

# Regulations

**YAMBA SURF LIFE SAVING CLUB INCORPORATED (founded in 1908)**

## **Part 1 Preliminary**

### **1 Interpretation**

Unless otherwise defined, terms appearing in these Regulations have the same meaning as in the Constitution. To the extent of any inconsistency, the meaning of the terms set out in the Constitution shall prevail.

### **2 Changes to Regulations**

All changes to the Regulations must be carried out in accordance with the Constitution.

## **Part 2 Club Structure**

### **3 Duties of Board members**

#### **a. President**

The President is the official representative of Yamba SLSC. The President shall also mediate disputes and conflicts between members of the Board. The President is a non-voting member of all Sub-Committees. The President is also responsible for ensuring that each Board member undertakes their duties and responsibilities competently.

#### **b. Deputy President**

The Deputy President may be delegated the authority from the President to represent Yamba SLSC. The Deputy President shall be responsible for disciplinary matters.

#### **c. Secretary**

The Secretary shall perform such functions and have such responsibilities as outlined elsewhere in the Constitution and these Regulations. In addition, the Secretary shall issue notices of meetings as required. They shall propose Yamba SLSC's Annual Report for submission to the AGM. They shall ensure that minutes are taken of all meetings and shall keep a file of minutes, of correspondence and a summary of important motions and

resolutions passed. The Secretary shall appoint the Administration Sub-Committee.

**d. Treasurer**

The Treasurer shall control all financial aspects of Yamba SLSC as authorised. The Treasurer shall pay such accounts which have been presented to the Board and approved for payment. The Treasurer shall ensure that all monies received by Yamba SLSC are paid into an account in Yamba SLSC's name as soon as practicable and a receipt issued on official receipt forms. The Treasurer shall keep proper books of account and present a financial report to each Board meeting. The Treasurer and Assistant Treasurer shall have custody of all bank passbooks, cheque books, order forms, and receipt books. The Treasurer must be a signatory on all Yamba SLSC-owned accounts. The Treasurer shall appoint the Finance Committee members including the sponsorship and marketing co-ordinator.

**e. Club Captain**

The Club Captain shall organise patrols and select the members of the Lifesaving Committee. The Captain shall ensure that all patrolling Members are proficient. The Captain shall have the authority to require any Member to perform any duty consistent with the Constitution and Regulations. The Captain may disqualify any Member from competition if that Member has done insufficient Patrol hours. The Captain shall also liaise with SLSFNC regarding lifesaving services and represent Yamba SLSC at the SLSFNC Board of Lifesaving.

**f. Training Co-Ordinator (Chief Instructor)**

The Training Co-Ordinator shall be responsible for arranging all courses for lifesaving-related awards and qualifications and take a strong interest in all proficiencies at Yamba SLSC. The Training Co-Ordinator shall appoint qualified training officers, and instructors, to groups as required. The Training Co-Ordinator shall appoint the Education Sub-Committee. The Training Co-Ordinator shall be responsible for arranging assessments for all candidates undertaking life saving awards at Yamba SLSC. The Training Co-Ordinator shall also be responsible for maintaining records of qualifications achieved by patrolling Members each season. The Training Co-Ordinator shall also liaise with SLSFNC regarding awards and represent Yamba SLSC at the SLSFNC Board of Education and Assessment.

**g. Competition Director**

The Competition Director shall be responsible for the organisation of all competitors and teams competing in Yamba SLSC's name except Junior Activities Members. The Director shall prepare entries for all carnivals and championships. He shall ensure that proper records are kept and reports are made of results of all events in which Members are involved. The Director may disqualify any Member from competition with the approval of the Board. The Director shall appoint the Competition Sub-Committee. The Competition Director shall also liaise with SLSFNC regarding surf sports and represent Yamba SLSC at the SLSFNC Board of Surf Sports.

**h. Junior Activities Director**

The Junior Activities Director shall be responsible for the administration and conduct of all Junior Activity Members of Yamba SLSC. The Director shall supervise all activities in this area, including education, competition, and all equipment assigned to Junior Activities. The Director shall appoint the Nipper Sub-Committee in accordance with an annual meeting open to all Junior Activities stakeholders, which may or may not include elections.

**i. Club House Director**

The Club House Director shall be responsible for coordinating activities referred to them by the Board. The portfolio shall include, but not be limited to, management of the Yamba SLSC bar, social events, the Yamba SLSC gym, and the Yamba SLSC BBQ. The Director shall appoint the Social Sub-Committee.

