

Surf Life Saving Queensland Sunshine Coast Branch Incorporated

Constitution and By-laws



SUNSHINE COAST
QUEENSLAND

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PART 1 - THE CONSTITUTION

SECTION A - Name, Control, Objects, Badges

1 - NAME, INTERPRETATION AND DEFINITIONS

1.1 NAME

The name shall be "Surf Life Saving Queensland Sunshine Coast Branch Inc, hereinafter referred to as "The Branch".

- (a) ASSOCIATION - shall mean "Surf Life Saving Australia Limited" or SLSA;
- (b) AUSTRALIAN COUNCIL - shall mean the Body consisting of the S.L.S.A. (Association) Directors.
- (c) STATE CENTRE - shall mean "Surf Life Saving Queensland" (SLSQ), which includes Branches, Clubs and their members.
- (d) BRANCH - shall mean Surf Life Saving Queensland Sunshine Coast Branch which includes the affiliated Clubs and their members within the boundaries of that Branch as defined by State Centre and representatives of Auxiliary Organizations.
- (e) COUNCIL - shall mean the Body consisting of the Branch President, Deputy President and Club Presidents (Councillors) and shall act for and on behalf of the Branch during their term of office. (Part 1/B/3/3.1).
- (f) AFFILIATED CLUB - shall mean Clubs which have applied for and been granted affiliation with the Branch.

1.2 INTERPRETATION

In this Constitution: -

- (a) a reference to a function includes a reference to a power, authority and duty;
- (b) a reference to the exercise of a function includes where the function is a power, authority or duty a reference to the exercise of the power or authority of the performance of the duty;
- (c) words importing the singular include the plural and vice versa;
- (d) words importing any gender include the other genders;
- (e) references to persons include corporations and bodies politic;
- (f) references to a person include the legal personal representatives, successors and permitted assigns of that person;
- (g) a reference to a statute, ordinance code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them (whether of the same or any legislative authority having jurisdiction);
- (h) the specification of the objects and powers of the Branch in 1/A/3 of this Constitution are not in any particular order and are not to be construed so as to lead to the construction that any object or power is more important

than any other object or power, nor than any object or power which is specified in detail is more important than any object or power which has not been specified in detail, and no particular object or power will be limited by reference to any other and the rule of construction known as the *ejusdem generis* (of the same kind) rule shall not apply;

- (i) if any provision of this Constitution or any phrase contained in it is invalid or unenforceable in any jurisdiction, the phrase or provision is to be read down for the purpose of that jurisdiction. If possible, so as to be valid and enforceable and otherwise it shall be severed to the extent of the invalidity or unenforceability, without affecting the remaining provisions of this Constitution or affecting the validity or enforceability of that provision in any other jurisdiction;

1.3 DEFINITION

- (a) Where the words "Administration Manager" appear in this document they shall be acknowledged to refer to a Secretary as defined in the relevant Government legislation;
- (b) Where the words "Director Finance and Property" appear in this document they shall be acknowledged to refer to a Treasurer as defined in the relevant Government legislation;
- (c) Where the words "Executive" or "Executive Committee" appear in this document they shall be acknowledged to refer to the words "The Management Committee" as defined in the relevant Government legislation;
- (d) Year – In respect to "Membership" and "Competition", shall mean, in the case of a Club, Branch and State Centre, the period between 1 October in any one year and 30 September in the year following.

2 – CONTROL

- 2.1 The Branch shall be subject to the control of State Centre to the extent of the power of the State Centre and shall have full control over all affiliated Clubs within that part of the State of Queensland extending from Inskip Point to Clontarf Point or as directed by the Australian Council of Surf Life Saving Australia Limited or State Centre from time to time. It shall be charged with the fulfilment of the objects of the Association within the boundaries defined above.
- 2.2 Clubs may be formed on open beaches according to need and/or requirement within the area as being under the control of the Branch subject to application being made to the Branch to form a Club and to seek affiliation thereto, and all Clubs shall have reciprocal rights with each other as provided for in the By-laws.
- 2.3 The Branch may authorize the formation and affiliation of auxiliary organizations providing such organizations have similar aims and objects as the Branch and are subject to the overall control of the Branch.
- 2.4 Topics - Religion and politics and matters such as this shall not be part of the Association business and are banned from discussion at any official meetings held within the Association. These items shall remain as an individual commitment only, without reference to the Association in any way.

3 – OBJECTS AND POWERS

The Branch is a charitable community service organisation with the following objects and powers:

- 3.1 Promote, demonstrate and instruct the methods of Surf Life Saving and advance and control the work of Surf Life Saving, the resuscitation of the apparently drowned, the treatment and resuscitation of any person stung by any marine stinger,

and the application of first aid on surfing beaches and elsewhere.

- 3.2 Carry out research and experiments for the improvement of methods of Surf Life Saving, the resuscitation of the apparently drowned and the treatment of the seriously stung, and to provide efficient life saving equipment of standard design, and oversee the training of members of affiliated Clubs in the efficient use of such equipment to minimize loss of life in surf bathing and elsewhere.
- 3.3 Co-operate with any Organization in improving methods of life saving (whether in still or rough water or elsewhere) and the securing of public recognition and financial support for Surf Life Saving.
- 3.4 Draft and promulgate rules for the management and control of Surf Life Saving and Resuscitation work and, so far as local conditions permit, secure uniformity in such rules.
- 3.5 More effectively carry out the aforesaid objects, develop Surf Life Saving into an organized institution and with these objects in view, foster, regulate, organize and manage examinations, competitions and displays and issue badges, medallions and certificates, and award trophies to successful competitors.
- 3.6 Adjudicate on differences or disputes arising out of examinations, competitions and displays.
- 3.7 Enforce the observance of the Policies, Rules and Regulations of the Association, and written directions from time to time, deal with any infringement thereof, and adjudicate upon all disputes and difficulties between affiliated Clubs or between individual members of affiliated Clubs.
- 3.8 Recommend Meritorious Awards for affiliated Clubs, members and others, in honourable public recognition of difficult and meritorious rescues from the sea and elsewhere, and of deeds of exceptional bravery, from time to time performed in the course of lifesaving in the surf and elsewhere, and to recommend for Civil Honours, and support wherever requested and considered appropriate, nominations.
- 3.9 Promote improved facilities for surf bathing.
- 3.10 Promote uniformity of Rules and Regulations for the control and regulation of surf bathing and assist the authorities in enforcing these Rules and Regulations.
- 3.11 Produce, develop, create, license, and otherwise exploit, use and protect the intellectual property, including but not limited to logos, trademarks, copyright and names in any Surf Life Saving equipment, product, publication or event developed by the Branch.
- 3.12 Acquire by purchase, exchange or otherwise, whether for the estate in fee simple or for any less estate in lands, tenements or hereditaments or any tenure whether subject or not to any charges or encumbrances and erect, replace, maintain, reconstruct, adapt and furnish any offices or other buildings thereon and sell, let, alienate, mortgage, charge or otherwise deal with all or any of such lands, tenements or hereditaments or any part thereof.
- 3.13 Raise or borrow money on bonds, or mortgage, or other security of any property, held for or on behalf of the Branch, or without any such security and upon such terms as the Branch shall think fit.
- 3.14 Receive money on deposit with or without allowance of interest thereon.
- 3.15 Invest the monies of the Branch, not immediately required, in such manner as may from time to time be determined by the Council or the Branch Executive.
- 3.16 Do all or any of the matters hereby authorized, either alone or in conjunction with any person, company or unincorporated body, or by or through any factors, trustees or agents.
- 3.17 The Branch shall have the power (but not the obligation) to do all such other things as may appear to the Branch to be incidental or conducive to the attainment of the foregoing objects or any of them.

