



CITY OF PERTH LIFE SAVING CLUB (INC)

CONSTITUTION

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1.0 NAME

- (a) The Club shall be called the "CITY OF PERTH SURF LIFE SAVING CLUB (INC)".
- (b) The Club shall affiliate with Surf Life Saving Western Australia (Inc).

2.0 OBJECTS

- (a) To maintain efficient patrolling of the beach under the control of the Club.
- (b) 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".
- (c) To provide for the recreational, social, sporting and educational needs of the members.
- (d) To be recognised in the Town of Cambridge as an authority and provider on matters related to beach and aquatic safety management.
- (e) To do all things as are incidental or conducive to the attainment of the foregoing objects.

3.0 POWERS

- (a) To acquire, hold, deal with, and dispose of any real or personal property.
- (b) To open and operate bank accounts.
- (c) To invest money –
 - (i) in any security in which trust moneys may be invested; or
 - (ii) in any other manner authorised by the rules of the Club;
- (d) To borrow money upon such terms and conditions as the Club thinks fit;
- (e) To give such security for the discharge of liabilities incurred by the Club as the Club thinks fit;
- (f) To appoint agents to transact any business of the Club on its behalf;
- (g) To enter into any other contract it considers necessary or desirable;
- (h) To act as Trustee and accept and hold real and personal property upon trust;
- (i) To raise funds to facilitate the operation of the Club;
- (j) To do all other things as are incidental or conducive to the attainment of the above objects or any of them.

4.0 INCOME

- (a) The income and property of the Club shall be applied solely towards the promotion of the objects or purpose of the Club. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the Club, provided that nothing shall prevent the payment in good faith of remuneration to any officer or employee of the Club, or to any person other than a member, in return for services rendered to the Club.
- (b) Any members of the Executive Committee of the Club who have any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in the contemplation of, the Executive Committee shall, as soon as he becomes aware of his interest, disclose the nature and extent of his interest to the Executive Committee.
- (c) Such members shall not take part in any deliberation or decision of the Executive Committee with respect to that contract.

5.0 MEMBERSHIP

- (a) Membership shall consist of the following classifications:
 - (i) Probationary
 - (ii) Junior (Nipper)
 - (iii) Cadet
 - (iv) Active
 - (v) Reserve Active
 - (vi) Long Service
 - (vii) Award
 - (viii) Associate
 - (ix) Honorary
 - (x) Life
 - (xi) General
 - (xii) Social
- (b) Membership qualifications and conditions shall be governed by the relative clauses of the By-Laws.
- (c) Continued membership of the Club, with the exception of Life Members who shall be deemed members for the term of the life, shall be subject to annual renewal in accordance with directives issued from time to time by Surf Life Saving Australian Limited.
- (d) Candidates for admission as Associate and Social members shall be nominated in writing on the proper form by a financial member of the Club. Such nomination shall be accompanied by the appropriate fee.
- (e) Proof of age shall be provided by all candidates for membership who are under eighteen (18) years of age by the first day of October in the year in which they seek membership of the Club.
- (f) All applications shall be posted on the noticeboard of the Club for a period of not less than seven (7) days before election, provided that also an interval of not less than fourteen (14) days shall elapse between nomination and election.
- (g) Such application for membership shall be dealt with at the next meeting of the Executive Committee.

- (h) The Executive Committee may reject any nomination for renewal of membership of the Club.

6.0 ELECTION OF LIFE MEMBERS

The Life Membership Committee shall consist of five (5) Life Members who shall be elected, together with its Chairperson, at the Annual General Meeting.

This Committee shall meet annually and have the authority to elect to Life Membership of the Club, any member who, in the opinion of the Life Membership Committee, warrants this honour due to outstanding service to the Club with a minimum requirement of ten years membership.

7.0 CLUB OFFICERS

- (a) The Officers of the Club shall be:

- President
- Vice President
- Director of Finance
- Club Captain
- Secretary
- Chief Instructor
- Patrol Officer
- Surf Sports Officer
- Youth Development Officer
- Membership Officer

- (b) Other positions may be appointed by the Executive Committee and shall be included in the By Laws.
- (c) Nominations for all elected positions shall be submitted in writing duly proposed and seconded, and endorsed by the nominee and close with the Secretary twenty-one (21) days prior to the advertised date of the Annual General Meeting.
- (d) All Officers of the Club shall be elected at the Annual General Meeting.

8.0 EXECUTIVE COMMITTEE

- (a) The management of the Club shall be vested in the Executive Committee which shall consist of the following Officers of the Club;

- President
- Vice President
- Director of Finance
- Club Captain
- Secretary

- (b) The Chairperson shall have a deliberate vote as well as a casting vote.

- (c) The Executive Committee shall meet at least once a month with three days' notice to be given and three (3) voting members to form a quorum.