**4 Officers of Yamba SLSC**

- a. The Board may appoint Officers as necessary from time to time.
- b. Any positions named below that are not Directors or Assistant Directors shall be deemed Officers, unless described otherwise in the Constitution or below.
- c. Members of the Administration Sub-Committee shall include but not be limited to:
  - i. Secretary
  - ii. Assistant Secretary - \*
  - iii. Registrar - \*
  - iv. Website Co-Ordinator
  - v. Publicity Co-Ordinator - \*
  - vi. Newsletter Co-Ordinator
  - vii. Public Officer
  - viii. Honorary Legal Advisor - \*
  - vix. Club Administration Officer (paid position).
- d. Members of the Finance Sub-Committee shall include but not be limited to:
  - i. Treasurer
  - ii. Assistant Treasurer
  - iii. Sponsorship and Marketing Co-Ordinator
  - iv. Merchandise Officer
  - v. Auditor

e. Members of the Life Saving Sub-Committee shall include but not be limited to:

Lifesaving Director (Club Captain )	}	
Vice Captain - *	}	Members of the
Under 19 Captain - *	}	Lifesaving Panel
IRB Captain - *	}	
IRB Vice Captain - *	}	
Patrol Gear Steward - *	}	
Radio Officer - *	}	
First Aid Officer - *	}	
Assistant First Aid Officer - *	}	
Branch Delegates - *	}	
Hon. Medical Officers - *	}	
Trauma Officers - *	}	

f. The Members of the Education Sub-Committee shall include but not be limited to:

Education Director (Chief Training Officer)	}	
Youth Development Officer	}	Members of the
Club Assessors	}	Education Panel
Club Trainers	}	

g. The Members of the Surf Sports Sub-Committee shall include but not be limited to:

Surf Sports Director	}	
Competition Gear Steward - *	}	
Boat Captain - *	}	Members of the
Boat Vice Captain - *	}	Competition Panel
Club Coaches	}	
Surf Sports Officials	}	
Team Manager	}	

h. The Members of the Junior Activities Sub-Committee shall include but not be limited to:

Junior Activities Director	}	
J.A. Secretary	}	
J.A. Registrar	}	Members of the Junior
J.A. Points Recorder	}	Activities Panel
J.A. Equipment Supervisor	}	
J.A. Social Co-Ordinator	}	
J.A. Uniform Assistant	}	
J.A. Age Managers	}	
Water Safety Co-Ordinator	}	

- i. The Members of the Club House Sub-Committee shall include but not be limited to:

Club House Director	}
Gym Overseer	}
Bar Supervisor	} Members of the
Wedding/Function Supervisor	} General Activities Panel
Club Social Event Co-Ordinators - *	}
W.H & S Officer - *	}
Caretaker	}
Licensee	}
Kiosk Manager	}
House Committee Members - *	}

- j. The Club may also elect any number of Patrons at the AGM. The Board may appoint additional Patrons from time to time.

- k. (i) From time to time as required, the Board may appoint 4 persons to the Judiciary Panel (JP) to consider disciplinary matters in accordance with Rule 16 and shall appoint one of those persons as Chairman of the JP. The Chairman shall report to the Deputy Chairman on completion of the hearing of the Judiciary Panel.

- (ii) From time to time the President may appoint 2 persons to the Grievance Committee for minor disciplinary matters who shall report to the Chairman. Such proceedings and written report shall remain confidential and the written report shall be kept by the President or Administration Director in a sealed envelope for 3 years unless the member exercises his right of Appeal pursuant to the Rule 17. Any person elected to the Board shall not be eligible to be appointed as a Grievance Officer.

- (iii) Disputes between members shall be determined by the Board in accordance with Rule 15.

- l. Nominations of candidates for the election of Directors and those other positions shown with an asterisk in Regulation 4 of this Constitution and shall be made verbally at the AGM. Notwithstanding this Rule the JA Director shall be elected at the JA Annual Meeting prior to the AGM. The Board may from time to time determine not to have elections for any or all of those positions shown with an asterisk in Regulation 4. Such determination may apply for any particular AGM or any number of future AGMs.