- 3.18 Construct, maintain, and alter any houses, buildings or works necessary or convenient for the purposes of the Branch.
- 3.19 Promote the health and safety of members and all other users of the aquatic environment and seek and obtain improved facilities for their enjoyment.
- 3.20 Strive for governmental, commercial and public recognition of the Branch as the authority on aquatic safety and management with its boundaries.
- 3.21 Ensure that environmental considerations are taken into account in all Surf Life Saving and related activities conducted by the Branch.
- 3.22 Encourage members to realize their potential and athletic abilities by extending to them the opportunity of education and participation in Surf Life Saving competition and to award trophies and rewards to successful competitors.
- 3.23 Encourage and promote performance-enhancing drug free competition.
- 3.24 Effect such purposes as may be necessary in the interests of Surf Life Saving and the aquatic environment.
- 3.25 Take any gift of property whether subject to any special trust or not for any one or more of the objects of the Branch.
- 3.26 Take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purposes of procuring contributions to the funds of the Branch in the shape of donations, annual subscriptions or otherwise.
- 3.27 Print and publish any newspapers, periodicals, books or leaflets that the Branch may think desirable for the promotion of its objects.
- 3.28 Establish and maintain corporate entities to carry on and conduct the business affairs and undertakings, or any aspect thereof, of the Branch and for that purpose utilize any of the assets of or held on behalf of the Branch.
- 3.29 Promote any other person or company for any purpose calculated to benefit the Branch.
- 3.30 Purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the companies, institutions, societies or associations whose activities or purposes are similar to those of the Branch or generally for any purpose calculated to benefit the Branch.
- 3.31 Externally administer or assist Clubs and auxiliary organisations experiencing administrative, operational or financial difficulties in any manner the Branch sees fit (including by the appointment of an administrator).
- 3.32 Impose fines, penalties or other sanctions as the Branch sees fit.
- 3.33 Develop Surf Life Saving into an organised institution and with these objects in view, foster, regulate organise and manage examinations, competitions and displays and issue badges, medallions and Certificates, and award trophies to successful competitors.
- 3.34 Participate as a member of Surf Life Saving Queensland (SLSQ) and Surf Life Saving Australia Limited (SLSA) through and by which surf lifesaving and the protection and preservation of life in the aquatic environment can be conducted, encouraged, promoted, advanced and administered;
- 3.35 Conduct, encourage, promote and administer surf lifesaving and the Association as a beneficial, volunteer, member-based, community service, charity and emergency service throughout, and for the safety and protection of the community in the Sunshine Coast;
- 3.36 Conduct, encourage, promote and advance the relief of human distress in the aquatic environment through and by the application and provision of lifesaving standards, equipment, techniques and awards.

4 - BADGES AND COLOURS

- 4.1 The Branch shall have power to control the design and issue of badges, blazers and emblems representative of Branch identification to such persons that may be determined from time to time. Such badges, blazers and emblems shall be obtained only on the written order of the Director Administration & Information Technology or Administration Manager (if appointed) and such written order shall detail the lettering to be embroidered beneath the emblem.
- 4.2 The Branch emblem shall be worn only by accredited representatives and members of teams who are selected or approved by the Branch Selection Committee and shall be to the design appearing in Appendix "C".
- 4.3 The Branch Life Membership Badge shall be presented by the Branch to each duly elected Life Member and shall be to the design appearing in Appendix "C".
- 4.4 The Branch Colours shall be Gold on Black.
- 4.5 The Branch emblem, incorporating the Branch badge, shall be utilized as seen fit by the Branch.

5 - THE COMMON SEAL

- 5.1 The form of the Common Seal shall be as set out in the first part of Appendix "C" of this Constitution together with the words "Surf Life Saving Queensland Sunshine Coast Branch" around its perimeter and the words "The Common Seal of" in its centre.
- 5.2 The Executive shall provide for the safe custody of the Seal.
- 5.3 The Seal shall only be used by the Authority of the Executive, and every document to which the Seal is affixed shall be signed by two members of the Executive one of whom shall be the President.

SECTION B**Composition, Membership, Affiliation, Management****1 - COMPOSITION/MEMBERSHIP**

- 1.1 The composition of the Branch shall consist of its Affiliated Clubs and their Members who shall, automatically, be members of the Branch and such membership shall be unlimited and the representatives of Auxiliary Organizations.
- 1.2 The Registered Membership of the Branch shall be appointed/ elected Councillors, Directors/Officers, Life Members (see By-Laws), Members of Affiliated Clubs and representatives of Auxiliary Organizations, provided that a register of such members shall be prepared at the commencement of each year, and shall be updated from time to time as required, and further provided that no membership fee shall apply and the register shall serve as a notification list for advice of Council meetings and other meetings from time to time.
- 1.3 Subject to paragraph 1/B1.7, membership of the Association shall be available to males and females provided that Active Membership shall be limited to holders of the Surf Bronze Medallion.

- 1.4 A member of a Life Saving Organization affiliated with International Life Saving may be accepted as a member of an affiliated Club provided that the member complies with all the conditions of the Association and its Rules, Regulations and Manuals.
- 1.5 In this Constitution and in the By-laws, words importing the masculine gender shall include the feminine gender and shall not infer a restriction upon the gaining or holding of Awards, Membership or Office - on the sole basis of gender.
- 1.6 In respect to female members, the Clubs shall provide adequate and separate amenities which are satisfactory to the State Centre.
- 1.7 All applications for membership shall be made on the approved Association Form and all members shall be bound by this Constitution, the By-Laws, the Appendices, Resolutions and the Association's Memorandum of Association, Articles of Association and Regulations.
- 1.8 Members of affiliated Clubs must renew their membership of their Club annually in accordance with the provisions of the Constitution of their Club.
- 1.9 Because the Branch is comprised of elected or appointed membership, there is no right of rejection or right against termination of membership and therefore no right of appeal against rejection or termination of membership. However, the Councillors may be rejected or terminated from office or appointed membership.