9.0 POWERS OF THE EXECUTIVE COMMITTEE

- (a) The Executive Committee shall have power to draw up and effect from time to time Regulations and By-Laws to be finally adopted or rejected at the next Annual General Meeting of the members.
- (b) The Executive Committee shall be responsible for the operation of the Club.
- (c) The Executive Committee shall receive minutes, reports and recommendations from all sub-committees.
- (d) The Executive Committee shall have power to fill all vacancies occurring during the year.

10.0 ATTENDANCE AT EXECUTIVE MEETINGS

Should a member of the Executive Committee be absent from two consecutive meetings, or four such meetings during the year without submitting a reasonable excuse to the Executive Committee, the office and seat occupied by the member shall be declared vacant.

11.0 STANDING COMMITTEES

Standing Committees that may be duly created shall be provided for in the By-Laws and shall operate and function in accordance with this Constitution and By-Laws.

No where is it the intention that any Standing Committee shall supersede the powers of the Executive Committee.

12.0 SUB-COMMITTEES

The Executive Committee may appoint Sub-Committees and delegate to such Sub-Committees such powers as it thinks fit and any such Sub-Committees shall in the exercise of the powers so delegated conform to any regulations that may be imposed upon them by the Executive Committee.

13.0 MINUTES

Detailed minutes shall be made of all business transacted at General Meetings, Executive Committee Meetings and all meetings of Standing and Sub-Committees.

14.0 EMPLOYEES

The Executive Committee may employ persons on such terms and conditions as it considers necessary.

15.0 FINANCE

- (a) The negotiable documents of the Club shall be under the direct control of the Executive Committee. All cheques must be signed by any two of the following signatories:-

President
Vice President
Director of Finance
- (b) The Executive Committee may approve petty cash advances as it thinks fit.
- (c) All monies received by the Club shall be banked at a Bank or Financial Institution nominated by the Executive Committee.
- (d) All accounts shall be presented to, and approved by, the Executive Committee.

16.0 FINANCIAL YEAR

- (a) The financial year shall be from the first (1st) day of May to the thirtieth (30th) day of April in the ensuing year.
- (b) At least once in every financial year the books and accounts of the Club shall be audited by a registered Auditor appointed at the Annual General Meeting.
- (c) A copy of the Auditor Certificate is to be included in the Annual Report.

17.0 FEES

- (a) Fees shall be due on the first (1st) day of May, and no unfinancial member at the succeeding Annual General Meeting shall be eligible to vote.
- (b) For all other Special and General Meetings, a financial member shall be one who is fully financial.
- (c) The nomination fee and annual subscriptions for Club Membership shall be set by the Executive Committee at the last Executive Committee meeting prior to the Annual General Meeting and shall be ratified by the members at the Annual General Meeting.
- (d) Annual subscription or nomination fees shall be paid by the first (1st) day in November each year otherwise membership shall lapse.
- (e) The Executive Committee shall have the right to review fees in the case of hardship or absence from the Club.
- (f) Any member indebted to the Club shall be deemed unfinancial.

18.0 COMMON SEAL

There shall be a Common Seal engraved with the name of the Club and it shall be kept in the care and custody of the Secretary at the Club's premises. The Seal shall not be used or affixed to any Deed or other document except pursuant to and by virtue of a Resolution of the Executive Committee and in the presence of the President, Vice President and/or Secretary.

19.0 CLUB MEETINGS

- (a) The Annual General Meeting shall be held before the end of June, in each year to receive the Annual Report and Balance Sheet and to elect the Officers of the Club for the ensuing year and to transact such other business brought forward in accordance with this Constitution.
- (b) The Executive Committee shall call a Special General Meeting when any question of importance arises and shall be bound to do so on receiving a requisition signed by eight (8) members and addressed to and served on the Secretary of the Club.
- (c) Written notice thereof shall be forwarded to each member by the Secretary at least seven (7) days before the date; fifty (50) percent of financial members eligible to vote to form a quorum. Failing such quorum the meeting shall be held within twenty-one (21) days later after due notice has been given.
- (d) Members eligible to vote at Annual General and Special General Meetings shall be restricted to Life Members, Officers of the Club, and members holding any of the following Surf Life Saving Awards:-
 - (i) Bronze Medallion
 - (ii) Advanced Resuscitation Certificate

No new member shall be entitled to vote at any meeting of the Club until six (6) months after the acceptance of nomination.

- (e) The business of the Annual General Meeting, or any other meeting called pursuant to this Clause, shall be in accordance with the By-Laws.
- (f) This Constitution can only be added to or amended or repealed at a Special or Annual General Meeting by a three fourths majority of members in attendance at the meeting who are eligible to vote, provided fifty (50) percent of the financial members eligible to vote are present. Also, provided at least seven (7) days notice of proposed amendments thereof can be given in writing to the members by the Secretary. At least twenty-one (21) days notice of proposed amendments shall be given in writing to the Secretary.
- (g) Subject to Clause 9.0 (a), the By-Laws can only be added to or amended or repealed at a Special or Annual General meeting by a three fourths majority of members in attendance at the meeting, provided fifty (50) percent of the financial members eligible to vote are present. Also, provided at least seven (7) days notice of proposed amendments thereof can be given in writing to the members by the Secretary. At least twenty-one (21) days notice of proposed amendments shall be given in writing to the Secretary.