## 5 Duties of Officers

- a. Board of Directors as per Clause 3 of the Regulations.

b. Other Officers

- (i) I.R.B. Captain is responsible to the Lifesaving Director for the operation and maintenance of all rescue boats, motors and associated equipment. He shall ensure that rescue boats are available for patrols and other events as required. He shall supervise the training of members in rescue boat operation.
- (ii) Gear Steward is responsible to the Lifesaving Director. He shall ensure that rescue boards, tubes and other patrol equipment are in good repair and ready for use.
- (iii) Radio Officer is responsible to the Lifesaving Director for the care and maintenance of Club radios. He shall ensure that radios are available for patrols, training and other events as required.
- (iv) Patrol Captains are responsible to the Lifesaving Director for the performance of their patrol. They should ensure that patrol members are in attendance and properly signed on. They should supervise the performance of the patrol and allocate duties as required.
- (v) Medical Officers shall advise the Club on medical matters as required.
- (vi) First Aid Officers are responsible to the Lifesaving Director for the stocking of the First Aid Room and for training advice to the Education Director.
- (vii) Recruiting Co-ordinator is responsible to the President for the running of Club recruitment programs. He should liaise with the Captain, Chief Instructor and Competition Director in the operation of recruiting schemes including school visitations.
- (viii) WHS Officer is responsible to the President for all safety issues on the Club premises.
- (ix) Youth Development Officer is responsible to the President, the Competition Director, the Lifesaving Director and Education Director for all active members aged 14 to 18 years. He shall also liaise the J. A. Development Co-ordinator.
- (x) Competition Development Co-ordinator is responsible to the Competition Director for Club development programs including members coming from the Junior Activities, swimming clubs and athletic clubs etc. He shall closely monitor the development of competitors under the age of 19 years of age.

- (xi) Race Co-ordinator is responsible to the Competition Director for the conduct of Club Championships and other intra-club competitions. He shall maintain records of all races and set handicaps as required.
- (xii) Board/Ski/Swim Co-ordinator is responsible to the Competition Director for the conduct of members in board, ski and swimming events. He shall arrange coaching and training sessions as required. He is responsible for the maintenance of equipment subject to the approval of funds by the Board.
- (xiii) Beach Co-ordinator is responsible to the Competition Director for the conduct of members in beach events. He shall arrange coaching and training sessions as required.
- (xiv) Boat Captain and Vice Captain are responsible to the Competition Director for the conduct of members in boat events. They shall arrange training sessions as required. They are responsible for the maintenance of equipment subject to the approval of funds by the Board.
- (xv) Masters Co-ordinator is responsible to the Competition Director for the conduct of masters competitors. He shall ensure that members are correctly entered in their respective age categories.
- (xvi) Entries Co-ordinator is responsible to the Competition Director for entering members in all S.L.S.A. events. He should ensure that entries are checked for compliance with proficiency, patrol and age requirements.
- (xvii) Club Coach is responsible to the Competition Director for all Club coaching and shall allot duties to assistant and trainee coaches.
- (xviii) Club Team Manager is responsible to the Competition Director for the management of Club representative teams to Branch, State and Australian Championships. He shall ensure that all members have paid travel, accommodation and clothing expenses as required. He shall present a report as required by the Board.
- (xix) Assistant Secretary is responsible to the Administration Director for the compilation of minutes. He shall otherwise assist the Administration Director as required.
- (xx) Assistant Treasurer is responsible to the Finance Director for the collection of subscriptions. He shall otherwise assist the Finance Director as required.
- (xxi) Registrar is responsible to the Administration Director for the maintenance of membership records. He should ensure membership records are up to date and accurately record a members years of membership, financial

status, personal particulars and any other relevant matter. He shall ensure that all members complete a membership form each year or as required and shall supply all necessary information electronically to Surf Guard.

- (xxii) Legal Advisor shall advise the Club on legal matters as required.
- (xxiii) Auditor shall audit the Club's affairs as required by law.
- (xxiv) Delegates may be appointed by the Board from time to time to attend S.L.S.A. meetings. Delegates are responsible to the President. Delegates shall vote in accordance with the wishes of the Board. The President shall be the Club Delegate to SLSFNC unless otherwise determined by the Board.
- (xxv) Kiosk Manager shall advise the Club House Director and the President on all matters relating to the Kiosk and may be called upon by the Board to give a financial statement from time to time.
- (xxvi) Assistant J.A. Co-ordinator is responsible to the Junior Activities Director. He shall liaise with J. A. Director and assist where he is unavailable and organise barbecues including meat, bread, etc. and co-ordinate and set up for activities day.
- (xxvii) J.A. Secretary is responsible to take minutes and send out family information by email and help with new registrations.
- (xxviii) J.A. Publicity Officer is responsible to take activity photos and enter items in the media.
- (xxix) J.A. Training Officer is responsible to assist Age Managers with skills and prepare Nippers for competitions and carnivals.
- (xxx) J.A. Points Recorder is responsible to record weekly attendances, Club championship days and carnival points score and to present the J. A. Director at the end of the season with the results for the annual presentation day.
- (xxxi) J.A. Uniform Officer is responsible to assist families with purchasing of uniforms on Nipper activities days and other occasions when convenient.
- (xxxii) J. A. Age Managers to be responsible to the J.A. Director for the management and supervision of junior activity members in a particular age group and to arrange for the teaching of fundamentals of surf life saving, attend meetings, help with activity days, set up and packing up.
- (xxxiii) J. A. Social Committee to help fun days, social outings, carnival preparations and fundraising activities.