2 - AFFILIATIONS

- 2.1 Each Club and Auxiliary Organization within the Branch area shall apply annually for affiliation, such application, accompanied by the prescribed affiliation fee, as may be determined from time to time, shall be made prior to the Annual General Meeting, and may be approved by the Branch providing such application complies with the requirements of the Branch Constitution and conditions set down from time to time and further, providing that an application may be received and granted after the prescribed date. No Club shall be entitled to membership after the date of the Annual General Meeting until such time as an application for affiliation shall have been made on the prescribed form, accompanied by the prescribed affiliation fee and a copy of the Club's latest audited financial statement and annual report, and accepted.
- 2.2 No Club shall be granted affiliation unless it is Incorporated, or is in the process of Incorporating, under the relevant Government Act, nor remain affiliated unless it and its affiliated bodies subscribe to the Constitution, By-Laws, Regulations, Policies, Rules and written instructions etc., of the State Centre and Branch, and the S.L.S.A.. In the case of a newly formed Club, probationary affiliation may be granted by the Branch to a Club for a maximum period of twelve (12) months.
- 2.3 Affiliation shall not be granted to more than one Club operating in the one bathing area and no club shall be permitted to affiliate with a Branch other than that within the boundaries of whose area it is situated, except when upon special representation, it is agreed by the Branch Council that better life saving services can be rendered by affiliation otherwise.
- 2.4 Continued affiliation of a Club may be subject to challenge for a requirement to show cause why the affiliation should be continued if the Club fails to comply with all or any of the following procedures:

- (a) Carry out and perform the duty of patrolling the Club's designated beach at such times as prescribed by the Branch.
 - (b) Comply with written requests and directions as detailed by State Centre/Branch from time to time.
 - (c) Remain financial with the State Centre/Branch as provided for in 1/D/2.11.
- 2.5 Each Auxiliary Organization which has been authorized by the Branch/State Centre shall apply for affiliation and if granted such affiliation shall remain in force until termination by the Branch/State Centre.
- 2.6 The initial application for affiliation shall be accompanied by a Constitution or a framework of rules under which the applying body intends to operate and such Constitution or Rules shall be subject to approval or otherwise of the Branch/State Centre.
- 2.7 Changes or amendments to the Constitution, Rules, etc., of Affiliated Auxiliary Organizations must not conflict with the Constitution, By-laws, Policies or Rules of the Branch.
- 2.8 Any Club penalized by the Branch shall have the right to appeal to the SLSQ (within fourteen (14) days) as provided for in the By-laws and such appeal shall be dealt with by SLSQ within three (3) months of lodgement.
- 2.9 The Branch:
 - (a) is bound by this Constitution and By-Laws and submit to the authority of the State Centre in relation to the conduct, promotion and administration of surf life saving within the boundaries of the Branch; and
 - (b) must not do or permit any act of thing which, in the opinion of the State Centre, might adversely affect or derogate from the standards, quality and reputation of surf life saving.
 - (c) The Branch may request the appointment of an administrator from the State Centre if experiencing difficulty.
- 2.10 The Branch accepts the State Centre may at any time appoint one or more people to administer the Branch or its assets if, in the State Centre's reasonable opinion and following upon a recommendation from the Branch Executive and approval by the Branch Council:
 - (a) the Branch is experiencing serious administrative, operational or financial difficulties; such as –
 - unable to, or not, upholding the reputation or objects of the association;
 - having difficulty, or not, fulfilling its lifesaving or administrative obligations and/or responsibilities;
 - experiencing financial difficulties and unable to pay debts as they fall;
 - has an unfavourable auditor's report;
 - being subject to an investigation by a Government Agency eg Police, Australian Tax Office etc;
 - having unsatisfactory (non-approved) insurances;
 - being unable or unwilling to satisfy its debts to the State Centre;
 - failing to comply with SLSA and/or State Centre Policies, rules etc;
 - experiencing internal management conflicts eg factional problems.
 - (b) It is in the best interests of surf life saving, the Branch or its members that all or some of the operations, affairs,

conduct or management of the Branch be investigated, reviewed or externally administered or assisted, or

- (c) the Branch has acted or proposes to act contrary to law, the Constitution or the By-Laws.

2.11 The Branch must:

- (a) promptly provide to administrators all documents, records and assistance (including the execution of documents of instruments) reasonably requested by the administrator from time to time; and
- (b) Indemnify the administrator, and the appointing body against all liabilities incurred by the administrator in the exercise or purported exercise of his or her powers.

2.12 An Administrator appointed to the Branch or its assets:

- (a) is an agent of the Branch which alone shall be responsible for its administrator's acts and defaults;
- (b) notwithstanding this, must act in the interests of the Branch, State Centre and surf life saving;
- (c) subject to the terms of the administrator's appointment, may exercise all of the powers of the Branch and has power to do all things necessary or convenient to be done for or in connection with, or incidental to, the attainment of the objectives for which the administrator was appointed;
- (d) must report to the appointing body about the affairs of the Branch and the administrator's activities when required by the appointing body to do so;
- (e) may make recommendations to the Branch or State Centre about the affairs of the Branch or the matters the subject of the administrator's appointment; and
- (f) may be removed from office at any time by the appointing body.

2.13 Where the Branch considers or is advised that a Club has allegedly:

- (a) breached, failed, refused or neglected to comply with a provision of the Constitution or By-Laws any resolution of the Branch or
- (b) acted in a manner prejudicial to the objects and interests of the Branch or surf life saving;
- (c) brought the Branch, State Centre, any Branch, another Club or surf life saving into disrepute;
- (d) refused without lawful excuse to implement any or all directions or recommendations made by an administrator appointed by the Branch;

The Branch may, in addition to its other rights or powers at law or under the Constitution and By-laws and after allowing the Club the reasonable opportunity to explain, and adjudicate, if necessary, to impose upon the Club such penalty as the Branch considers appropriate.

3 - MANAGEMENT

The Management of the Branch shall be provided in the following manner: -

3.1 The Branch Council

- (a) The overall responsibility for the affairs of the Branch shall be vested in the Branch Council which shall consist of the Branch President (Chairperson), the Deputy President, the Club Presidents (Councillors) and the Administration Manager (Non-voting).
- (b) The primary functions of the Council are to govern and provide leadership to the Branch and its affiliated Clubs and auxiliary organisations in accordance with the aims and objects of the Branch, the law and this Constitution.
- (c) The Council shall also appoint Branch Directors, set strategic direction through the endorsement of strategic and business plans, adopt an annual budget, set major policies, approve constitutional changes, ensure that internal control systems are in place, monitor the performance of the Executive and the progress and results associated with these functions.

3.2 The Executive Committee:

The primary function of the Executive is to manage the business of the Branch on behalf of the Branch Council. The Executive shall consist of the President, Deputy President and the following Directors - Life Saving, Surf Sports, Finance and Property, Youth and Membership Development and Administration Manager (Non-Voting), provided that the Members of the Executive (with the exception of the President) shall be allowed proxies. The Executive shall also identify issues of significance to the Branch Council.

3.3 Board and Committees

Boards, Special Committees and/or Sub-Committees may be established to assist in the management of the Branch, as provided for in the By-laws, and shall report and make recommendations to the Executive Committee and/or Branch Council.

3.4 Directors

The Directors of the Branch shall be the Branch President, the Branch Deputy President, the Director of Life Saving, Director of Surf Sports, the Director of Finance & Property (Treasurer), the Director of Youth and Membership Development.

3.5 Staff

May be as provided for in 1/D/4 and may include:

- (a) Administration Manager (if appointed) whose duties shall be as provided for under the By-laws and shall operate in close liaison with the Executive and other Branch Officers, and shall attend and act as Minute Secretary for Council, Executive and other Meetings as determined.
- (b) Other personnel as may be appointed from time to time by the Branch President, in consultation with the Executive.