20.0 CLUB COLOURS

- (a) The Club colours shall be Red, Black and White.
- (b) All designs, logos, uniforms and badges shall be approved by the Executive Committee.

21.0 PATROLS

- (a) Unless otherwise provided for in this Constitution and By-Laws, all members must perform patrol duties in accordance with Patrol By-Laws set out as part of this Constitution.
- (b) The Executive Committee shall have the power to grant exemption from Patrols in accordance with this Constitution, Club By-Laws and the Rules of Surf Life Saving Australia Limited.
- (c) All members intending to or required to patrol in the current season shall pass the Annual Proficiency Test as set down by Surf Life Saving Australia Limited. Failure to pass the Annual Proficiency Test may lead to cancellation of membership.

22.0 JUDICIARY COMMITTEE

The Judiciary Committee consisting of three (3) past Presidents of the Club, not being current officer bearers, shall be elected, together with a chairperson at the Annual General Meeting of the Club and shall have such powers as specified in the By-Laws.

23.0 CONDUCT

- (a) Any member who infringes the Constitution or By-Laws of the Club or in any way misconducts himself either on the Club premises or during the course of any activities of the Club at any place, or whilst acting as a member of the Club at any place, or performing duties on behalf of the Club or in any way by his actions discredits the Club, may be called before the Judiciary Committee to answer such allegations. The Judiciary Committee shall hear such charges and deal with each case as appropriate.
- (b) A member dealt with by the Judiciary Committee shall have the right of Appeal in writing within fourteen (14) days to the Executive Committee which may vary the Judiciary Committee's actions as it thinks appropriate. The decision of the Executive Committee shall be final.

24.0 MEMBERSHIP RENEWAL OR CANCELLATION

- (a) The Executive Committee may expel or refuse the renewal of membership to any member, subject to appeal in writing by such member within fourteen (14) days to a Special General Meeting called in accordance with Clause 19.0 (b) of this Constitution.
- (b) Pending the hearing of the appeal the member shall be deemed suspended from the Club.

- (c) Any member expelled from the Club shall forfeit all claims on the property of the Club and shall cease to be a member thereof.

25.0 CLUB PROPERTY

No person shall on any occasion remove from the Club premises any property belonging to the Club without first receiving permission from a Club Officer. Persons receiving such permission shall be held responsible for the articles until they are returned.

26.0 MEMBERS BOUND BY RULES

Every member of the Club shall be bound by the Constitution and By-Laws of the Club and those of the parent body of the organisation.

27.0 REGISTER OF MEMBERS

- (a) The Club shall keep an up to date register of members, together with their residential or postal address, in respect of each class of membership. The register must be continually available for inspection at the Club premises.
- (b) All notices posted or delivered to the last known address of a member shall be deemed to be valid and to have been delivered in the normal course of business.
- (c) The Secretary shall forward to each newly elected member confirmation of membership status.

28.0 GUESTS

The maximum number of guests per member per day for the purposes of section 48(4)(b) of the Liquor Licensing Act 1988 is three (3).

29.0 ALTERATIONS/AMENDMENTS

As soon as is practicable after the making of any proposal for a change to the Constitution or Rules of the Club, the Secretary shall provide to the Director of Liquor Licensing, certified particulars of the change proposed. No effect will be given to the change without the prior approval of the Director of Liquor Licensing.

30.0 DISSOLUTION OF CLUB

- (a) The members of the Club may, at a Special General Meeting, duly convened for that purpose resolve upon the dissolution of the Club by a resolution passed by at least three-fourths of the votes held by the members present at such meeting and subsequently confirmed by a similar majority at a second meeting held not less than twenty-one (21) days nor more than thirty-five (35) days after the first meeting.

- (b) If such a resolution shall be duly passed and confirmed, the members present at the second meeting shall appoint two or more members of the Club to act as Trustees for the purpose of winding up the business of the Club.
- (c) Thereafter the Club shall be deemed to exist only for the purpose of winding up the business of the Club and distributing the assets as hereinafter provided.
- (d) Upon the dissolution, the real and personal property of the Club shall be transferred to Surf Life Saving Western Australia (Inc) to be held in trust and used at its discretion to provide lifesaving equipment at City Beach or to form another Surf Life Saving Club at such beach if and when the opportunity arises.
- (e) The receipt of the proper officer of Surf Life Saving Western Australia (Inc) for the real and personal property transferred pursuant to Clause 30 (d) of this Constitution shall be a good and sufficient discharge to the Trustees and they shall not be bound to see the due application thereof.