- (xxxiv) Equipment Gear Steward to keep the boards and other equipment in reasonable repair and to be responsible for boards that may need replacing and liaise with the J. A. Director in that regard.
- (xxxv) Youth Development Co-ordinator is responsible to the President for the movement of junior activity members into the lifesaving operations of the Club. He should liaise with the J. A. Director, Lifesaving Director, Competition Director, and Education Director as required.
- (xxxvi) House Manager is responsible to the Club House Director for the management of areas of the Clubhouse and other properties under the control of the Club. He should ensure that rooms are well maintained and that fixtures and fittings are repaired as required.
- (xxxvii) Carnival Organiser is responsible to the Surf Sports Director for the organisation and running of the Club's annual surf carnival. He shall present a report and balance sheet as required.
- (xxxviii) Special Events Co-ordinator is responsible to the General Activities Director for the organisation and running of special events such as ocean swims. He shall present a report and balance sheet as required.
- (xxxix) Social Events Co-ordinator is responsible to the General Activities Director. He shall prepare a social calendar at the start of each season. He shall organise and conduct social functions as approved by the Board. He should ensure that all members receive sufficient notice of social events. He should present to the Board a report and balance as required.
- (xxxx) Gymnasium Co-ordinator is responsible to the General Activities Director for the running of the Club's gymnasium. He should ensure that any fees are collected and keys issued in accordance with the policies of the Board. He shall also liaise with the House Manager and General Activities Director on the maintenance and repair of the gymnasium and its equipment and the upgrading and replacement thereof from time to time.
- (xxxxi) Historical Co-ordinator is responsible to the Administration Director for recording the history of the Club.
- (xxxxii) Bar Manager is responsible to the Club House Director and Treasurer for the conduct of the bar in accordance with the Law. He shall give a report and balance sheet to the Board as required.
- (xxxxiii) Assistant Sponsorship Co-ordinators are responsible to the Finance Director for the management of sponsors as required.

(xxxxiv) Publicity Officer is responsible to the Administration Director. He shall ensure that maximum publicity is obtained for the Club's activities.

(xxxxv) Newsletter Editor is responsible to the Administration Director for the publication of a regular Club newsletter. The newsletter should contain a summary of upcoming and past events for the information of members.

(xxxxvi) The Merchandising Manager and his assistant are responsible to the Finance Director for ordering and sale of all club apparel and merchandise as approved by the Board. They shall give a report and Balance Sheet to the Board as required.

(xxxxvii) Chairman of the Judicial Panel is responsible to the Deputy President for the conduct of disciplinary hearings.

(xxxxviii) Judiciary Panel members are responsible to the Deputy President and shall assist the Chairman as required.

(xxxxix) Two Grievance Officers not being members of the Board shall report to the President and conduct their inquiries in respect of all minor incidents in accordance with SLSA Policies. Their reporting and the results thereof shall remain strictly confidential.

## **6 Honorary Legal Advisor**

- a. The Board shall appoint an Honorary Legal Advisor to advise the Board on legal matters.
- b. The Honorary Legal Advisor is a de-facto member of the Rules Panel if they so choose.

## **Part 3 Club Operations and Conduct**

### **7 Patrols**

- a. All Members eligible for patrols shall patrol in accordance with Yamba SLSC's Lifesaving Service Agreement under the direction of the Club Captain.
- b. No Member may receive any Yamba SLSC trophy or award if their patrol record for that season has been unsatisfactory. If that Member is a member of a team, then that team shall not be considered for any award or trophy.
- c. Satisfactory patrol records shall be determined by the Board prior to the beginning of each patrol season, on recommendation from the Club Captain, and published by Bulletin.
- d. Members must attend all rostered patrols or shall arrange a suitably qualified substitute.