3.6 Order of Authority

The order of priority in relation to authority is: -

The Council, the Executive, the President, and Boards and Committees and the Administration Manager

3.7 Councillors (Club Presidents)

- (a) Councillors of the Branch shall be elected annually at the commencement of the Annual General Meeting.
- (b) No Councillor shall be entitled to represent more than one (1) Club at the same time.
- (c) All Councillors shall hold office until the election of their successors, provided that they may resign or may be removed from the Office by the Club which nominated them, in which case that Club may nominate another in their stead.
- (d) Any Councillor who is absent from two (2) consecutive meetings of the Council without submitting a satisfactory reason in writing, may be held to have forfeited his seat and in such event, shall not be eligible for re-election during the current year provided always that the body he represents shall receive due notification.
- (e) Councillors shall have legal and other obligations as described in the By-Laws.
- (f) Councillors may appoint alternate or proxy Councillors.

SECTION C

Election of Directors/Officers & Life Members

1 - ELECTION OF DIRECTORS/OFFICERS

- 1.1 Director/Officers and committees shall be elected at the Annual General Meeting.
- 1.2
 - (a) The President, Deputy President and Directors shall be elected for a term of 2 years, which shall commence from the conclusion of the Annual General Meeting at which the election occurred until the conclusion of the second Annual General Meeting following.
 - (b) The President, Director of Life Saving and Director of Youth and Membership Development shall be elected in each year of odd number and the Deputy President, Director of Finance and Property and the Director of Surf Sports shall be elected in each year of even number
 - (c) Officers and Committees shall be elected annually at the Annual General Meeting.
- 1.3 Nominations for Directors and Officers to be elected or appointed at the Annual General Meeting of the Council shall be in writing on the appropriate form, signed by the nominator and seconder, who shall be members of affiliated Clubs, and bearing a certificate signed by the nominee expressing his willingness to accept the position for which he is nominated. Such nominations shall be in the hands of the Branch at least twenty-eight (28) days prior to the date of the Branch Annual General Meeting and shall be promulgated to the affiliated Clubs, Officers, Councillors and Life Members at least fourteen (14) days before that date.
- 1.4 If there are no nominations received as aforesaid, nominations may be accepted at the Annual General Meeting provided the person nominated is present or has given a written consent to accept office. The election of Directors/Officers listed in the By-laws shall be by the exhaustive or preferential ballot system, provided that the Executive Officers as identified in the By-laws shall be elected by the Branch Councillors (Club Presidents) only, and shall be by secret ballot. In the final ballot,

should there be an equality of votes the following shall apply -

- (a) If one of such nominees occupies the office which is the subject of the ballot, such nominee shall be declared re-elected.
 - (b) If none of the nominees occupies the office which is the subject of the ballot, the presiding Chairperson at the time of the ballot shall have a casting vote.
- 1.5 Directors and Officers shall continue in office, subject to resignation or removal from office, until their successors are elected. In the event of a vacancy occurring during the year, such vacancy may be filled at a Council Meeting, subject to the normal conditions of nomination.
- 1.6 Any Director or Officer who is absent from two (2) consecutive meetings of the Board/Committee he is a member of without submitting a satisfactory reason in writing may be removed from office, and in such event, shall not be eligible for re-election during the current year.
- 1.7 Any Director or Officer who is not satisfactorily carrying out his duties may be removed from office, and in such event, shall not be eligible for re-election during the current year; provided that no such action shall be taken unless notice of intention to move a motion to give effect thereto has been given in accordance with the provisions of 1/E/6.
- 1.8 Should a vacancy occur, through illness, incapability, resignation or requirement or some other reason, then the same conditions shall apply except that the election or appointment may take place at a subsequent General Meeting of the Council.
- 1.9 Appeal against removal from Office
- Any Director or Officer removed from Office by the Branch shall have the right to lodge an appeal against such removal to the Branch provided that the appeal shall be lodged in writing to the Branch within fourteen (14) days of the notification of the removal and shall set out clearly the grounds of the appeal. The appeal shall be placed before the Branch Judiciary Committee, and it shall be dealt with as per the By-laws.

2 - ELECTION OF LIFE MEMBERS

- 2.1 Life Members of the Branch may be elected from the members of the Association who have rendered a minimum of ten (10) years special service to the Association within the area of, or on behalf of, the Branch within a period of fifteen (15) years.
- 2.2 Prospective nominees' names must be submitted to the President by the end of May each year and shall be referred to the Life Members Panel for review and comment. From such meeting the selected nominees shall be submitted to all affiliated Clubs (per the President). Such submission to Clubs shall be accompanied by full details of the nominees' service, and there shall be no restriction on numbers for consideration and election.
- 2.3 Consideration by the designated Officers, as above, of other nominations may also be initiated by the written request (accompanied by a summary of the nominee's service) by -
- (a) any two members of the Association, subject to endorsement by an affiliated Club;
 - (b) any affiliated Club.
- 2.4 The Club President and Executive Officers of each Club shall meet and endorse or reject each nomination. Each Club

President shall notify the Branch President of the result, in writing, within fourteen (14) days of dispatch from the Branch of the selected list of nominees. If more than one third of the Clubs reject a nomination, such nomination shall be eliminated.

- 2.5 Successful nominee/s for Life Membership shall be formally announced by the Branch President or his nominee at the Annual General Meeting of the Council.

SECTION D

Property, Finance, Budget, Staff and Gift Fund

1 - PROPERTY

- 1.1 The property of the Branch shall be vested in the name of Surf Life Saving Queensland, Sunshine Coast Branch.

2 - FINANCE

- 2.1 An official receipt, in the form prescribed by legislation, shall be issued for all monies received, and which shall be banked/deposited promptly after receipt thereof, in the name of the Branch in such Bank as the Executive directs.
- 2.2 Payment shall be made only by government approved methods. Payments by cheque, crossed "not negotiable" signed by any two (2) of the Executive Officers and/or Administration Manager (if appointed), and any Officers appointed by the Executive. Payments by EFT to be signed/authorised by any two (2) of the Executive officers and/or Administration Manager.
- 2.3 The assets and income of the Branch shall be applied solely in the furtherance of its abovementioned objectives and no portion shall be distributed directly or indirectly to the members of the Branch except as bona fide compensation for services rendered or expenses incurred on behalf of the Branch.
- 2.4 Where any affiliated Branch or Club of the Association, as the case may be, is unable to make any lawful appeal for support for that affiliated Branch or Club or for its objects, as distinct from an appeal for support for the State Centre or the objects of the State Centre, no moneys or property whatsoever shall be paid or transferred to the affiliated Branch or Club by the State Centre or any affiliated Branch or Club of the Association, as the case may be, or used for the purposes of the affiliated Branch or Club first mentioned.
- 2.5 The Director of Finance and Property shall maintain a record of the investments of the Branch in a book to be kept for that purpose.
- 2.6 The books and accounts of the Branch shall be kept and an annual audit conducted in the manner required under the legislation and to Australian accounting standards. Such audited report shall be presented to the Annual General Meeting of the Branch Council.

