Financial Statement, to elect new Management Committee, Honorary Officers, and to transact any special Business and General Business of which due notice has been given;
- 11.4** The Finance & Administration Officer shall give at least seven (7) days notice of the date, time and place of the AGM to members;
- 11.5** All financial members may attend the AGM;
- 11.6** Only financial members over the age of eighteen (18) years are eligible to vote;
- 11.7** The quorum at the AGM shall be a minimum of 10 financial members. If at the end of thirty (30) minutes after the time appointed in the notice for the opening of the meeting, there be no quorum the meeting shall stand and adjourn for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting;
- 11.8** All nominations for Management Committee positions to be decided at the AGM must be received by the Club Finance & Administration Officer fourteen (14) days prior to the scheduled date of the AGM;
- 11.9** In the event that more than one nomination for a particular Management Committee position are received the position shall be decided by secret ballot of those present and eligible to vote to determine a preferential majority;
- 11.10** In the event that no nomination for a particular Management Committee position are received, or when a position becomes casually vacant during the year, the Management Committee shall have the power to fill the vacancy until the next AGM;
- 11.11** The agenda for the AGM shall be;
- Opening of meeting;
 - Apologies;
 - Confirmation of Minutes of previous AGM;
 - Presentation of Annual Report;
 - Presentation of Treasurer’s statement;
 - Election of new Management Committee and appointment of Honorary Officers;

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- Vote of thanks to outgoing Management Committee;
- Notice/s of Motion;
- Urgent Special or General Business; and
- Closure.

12. General Meetings

- 12.1** General Meetings may be called by the Management Committee or at the request of the President, Vice President, or Finance & Administration Officer or on the written request bearing the full names and signatures of a minimum of five (5) members of the Club with the power to vote;
- 12.2** The Finance & Administration Officer shall be give at least fourteen (14) days notice of the date, time and place of the General Meeting to the members;
- 12.3** Notice of the General Meeting shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that General Meeting;
- 12.4** Motions passed pursuant to such business shall be binding on the Club; and
- 12.5** The quorum at the General Meeting shall be a minimum of ten (10) members. If at the end of thirty (30) minutes after the time appointed in the notice for the opening of the meeting, there be no quorum the meeting shall stand and adjourn for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

13. Voting Powers at the AGM and General Meetings:

- 13.1** The power to vote shall be restricted to those financial members eighteen (18) years and over;
- 13.2** Financial means that a member must have paid their annual subscription in respect to the preceding season and is entitled to vote at all meetings of the club up to and including the AGM;
- 13.3** Members must be present in person at General Meetings and the AGM to use their power to vote;
- 13.4** Elected members of the Management Committee have the power to vote;
- 13.5** The President shall be entitled to a deliberative vote, and, in the event of a tied vote, the President shall exercise a casting vote;

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13.6 In the event that the President cannot chair the meeting the Vice President will become Chair and have the same voting rights as in item 13.5; and

13.7 Each individual financial member present shall have one (1) vote.

14. Finance:

14.1 All funds of the Club shall be deposited into the Club's accounts at such bank or recognised financial institution as the Management Committee may determine;

14.2 All accounts due by the Club shall be paid by cheque after having been passed for payment at the Management Committee Meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next Management Committee Meeting;

14.3 The Management Committee may approve petty cash advances as it thinks fit;

14.4 A statement showing the position of the Club shall be tabled at each Management Committee Meeting by the Finance & Administration Officer;

14.5 A statement of Income and Expenditure shall be submitted to the AGM. The Auditor's report shall be attached to such Financial Report;

14.6 The accounts, books and all financial records of the Club shall be audited each year; and

14.7 The signatories to the Club's account/s will be the Finance & Administration Officer and any one (1) from the following; President and/or Vice President.

15. Common Seal:

15.1 There shall be a Common Seal engraved with the name of the Club and kept in the care and custody of the Finance & Administration Officer;

15.2 The seal shall not be used or affixed to any deed or document except pursuant to a resolution of the Management Committee and in the presence of the President and/or the Vice President, Finance & Administration Officer, and all of whom shall subscribe their names as witnesses.

16. Alterations to the Constitution and By-laws:

16.1 No alteration, repeal or addition shall be made to the Constitution except at the AGM, or General Meeting, called for that specific purpose. Twenty one (21) clear days notice of all motions to alter, repeal or add to the Constitution shall be given in writing to the Finance & Administration Officer;

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- 16.2** Notice of such proposed amendment(s) shall be given to members seven (7) days prior to the AGM or to a General Meeting called for such purpose;
- 16.3** Alterations to the By-laws can only be made at a Management Committee Meeting provided notice of the proposed alteration/s has been duly notified to Committee members;
- 16.4** Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority (Special Resolution) of those present and entitled to vote at the AGM, General Meeting or Management Committee Meeting; and
- 16.5** Within one month of the passing of a Special Resolution, a certified copy of the approved amendment(s) to the Club Constitution or By-Laws shall be filed with the Commissioner of Fair Trading and a copy sent to SLSWA and to all financial Club members.

17. Dissolution:

- 17.1** If, on the winding up of the Club, any property of the Club remains after satisfaction of the debts and liabilities of the Club and the costs, charges and expenses of that winding up, that the assets of the Club revert to SLSWA.

18. Club Colours, Name and Logo:

- 18.1** The Club colours shall be green and blue with a white star and shall be subject to approval by SLSWA;
- 18.2** The Club name and Logo shall only be used with the prior approval of the Management Committee; and
- 18.3** Clothing or printed material or such like which could be associated with the Club or its activities may only be produced, worn or used with prior approval of the Management Committee.

19. Conclusion:

- 19.1** In the event of anything occurring not within the scope of this Club Constitution, or the Constitutions of SLSWA or SLSA, the Management Committee may deal with the same at its discretion and its decision shall be binding on the Club.