- e. Patrol substitutions should be confirmed in advance in writing between both relevant Members. The Member originally rostered should inform their Patrol Captain of the name of the substitute.
- f. No patrolling Member may leave the area being patrolled without the permission of the Patrol Captain on duty.
- g. Patrolling Members shall perform any duties allotted to them by the Patrol Captain on duty.
- h. Patrolling Members shall carry out lifesaving practice at the discretion of the Club Captain, the Chief Instructor, or the Patrol Captain on duty.
- i. Patrol Members shall be uniformed properly in accordance with the current SLSA Uniform Policy, and shall be responsible for their own patrol uniform.
- j. Any Patrolling Member—or any Member identifiable as a lifesaver by virtue of patrol uniform or possession of lifesaving equipment—shall proceed promptly to any person in distress or requiring assistance, and render assistance according to that Member’s level of qualification.
- k. The Patrol Captain on duty shall ensure that adequate lifesaving equipment is on the beach and ready for use, and that such equipment is checked and cleaned before being put away.
- l. The Patrol Captain on duty shall ensure that all logs and forms are filled out in accordance with the requirements of SLS Governing Bodies.
- m. Patrols shall at all times carry out their duties in accordance with current policies, procedures, and training specified by the SLS Governing Bodies.
- n. Members absent from a rostered patrol without a substitute may be withdrawn from any competition at any time by the Board.
- o. Any Member attending any competitive event or training in preference to a rostered patrol without a substitute may be withdrawn from that competition immediately by the Club Captain. The Club Captain may not delegate this authority, except in writing to the Assistant Club Captain in exceptional circumstances (e.g. overseas travel). Any such delegation in writing shall specify the start and end date of the authority, and shall be communicated to the Competition Director and the Junior Activities Director.
- p. Any Member whose patrol record for any season, or part thereof, is deemed by the Club Captain to have been unsatisfactory, may be required to show why their membership should not be cancelled by the Judiciary Panel. The Club Captain must issue such a notice in writing and the Member concerned shall have seven (7) days to reply in writing to the Secretary.

- q. The Club Captain may, from time to time, issue written notice of non-compliance on patrol to members in breach of Yamba SLSC and SLS Governing Bodies' regulations, policies, and procedures. Members' repeated breaches or failure to correct breaches notified may result in referral to the Judiciary Panel.

## **8 Club Apparel**

### **a. Club Colours**

The colours of Yamba SLSC shall be gold and black.

### **b. Club Competition Cap**

Yamba SLSC's competition cap shall be gold with one black stripe.

### **c. Club Badge**

- i. The Club badge shall consist of a white circle with the word "YAMBA" surrounded by a gold life buoy containing the letters "SLSC" and a black cross.
- ii. The only permissible alteration in reproducing Yamba SLSC's Badge is scale. This means all components should always appear in the same relative scale.
- iii. Yamba SLSC Badge is property of Yamba SLSC and shall not be used or affixed to any item of apparel, document or otherwise without the authorisation of the Board.

### **d. Use and Wearing of Club Apparel**

Any items bearing Yamba SLSC Badge, Club Name, or Club Colours in the configuration of the Competition Cap, or any other items of apparel intended to represent Yamba SLSC shall only be used and/or worn with the permission of the Board.

## **9 Club Championships**

- a. Yamba SLSC shall hold Club Championships.
- b. All Club Championships shall be conducted according to the Sports Manual.
- c. Club Championships shall be held annually preferably before the end of the surf life season and during patrol hours.
- d. To be eligible to compete in Club Championships, Members must be proficient in the appropriate surf lifesaving award for their age and have satisfactorily completed the required number of patrol hours.
- e. Club Championships may be conducted in such events as the Competition Director determines.

- f. Club Championships may be conducted over one or more rounds as determined by the Competition Director.
- g. The Competition Director, or his appointee or delegate, shall be the referee at all Club Championship events.
- h. The Competition Sub-Committee shall rule on any protests or complaints as required. Such cases will be handled in a manner consistent with the provisions of the Sports Manual.
- i. Any appeals on decisions of the Competition Sub-Committee shall be decided by the Board. The Board's decision on such matters is final and not subject to further appeal.
- j. In each individual Club Championship event, points shall be awarded as decided by the Competition Director.
- k. Unless otherwise varied by a resolution of the Board, the Competition Director or their delegate shall be the referee at Club Championships.

## **10 Board Procedures**

- a. Every Director is required, by the August Board meeting each year, to submit a forecast of income, expenditure, and capital purchases relating to their Board position for the upcoming season.
- b. The Treasurer, in cooperation with the Finance Sub-Committee, shall be responsible for collating all Director's forecasts into a fiscally viable Budget.
- c. The Budget shall be tabled by the Treasurer at a Board meeting before the beginning of the patrol season, for endorsement by the Board.
- d. The Treasurer should circulate the proposed Budget not less than seven (7) days in advance of the relevant Board meeting.
- e. If the Budget is not approved, through the Secretary the Board shall convene additional urgent meetings until a Budget is approved.
- f. If the Budget is approved, it is the responsibility of each Director to ensure that expenditure within the Director's function remains within Budget during the Financial Year unless approved by the Board.
- g. Individual Directors may authorise expenditures of two hundred dollars (\$200) or less, without the need for Board approval, if the item was incorporated in the Budget approved by the Board.
- h. The Finance Sub-Committee may approve the payment of any expenses or capital expenditure that was provided for in the approved Budget.
- i. Excepting cases dealt with under delegation by the Finance Sub-Committee, the

Board must approve in advance all Yamba SLSC expenditure over \$200, with the exception of essential lifesaving equipment, which may be approved by the Club Captain.