- 2.7 As soon as practicable after the end of each financial year, the Director of Finance and Property shall cause to be prepared, a statement containing the particulars of:
- (a) the income and expenditure for the financial year just ended; and
 - (b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Branch at the close of that year.
- 2.8 Government Subsidies/Grants:
- (a) The Branch shall submit returns as and when required in the Form provided to the relevant Government Department or agency.
 - (b) As soon as possible after the receipt of any Government subsidy a receipt for the monies received shall be forwarded to the Department.
- 2.9 The financial year of the Branch shall be from the first day of May in any one year to the thirtieth day of April in the year next following.
- 2.10 Financial activities of all Boards and Committees of the Branch shall be under the control of the Director of Finance and Property who shall, in conjunction with the Branch President and the Board or Committee concerned, determine the method of financial operation most suited to that particular Board or Committee concerned, providing that at all times, the government and Australian Accounting Standards requirements are maintained.
- 2.11 Any Club being in default of payment of liabilities to the Branch for in excess of two (2) months from date of notification of default may have its affiliation deferred or if already affiliated may be penalized by the Executive, subject to endorsement of voting members of the Council; such penalty shall remain in force until the liability has been negotiated to the satisfaction of the Branch.
- 2.12 The Director of Finance and Property shall provide for the safe custody of all financial records of the Branch.
- 2.13 Before payment, all accounts shall be approved by the Director of Finance and Property and one other Director, and later confirmed by a properly constituted meeting of the Council or Executive and a record made in the Minutes of such meeting.
- 2.14 The Director of Finance and Property shall ensure that the statement of receipts and expenditure are presented to the appropriate meeting for confirmation on a monthly basis.

3 - BUDGETS

- 3.1 The Director of Finance & Property shall prepare a budget by 1st May for the ensuing year, after consultation with all Officers of the Branch.
- 3.2 The budget shall be endorsed and submitted by the Executive to the Council for consideration of the budget allocations, and once approved it shall be competent for each Officer, Board and Committee to utilize the Branch finances to the limit of its allocation, unless directed otherwise by Executive.
- 3.3 Any unforeseen items in relation to finance that may arise shall first be considered by the Executive, which shall if it is

considered necessary, direct that the matter be considered by the Board of Finance & Property for its recommendation.

4 - STAFF

- 4.1 The Branch may provide for the appointment of an Administration Manager and other staff as may be required from time to time in the conduct of its affairs.
- 4.2 Salaried staff of the Branch are not permitted to hold the position of "Officer" in the Branch, provided that such paid staff may seek election as an Officer with the proviso that if elected they shall forthwith forfeit their paid position.
- 4.3 Salaries and employment conditions of staff members shall be determined by the President and the Director of Finance and Property in consultation with the Administration Manager (if appointed) and endorsed by the Executive.
- 4.4 The Executive shall endorse or reject the employment of other paid assistance as may be considered from time to time.
- 4.5 Pay structures of other paid assistance shall be determined by the President and Director of Finance and Property, following a recommendation as submitted by the Administration Manager and endorsed by the Executive.

5 - GIFT FUND

- 5.1 The Branch shall maintain a fund (Gift Fund) for the "principal purpose" of the Branch, and:
 - (a) to which gifts of money or property for that purpose are to be made.
 - (b) to which any money received by the Branch because of those gifts is to be credited; and
 - (c) that does not receive any other money or property.
- 5.2 The Branch shall maintain a separate bank account for the Gift Fund.
- 5.3 The Branch shall only use the Gift Fund (i.e. gifts made to the Gift Fund and any money credited because of those gifts) for the "principal purposes" of the Branch.
- 5.4 Should the Gift Fund be wound up, or the endorsement of the Branch as a "deductible Gift Recipient" is revoked, any surplus assets of the Gift Fund remaining after the payment of all liabilities attributable to it shall be transferred to Surf Life Saving Queensland or, should SLSQ not exist, another Surf Life Saving body to which income tax deductible gifts can be made.

SECTION E

Requirements and Procedures

1 - STATE CENTRE REPRESENTATION

- 1.1 The Branch shall be represented on SLSQ's State Council by the Branch President.
- 1.2 The Branch shall be represented on the State Board of Life Saving by the Branch Director of Life Saving.
- 1.3 The Branch shall be represented on the State Board of Surf Sports by the Branch Director of Surf Sports.
- 1.4 The Branch shall be represented on the State Committee of Youth and Membership Development by the Branch Director of Youth and Membership Development.

2 - MEETINGS

- 2.1 The business of the Branch shall be transacted at the following classes of meetings -
 - (a) The Annual General Meeting of the Branch;
 - (b) General Meetings of the Council;
 - (c) Meetings of the Executive;
 - (d) Special Meetings of the Branch, the Council and/or the Executive;
 - (e) Meetings of the Boards and Committees;
 - (f) Special Committee Meetings subject to the limitations provided herein.
- 2.2 Executive Meetings shall be held at least once every two (2) calendar months or as directed by the Council and as required by the Chairperson of the Executive, having regard to business requirements and circumstances prevailing at that time.
- 2.3 In relation to Minutes of the aforementioned meetings, the following procedures shall apply:

The Administration Manager shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Administration Manager for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding meeting verifying their accuracy. Similarly, the minutes of every General meeting or Annual General meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding General meeting or Annual General meeting.
- 2.4 Detailed requirements and procedures relative to the conduct of the aforementioned meetings are as provided for in the By-laws.
- 2.5 Any member of the Branch may attend a General Meeting but shall have no voting rights or debating rights provided that the Chairperson may approve a written request to allow a member to speak, debate or present an issue to the meeting provided such written request is received at least seven (7) days prior to the meeting.
- 2.6 Nothing contained in the Constitution shall prevent a meeting of a group of Officers or members of the Association from within the boundaries of Branch, provided that any reports or recommendations resulting from such meeting shall be ineligible for consideration by any higher authority unless they are submitted to the Executive within a period of seven (7) days from that meeting.

- 2.7 Fourteen (14) clear days notice shall be given in writing for the Council Annual General Meeting and General Meetings, nine (9) clear days for any other Special Meetings.
- 2.8 Special Meetings shall be convened when directed by the President or the Executive, or not less than one-third of the members of the Council. Such requisition shall clearly state the reasons why such Special meeting is being convened and the nature of the business to be transacted thereat. Notice of meetings of Boards, Committees and Sub-Committees shall be at the discretion of the respective Chairperson. Nine (9) clear days notice, in writing, shall be given for Special Council Meetings.
- 2.9 Special meetings of the Executive shall be convened by request of the President or by not less than one third of the members of the Executive.

3 - VOTING

- 3.1 All voting members of the Council (1/B/3.1) shall be entitled to one vote each at all meetings of the Council at which they are present, provided that the Chairperson shall have both a deliberative and casting vote excepting as provided for in 1/C/1.3.
- 3.2 All Members of the Executive (1/B/3.2) shall be entitled to one vote each at all Executive meetings at which they are present, provided that the Chairperson shall have both a deliberative and casting vote.
- 3.3 Postal/Electronic Voting shall be subject to the following conditions:
- (a) Any matter which may be dealt with by the Council other than a Notice of Motion to alter the Constitution, shall be eligible to be resolved by a Postal/electronic Ballot.
 - (b) A Postal/electronic Ballot may be authorized by -
 - (i) The Council
 - (ii) The Executive
 - (c) The procedural arrangements for such a vote shall be -
 - (i) The Administration Manager shall deliver or send by post or facsimile or by other electronic means to each Club, and to each member who is entitled to vote, a clear statement of both sides of the question to be voted upon with a request that he return his vote thereon. (Such request shall state the date upon which voting shall close).
 - (ii) All votes cast in the Postal Ballot shall be delivered (where possible in an unopened condition) to the Returning Officer as soon as practicable.
 - (iii) As soon as practicable following the closing date for voting, the Returning Officer shall, in the presence of at least two (2) Executive Officers open the votes received by the closing date and shall tally the votes cast.
 - (iv) The President's right of a casting as well as a deliberative vote shall apply in the case of a Postal/electronic Ballot.
 - (v) Within seven (7) days of the closing date of the Ballot, the Administration Manager shall advise all eligible voters of the result.
 - (vi) All votes cast in the Ballot, including any which are for any reason considered by the Returning Officer to be informal, shall be retained for presentation, if necessary, to the next succeeding meeting of the authorizing body.

- (v) The result of the Ballot shall take effect forthwith.

4 – CHAIRPERSON

Except where otherwise provided the President or Deputy President shall be Chairperson of all Council and Executive Meetings, in the absence of the President or Deputy President, the Meeting shall elect a Chairperson. At a Council Meeting, if a Councillor becomes the Chairperson of the meeting, he may appoint an Acting Councillor (with full voting rights) in his place whilst he is acting as Chairperson. (1/C/1.3).

5 - QUORUM

- 5.1 At any meetings, as identified in 1/E/2.1, the number necessary to form a quorum shall be a simple majority of voting members.
- 5.2 If a quorum as prescribed above is not present within one half hour after the advised commencement time, the following shall apply:
- (a) Annual General Meeting
- (i) The meeting as advertised shall be deferred for one week to the same time and place, provided that a notice signifying the deferment shall be forwarded to each voting member, and a similar notice shall be placed in a prominent position at the Branch Headquarters.
- (ii) Should a quorum not be present at the advertised commencement time of the deferred meeting the Chairperson may declare those present to be a quorum and the meeting shall be deemed to be properly constituted.
- (b) Special General Meeting
- The meeting shall lapse.
- (c) General Meeting
- The meeting shall lapse and the business to be transacted at that meeting shall be dealt with by the Executive.
- (d) (All) Board and Committee Meetings
- The meeting shall lapse and any urgent matters shall be dealt with by the Branch Executive.

6 - NOTICE OF MOTION

- 6.1 Notice of any motion intended to be moved at an Annual General, General or Special Meeting of the Council, shall be given in writing signed by the mover and seconder thereof (who must be members of the meeting to which the Notice of Motion will be referred) to the Administration Manager at least twenty-eight (28) clear days prior to the date of such meeting and shall be included in the business paper for the meeting called pursuant to Section E, Clause 2.7 and 2.8.
- 6.2 A notice of motion desired to be moved or seconded by a Councillor must be accompanied by the written endorsement of the Councillor's Club.
- 6.3 The meeting may, by ordinary resolution, grant the mover and seconder leave to alter their motion, in a minor way without altering the intention of the motion. No amendment to the intention of the motion will be accepted.
- 6.4 A motion of which due notice has been given, if unsuccessful, cannot be resubmitted, nor may any other motion having a

similar effect be moved at the next meeting of Council or within six (6) months from the date of its rejection, unless approved by the Executive.

7 - MOTIONS TO RESCIND

- 7.1 A motion to rescind any motion carried at a Meeting of the Council, the Executive or the Boards may be considered only at a subsequent Meeting of those bodies.
- 7.2 Notice of Motion to rescind a resolution carried at a previous meeting shall be accepted only on the written submissions of not less than two (2) voting members of the Council, the Executive or Boards to which the rescission motion refers. In all other respects, the provisions of 1/E/6 shall apply.

8 - ALTERATIONS TO THE CONSTITUTION

- 8.1 The Branch, may alter its Constitution as regards local and domestic matters which do not conflict with the provisions of the Association's (SLSA's) and/or the State Centre's Regulations, By-laws or Policies as the case may be.
- 8.2 Subject to the provision of the relevant Government legislation, the Branch Constitution may be amended, rescinded or added to, from time to time by a special resolution carried at an Annual General Meeting or a Special General Meeting of the Council, called for that purpose.
- 8.3 A notice of the proposed alteration shall be given in the manner provided for Notices of Motion but shall specifically state that it is a notice of proposal to alter the Constitution.
- 8.4 The notice of the proposed alteration shall be included in the Notice calling the Meeting (whether Annual, General or Special), at which it is to be submitted as a "Notice of Motion to alter the Constitution". Provided that the aforesaid Notice be duly given, it shall be competent for the alteration to the Constitution to be considered and dealt with at a meeting of the Branch Council.
- 8.5 A copy of any Notice of Motion to alter its Constitution must be forwarded at the time of issue to the State Centre or Branch for endorsement or otherwise.
- 8.6 The Branch shall lodge with the State Centre a copy of its constitution and of all amendments and/or alterations thereto which have been adopted.

9 - MAKING AND ALTERATION OF BY-LAWS AND APPENDICES

- 9.1 The Branch may make, alter and repeal By-laws and Appendices for the conduct of their local and domestic affairs and for competitions not provided for in the Manuals, providing that they do not conflict with the letter or spirit of the Rules incorporated in the regulations or policies of SLSA or State Centre or Manuals of the Association.
- 9.2 Subject to the provisions of relevant Government legislation, the Branch By-laws and Appendices may be amended, rescinded or added to from time to time by a special resolution carried at a General Meeting of the Council.
- 9.3 When such By-laws and/or Appendices are made, altered or repealed, State Centre and each affiliated body shall be promptly informed.

10 - LEGAL ACTION

- 10.1 No Officer, or group of Officers or Members, whether in Committee or alone, may institute legal action which purports to be upon behalf of the Branch and if it carries legal and financial implications against the Branch or against another Club or Branch, State Centre, SLSA unless by the following procedures:

- (i) The constitutional convening of a General Meeting of members of the, Branch and a vote affirmative of such action by a two-thirds majority of members present and eligible to vote.
- (ii) Further, an invitation to such a General Meeting must be given to the higher authorities of the Branch i.e. State Centre and SLISA and the body or group against which the legal action is proposed.

11 - TROPHIES, PRIZES AND ELIGIBILITY

- 11.1 SLISA shall reserve unto itself the authority to determine, from time to time, conditions relative to the acceptability of trophies or prizes, members eligibility to compete.

12 - UNIQUE ITEMS

- 12.1 In the event of any question or item arising which is not specifically provided for in the Constitution, Regulations or Manuals of the Association or in the Constitution or By-Laws of State Centre, it shall be competent for the Branch to legislate thereon temporarily by resolution at any meeting of the Council or Executive pending due alteration of the Constitution.