- j. The Board may consider and resolve matters including motions and resolutions by electronic means if it chooses provided that:
  - i. motions and resolutions require a mover and seconder, and a majority of Directors to vote in favour;
  - ii. Assistant Directors may only vote in place of their corresponding Director;
  - iii. any vote put via electronic means shall be recorded in the minutes of the next Board meeting;
  - iv. no changes to the Regulations may be determined by electronic means; and
  - v. a vote shall be deferred until the next Board meeting if two (2) or more Directors demand that the vote not be conducted by electronic means.

## **11 Conduct and Behaviour**

- a. For the purposes of this section, Club Premises also includes any place where Members are present at any Yamba SLSC or SLS Governing Body sanctioned event, or are representing Yamba SLSC or any of the SLS Governing Bodies.
- b. No member shall make any public statement regarding Yamba SLSC without authority from the Board.
- c. No member shall express a personal opinion or view in such a way as might be construed to be the opinion or view of Yamba SLSC, without written authority from the Board.
- d. On entering Club Premises or the patrolled area, all eligible Members may be deemed to be on duty by the Club Captain or the Patrol Captain on duty.
- e. No Member shall by their acts or omissions cause damage to Club Premises or any Yamba SLSC property.
- f. No Member shall use offensive, demeaning, or indecent language on Club Premises.
- g. Members shall at all times keep Club Premises and its environment clean and tidy, and shall obey any notices posted with the authority of a Director or Officer.
- h. Members subject to Discipline proceedings under Article 15 of the Constitution are entitled to call any other Member to give evidence.
- i. Members appearing before the Judiciary Panel or any other meeting regarding a disciplinary matter shall answer truthfully and shall not mislead or attempt to mislead the enquiry whether by giving false evidence or by omitting facts known to

the Member or otherwise.

- j. All Members shall abide by all laws whilst on Club Premises.

## **12 Rules of Debate**

- a. All references in this Section to Members refer to Members present and entitled to vote.
- b. Whenever the Chairperson rises during debate, the person then speaking shall be silent and resume their seat.
- c. The Chairperson may call upon any person to withdraw and apologise in the case of any remark deemed offensive or imputing improper motives.
- d. If a Member raises a point of order, the person speaking shall be silent and seated until the Chairperson has ruled on the point of order.
- e. The Chairperson may call a Member to order. If such Member persists in being disorderly, the Chairperson may call on them to withdraw from the meeting.
- f. It shall not be permissible to dispute the Chairperson's rulings, or to move a motion of dissent from a ruling on matters of procedure or points of order.
- g. Any Member desiring to speak shall stand and address the Chairperson.
- h. If two or more persons rise to speak at the one time, the Chairperson shall decide who has the priority.
- i. The meeting may decide that a person shall or shall not be heard, providing that a motion of this nature shall not be debated.
- j. No Member shall interrupt another Member who is speaking except to raise a point of order.
- k. No Member shall digress from the subject under discussion.
- l. No Member shall use offensive or demeaning language.
- m. Notwithstanding paragraph (f), it shall be permissible for any Member to move a motion of dissent in a ruling of the Chairperson.
- n. At any time during debate, a Member may move "that the question now be put." Providing the Chairperson is satisfied that reasonable time has been allowed for debate, the motion shall be put without debate; this need not be seconded. It shall not be permissible for the mover, seconder, or any person who has already spoken on the motion or an amendment to move "that the question now be put."
- o. If a motion under paragraph (n) is carried, the original motion or subsequent amendments shall be put to the vote without further debate, except that the mover

thereof has a brief right of reply – the time of which shall be limited by the Chairperson. If the motion under paragraph (n) fails, the debate may proceed.