13 – DISSOLUTION

- 13.1 The Branch shall be dissolved only with the consent of at least three-fourths of the Council voting members present at a Special Meeting called for that purpose, notice of which must be posted to Councillors at least twenty-eight (28) days prior thereto, and advertised in at least the major regional newspaper in each centre under the control of the Branch, at least once in each of the two (2) consecutive weeks immediately preceding such meeting.
- 13.2 Upon dissolution, the available assets shall, after payment of all just liabilities, be vested in and become the equal property of those Clubs previously affiliated with Surf Life Saving Queensland Sunshine Coast Branch.

14 - DISTRIBUTION OF SURPLUS ASSETS

- 14.1 In the event of the Branch being dissolved in accordance with the provisions of the relevant Government Act, and there remains, after satisfaction of all its debts and liabilities and property whatsoever, the same shall not be paid to or distributed among the members of the Branch but shall be given or transferred to the State Centre for distribution to those Clubs previously affiliated with the Branch or if those Clubs have ceased to exist to another Surf Life Saving Body which has similar objects and which is approved by the Commissioner of Taxation as a public benevolent institution for the purposes of any Commonwealth Taxation Act, and which shall prohibit the distribution of its or their income and property among its or their members to the extent at least as great as imposed on the Branch under or by virtue of D/2/2.3 such body to be determined by the Members of the Branch.

SURF LIFE SAVING QUEENSLAND SUNSHINE COAST BRANCH

THE BY-LAWS

PART 2

SECTION 1 - THE CONSTITUENTS

BY-LAW 1.1 EXECUTIVE OFFICERS (DIRECTORS)

The Councillors (Club Presidents) shall elect, as provided for in 1/C/1, or appoint the following Directors:

President
Deputy President
Director Life Saving
Director Surf Sports
Director Finance & Property
Director Youth and Membership Development

BY-LAW 1.2 OTHER OFFICERS

The Branch may elect or appoint the following Officers who shall have no voting power on the Council:

(a) Administration & Information Technology

Immediate Past President, Patron, Vice Patrons, and the following officers - Registrar, Legal, Medical, Insurance, Grievance and Volunteer Co-ordinator.

(b) Life Saving

Deputy Director Life Saving
North (Rainbow to Mudjimba) and South (Maroochydore to Redcliffe Peninsula) and the following officers – Emergency Care, Communications, Inflatable Rescue Boat (IRB), , Medical, District Supervisors, Club Supervisors, , Education and the following (non-voting) representative of the Life Saving Operations Support Services.

(c) Surf Sports

Deputy Director Surf Sports (incorporating Junior Activities) and the following officers -Communications (Surf Sports), Surf Boat, Officials Liaison, Gear and Equipment, Inflatable Rescue Boat (IRB) and Branch Team Coach & Manager/s.

(d) Youth & Membership Development

Youth and Membership Deputy Director – Junior Activities and Youth and Membership Services Deputy Director - Youth

BY-LAW 1.3
COUNCILLORS AND DELEGATES

The limitations on the number of Councillors or Delegates representing the Clubs or Auxiliary Organisations on the Council shall be:

- (a) Club - One (1) Councillor who shall be the Club President.
- (b) Auxiliary Organisations may be represented at the Council's discretion by one (1) Delegate who shall be subject to the provisions contained herein relating to Delegates generally.

BY-LAW 1.4
LIFE MEMBERS

- (a) Members who have rendered special service to the Branch and who have been elected life members shall be entitled to attend Council meetings but shall have no voting rights. Life Members shall be eligible to hold office, and have voting rights attributable to the Office held.
- (b) Life Members shall receive special recognition e.g. a Life Members badge (Appendix 1) and or Certificate and be afforded special privileges to acknowledge Life Membership status.

SECTION 2

CONDITIONS PERTAINING TO COUNCILLORS, DIRECTORS, OFFICERS, & DELEGATES

BY-LAW 2.1
COUNCILLORS/ DIRECTORS/OFFICERS

- (a) Councillors/Directors/Officers of the Branch shall be Life Members of the Branch or members of Clubs affiliated with the Branch.
- (b) Executive Officers (Directors) of the Branch must hold a current Working with Children Blue Card and be over the age of 18. The Executive Officers shall be the President, Deputy President, Director Life Saving, Director Surf Sports, Director Finance and Property, , Director Youth and Membership Development. All nominees for these executive officers shall be required to attend a briefing in person or by telephone by a panel of selected officers appointed by the Executive with respect to the applicable work role and member's ability to carry out the duties of the office for which the nomination is received. Failure to attend such a briefing shall result in the nomination being rejected.
- (c) The Director of Life Saving shall be a current Assessor and endorsed by the Board of Life Saving.
- (d) The Director of Surf Sports shall be an Accredited Official and/or Coach and be endorsed by the Board of Surf Sports.
- (e) Officers must hold a current Working with Children Blue Card as listed in By-law 1.2(a) shall require the endorsement of the Executive. Those listed in By-law 1.2(b) shall require the endorsement of the Board of Life Saving, and those listed under By-law 1.2(c) shall require the endorsement of the Board of Surf Sports.
- (f) Officers representing Life Saving Operations Support may be invited to sit on the Board of Life Saving and be endorsed by the State Board of Life Saving Operation Support.

- (g) Members of the Council and Executive shall be required to understand the needs of the Branch and their legal responsibilities as Council and Executive members. Council members owe a fiduciary duty to the Branch and shall exercise their rights and powers in good faith and for the benefit of the Branch.

Councillors and Executive Officers (Directors) shall comply with the following principle statutory and common law duties:

- (i) to act honestly and in good faith in the interests of the Branch;
 - (ii) to exercise the degree of care, skill and diligence that a reasonable person in a like position would exercise in the Branch's circumstances;
 - (iii) to exercise powers honestly and for the purposes for which they were conferred and not for collateral purposes;
 - (iv) to avoid any actual or potential conflict between their obligations owed to the Branch and their personal interests and other duties;
 - (v) to keep confidential information obtained, and not to disclose advantage or business opportunities acquired, in the course of office;
 - (vi) to prevent insolvent trading by the Branch.
- (h) Interests:
- A Councillor or Executive Officer (Director) shall not hold any place of profit or position of employment in SLSQ, the Branch, or in any company or incorporated association in which the Branch is a shareholder or otherwise interested, or from contracting with the Branch either as a vendor, purchaser or otherwise except with the express resolution of approval of the Branch Council. Any such contract or arrangement entered into by or on behalf of the Branch in which a Councillor or Executive Officer is in any way interested will be voided for such reason.
- (i) Disclosure of interests:
- The nature and interest of a Councillor or Executive Officer (Director) must be declared by such person at the meeting at which the contract or arrangement is first taken into consideration if the interest exists or in any other case at the first meeting of the Council after the acquisition of the interest. If a Councillor or Executive Officer (Director) becomes interested in a contract or arrangement after it is made or entered into, the declaration of the interest must be made at the first meeting of the Council or Executive held after the Councillor or Executive Officer (Director) becomes so interested.
- (j) General Disclosure:
- A general notice that a Councillor or Executive Officer (Director) is a member of any specified firm or company and is to be regarded as interested in all transactions with that firm or company is sufficient declaration. After such general notice it is not necessary for such Councillors or Executive Officer (Director) to give a special notice relating to any particular transaction with that firm or company.
- (k) Recording Disclosures:
- It is the duty of the Branch Manager/Administrator to record in the Minutes any declarations made.
- (l) Conflicts:
- A Councillor or Executive Officer (Director) notwithstanding an interest, may be counted in the quorum present at

any meeting, but cannot vote in respect of any contract or arrangement in which the Councillor or Executive Officer (Director) is interested.