- p. A Member may move to adjourn any debate to a subsequent meeting. If such a motion fails, 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 right of reply.
- q. Any Member proposing a motion or amendment shall state its nature before addressing the meeting thereon.
- r. The mover of a motion shall not occupy more than ten (10) minutes and any other speaker more than five (5) minutes, except that the meeting may grant an extension of time to any speaker.
- s. No Member may speak more than once on a motion except with the Chairperson's permission, in explanation or reply, or to ask a question, but may speak again on any amendment to the motion.
- t. The mover's right of reply is at the end of debate.
- u. The mover of a motion must have the consent of the seconder, and the approval of the meeting, before changing the wording of a motion.
- v. An amendment cannot be moved which is a direct negative of the original motion.
- w. The mover or seconder of the original motion may not move or second any amendment, but may speak on such amendment.
- x. A Member may only move or second one amendment to each motion.
- y. Only one amendment can be considered at any one time.
- z. The mover of an amendment has no right of reply.
- aa. Amendments shall be put to the meeting before the motion and shall be committed to the meeting in the order in which they are received.
- bb. When an amendment is carried, the motion as amended becomes the motion before the meeting.
- cc. Motions and amendments can only be withdrawn when the majority of those Members present consent.
- dd. If after a motion has been determined, it is considered in the general interest that the matter should be re-opened for discussion before termination of the same meeting, the meeting may order its re-committal by a motion carried by more than two-thirds of Members present.

## **Part 4 Special Purpose Funds**

### **13 Special Purpose Funds (SPF)**

- a. The Club may from time to time establish a Special Purpose Fund (SPF) to raise and accumulate funds for a special purpose that will result in the development, improvement and/or benefit of the Club. It is anticipated that the term of any SPF will extend over a number of financial reporting years.

### **14 Organisational Structure**

- a. Each SPF will
  - i. be managed by a committee (SPF Committee) appointed by, and reporting to, the Board of Directors.
  - ii. Formulate and formally document the SPF by-laws and day to day operating procedures and practices under which SPF Committee will operate. These procedures and practices must be approved by the Board of Directors and may be subject to change from time to time.
  - iii. Be comprised of members having the required knowledge skills and interests consistent with the purpose and objectives of the SPF.
  - iv. Be given a name describing the nature of the SPF.
  - v. Be ratified as a properly authorised fund by the Board.
  - vi. Continue until the purpose of the fund expires or is terminated.
- b. The SPF Committee will be comprised of at least 4 members
  - i. A Chairman and Deputy Chairman.
  - ii. One (1) Life Member.
  - iii. As many Committee Members as determined by the Board of Directors. Each Committee Member will have at least 5 years service with the Club and not currently be a member of the Board of Directors.
  - iv. One or more honorary advisors.
- c. Within the SPF Committee
  - i. The Finance Director will be appointed Chairman or Deputy Chairman.
  - ii. Each committee member will have one vote except for honorary advisors who will have no voting rights.

- d. Each SPF Committee Member must sign a Statement advising of any interests – both pecuniary and non pecuniary - which may adversely impact the impartiality of their role on the SPF. This Statement must at least disclose
  - i. any personal business interests or conflicts that may impact or influence the strategy, decisions or direction of a SPF.
  - ii. Details of any bankruptcy, conviction of fraud or any other criminal Record

## **15 Board Control of the SPF**

- a. A SPF will provide
  - i. on a quarterly basis a written report to the Board of Directors. on the activities and status of the SPF.
  - ii. a financial report in a format specified by the Cubs Treasurer and Auditor submitted in a timely manner to be consolidated in the Clubs Yearly Financial Report.
- b. Control of a SPF will revert to the Board of Directors if:
  - i. Board cannot identify any members having the qualifications required of committee members
  - ii. Accusations of irregularities, negligence or fraud have been levelled against the SPF Committee
  - iii. Control will not revert to the Board when such accusations relate to a specific SPF Committee Member and not the Board as a whole. Where accusations are made against a SPF Committee Member, the Board must request the SPF Committee Member stand aside until such accusations are formally and fully investigated or until the Member resigns from the SPF Committee.

## **16 Appointment to a SPF**

- a. The Board may accept nominations for appointment to a SPF Committee at
  - i. An Annual General Meeting (AGM)
  - ii. A Meeting of the Board of Directors
- b. The Board of Directors will select the most suitable nominee from those nominated given the individuals skills and the purpose and objectives of the SPF.

- c. An Appointee will only be confirmed when the Statement as described in clause 14b. above has been signed and presented to, and accepted by, the Board of Directors.
- d. An appointee once confirmed will remain on the SPF Committee unless that Member resigns from the Committee, the Committee is dissolved or the SPF is terminated.
- e. Where a SPF Committee member resigns the Board must within 60 days of the SPF Committee members resignation advertise to Club Members for nominees for an acceptable replacement

## **17 Winding Up of an SPF**

- a. A SPF can be wound up by:
  - i. The SPF Committee providing a unanimous resolution to the Board that the SPF should be terminated.
  - ii. The SPF Committee Charter comes to a natural end ie the existence of the SPF is no longer necessary.
  - iii. All remaining funds at the time of winding up will revert to the operational funds of the Club.

## **18 Request for Information**

- a. The Board can request a SPF to provide a written report on the SPF's operational and financial performance.
  - i. The SPF must respond by the second monthly Board meeting after the request has been made.
  - ii. Should the SPF not respond to the Boards request the Board can without notice, dissolve the SPF Committee and appoint a new committee
  - iii. The failure to respond does not entitle the Board to wind up the SPF.

## **19 SPF Funding**

- a. SPF funds could be sourced from
  - i. direct donations
  - ii. return (eg interest) on funds invested

- iii. Special Events. The SPF can raise monies through special events and fund raising activities – such events to
  - be co-ordinated with the General Activities Director and approved by the Board of Directors whose decision on whether the event will take place and/or the allocation of money to the SPF will be final
  - have all financial records maintained by the Finance Director. The Finance Director will within 2 board meetings after the SPF event provide a financial statement to the SPF Committee specifying the income and expenditure of the special event. (event finalisation). The Finance Director's financial statement will be considered to be the final record of a Special Events financial result.
  - make no charge on SPF funds where a special event results in a net loss Any funds due to the SPF through a special event must be paid to the SPF within 60 days of the event finalisation.
- iv. Special Allocation by the Club. On a 6 monthly basis the Board of Directors will consider the allocation of Funds from its operating activities to a SPF. Any allocation of such funds will
  - Be made at the absolute discretion of the Board Of Directors
  - Will consider factors such as assistance in the clubs fund raising activities by the SPF Committee members, overall financial performance, likely future requirement of the SPF for finance etc
  - Be payable within 90 days of the allocation being approved by the Board of Directors.

## **20 Distribution of Funds**

- a. The distribution of funds from a SPF will be:
  - i. Subject to the by-laws of the SPF
  - ii. In line with the purpose of the SPF.

## **21 Investment Alternatives**

- a. The SPF Management will be responsible for all activities associated with the management of the SPF including all monies accumulated in the fund.
- b. The SPF may deposit and/or invest any of its funds in one or more:
  - i. savings or cheque trading accounts operated by an ADI

- ii. fixed term or on-call deposit accounts operated by an acceptable financial institution.
- iii. Managed Investment Funds via specialised Investment Fund Managers whose role it is to invest funds in a variety of asset and security types. The criteria for the selection of Funds and fund managers to manage any invested funds are:

Any nominated Fund/Fund Manager must be

- A substantial organisation having significant funds under management
- enjoy a solid reputation in the market place as a prudent investor of client funds
- have a track record of obtaining appropriate financial returns for its clients
- Hold a AFS Licence issued by the Australian Securities and
- Investment Commission
- Be rated by a credit rating agency as investment grade (3 stars or higher)
- Be approved by the Board either generally or in a particular case

Notwithstanding the above requirements the Board shall be deemed to have approved Westlawn Finance Limited as an approved investment corporation to deposit the Club funds unless specifically not approved by the Board in any particular case or generally.

- c. Notwithstanding the above investment management guidelines any investment through Authorised Investment Fund Managers must
  - i. Be in line with that of a Prudent investor considering the purpose, term and other circumstances
  - ii. Not impact the ability of the SPF to meet its current and identified future cash commitments and requirements
- d. If the rating grade of an investment fund falls to a status of “hold” or lower the SPF Committee must within 60 days, review the investment strategy and either

switch investment to an alternative Fund or provide a written explanation to the Board of Directors as to why the SPF should continue to invest in the Fund.

## **22 General Investment Guidelines**

- a. The following general practices will apply to any investments of club funds whether through an acceptable financial institution or Investment Fund Manager. Such investments must:
  - i. Only be via the forms of investment documented above. Specifically excluded are direct investment in stocks or shares, purchase of capital items which are outside those required by a surf life saving club, purchase of property, loans to individuals or organisations. Excluded from this restriction are all forms of investments and assets that have been directly donated to the Club.
  - ii. All investments must be in the name of Yamba SLSC however a sub reference to the purpose of the investment can be included as a subsidiary title in any investment account.
  - iii. All investments will be for the exclusive use benefit and purpose of Yamba SLSC and no member or beneficiary shall have or acquire individual rights therein nor become entitled to any apportionment on the surrender of any part thereof.
  - iv. No investment account can be in overdraft or have a actual or potential negative balance
  - v. The treasurer must be a member of any sub-committee involved in the management or investment of funds and must be one of three signatories nominated to operate on any financial or investment account – any two of which must authorise every financial transaction.
  - vi. All members of the Board of Directors and members of an SPF committee must sign a Statement regarding their association with any ADI or nominated Investment Fund Manager.

----- END OF REGULATIONS -----