A Councillor or Executive Officer (Director) shall not sign a document where the Councillor or Executive Officer (Director) is interested in the contract or arrangement to which the document relates.

BY-LAW 2.2
COUNCILLORS AND DELEGATES

- (a) The Branch shall be responsible for budgeted travel and accommodation costs of Council meetings.
- (b) Alternates (proxies) shall be allowed for all Councillors in all instances, and shall be preferably an Executive Officer of the Club they represent.
- (c) The notification of all alternates must be given in writing by the Club concerned and lodged with the Branch prior to the relevant meeting.
- (d) Auxiliary Organisation Delegates to the Branch shall be subject to the foregoing provisions provided that unless specifically determined otherwise, travel and accommodation shall be at the expense of the Delegate or Auxiliary Organisation.

SECTION 3 MEETINGS

BY-LAW 3.1
ANNUAL GENERAL MEETING

- (a) The Branch shall hold its Annual General Meeting at least one (1) month prior to the date of the State Centre Annual General Meeting.
- (b) Any member of the Branch may attend but apart from those persons specified in 1/B/3.1 shall have no voting rights.
- (c) The Business to be conducted at the Annual General Meeting shall be:
 - (i) Affiliation of the Clubs
 - (ii) Election/Appointment of Councillors
 - (iii) Apologies and Alternates
 - (iv) Presentation and Adoption of Annual Report and Financial Statements
 - (v) Election of Officers and Appointed Officers
 - (vi) Announcement of Life Membership Awards (1/C/2.5)
 - (vii) Endorsement of the Executive, the Boards of Life Saving, Surf Sports, and Finance and Property, as well as the following Committees:- Selection, Judiciary, Life Members and Delegates to Auxiliary Organisations.

- (viii) Alterations of the Constitution
- (ix) Motions of which due notice has been given.

The Chairperson shall decide the order in which business shall be undertaken.

- (d) The Minutes of the Annual General Meeting shall be confirmed at the subsequent Council General Meeting and copies of the Minutes shall be forwarded to Council members, Alternates, Clubs, other Branches, and State Centre.

BY-LAW 3.2

COUNCIL GENERAL MEETINGS

- (a) A minimum of three (3) meetings shall be held at a time and venue as decided by the Council or Executive, having regard to circumstances prevailing at that time.
- (b) Any member of the Branch other than Councillors may attend but shall have no voting rights.
- (c) The Business of the Council General Meetings shall be:
 - Apologies and Alternates;
 - Confirmation of Minutes of the previous meeting;
 - Business arising from Minutes;
 - Correspondence;
 - Reports from Boards, Committees, Officers;
 - Motions of which due notice has been given;
 - Items of Business;
 - General Business.
- (d) The Minutes of the Council Meeting shall be confirmed at the subsequent meeting of the Council. Business arising shall be addressed by the Executive, and copies of the Minutes shall be forwarded to Council Members, Clubs, other Branches, and State Centre.

BY-LAW 3.3

COUNCIL SPECIAL MEETINGS

- (a) Special meetings of the Council may be summoned by resolution carried at a Council or Executive Meeting, or by direction of the President or a written requisition of not less than one third of the members of the Council.
- (b) The nature of the business to be transacted at a Special Meeting shall be contained in the notice of such meeting and no business other than that stated on the business paper shall be taken at such meeting.
- (c) The Minutes of a Special Council Meeting shall be confirmed at the subsequent meeting of the Executive or Council and copies of the Minutes shall be forwarded to Council Members, Clubs, other Branches, and State Centre.

BY-LAW 3.4

EXECUTIVE MEETINGS

- (a) The Executive Meetings shall be held on a monthly to six weekly basis each year..
- (b) The responsibility of the Executive shall be managing the day to day business of the Branch, and the allotment of items to Boards, Committees and/or staff.
- (c) Issues relating to major policies, constitutional change, incorporation responsibilities and authority, major financial borrowings and strategic issues shall be referred to the Council.

- (d) Special Meetings of the Executive may be summoned by resolution of the Executive itself, the Chairperson or on the written requisition of not less than one third of the members of the Executive.
- (e) The Minutes of the Executive Meetings shall be submitted for confirmation at the subsequent meeting of the Executive, and distributed to members of the Executive, the Councillors and the Clubs, provided that a summary of the Minutes shall be forwarded to other Branches, and State Centre at regular intervals.

SECTION 4

DUTIES OF DIRECTORS, OFFICERS, COUNCILLORS AND DELEGATES

BY-LAW 4.1 DIRECTORS/OFFICERS

- (a) The President shall be the nominal head of the Branch and shall be a member Ex-Officio of all Boards and Committees with the exception of the Selection Committee. He shall be a Councillor on State Council.
- (b) The Deputy President shall be an Executive Officer (Director) of the Branch and shall assist the President and shall deputise for him in his absence. The Deputy President shall also carry out other special assignments as directed by the President or the Executive.
- (c) The Director Life Saving shall -
 - (i) be a proficient member of the Branch Board of Life Saving and direct, through the Clubs, the activities of the Branch Board of Life Saving and its members;
 - (ii) receive through the applicable Branch Officers, monthly reports of their activities;
 - (iii) regularly submit to the Executive reports and recommendations regarding matters within the scope of the Board of Life Saving;
 - (iv) convene conferences and seminars dealing with practical lifesaving matters;
 - (v) in conjunction with his Officers, appoint Board members for duties and special duties associated with lifesaving operations and specifically related to a Branch strategic and/or management need.;
 - (vi) act as Chairperson of all meetings of the Board of Life Saving;
 - (vii) work in conjunction with the Branch Manager/Administrator who will attend to all minutes of meetings, routine matters and correspondence.
- (d) The Director Surf Sports shall -
 - (i) be an accredited member of the Branch Board of Surf Sports and direct, through the Clubs, the activities of the Branch Board of Surf Sports and its members;
 - (ii) receive, through the applicable Branch Officers, monthly reports of their activities;
 - (iii) regularly submit to the Executive reports and recommendations within the scope of the Board of Surf Sports;
 - (iv) convene conferences, coaching seminars and clinics, officials' accreditations and other programs dealing with competition;

- (v) prepare an annual calendar of surf sports events each year based on Club submissions having due regard for SLSA, SLSQ and other considerations and to submit to the Executive and Council for ratification;
 - (vi) appoint officials from lists of accredited members of the Board of Surf Sports;
 - (vii) act as Chairperson of all meetings of the Board of Surf Sports;
 - (viii) work in conjunction with the Branch Manager/Administrator who will attend to all minutes of meetings, routine matters and correspondence;
 - (ix) investigate and report on all Special Event applications to the Executive with, if necessary, recommendations concerned with the running of the events;
 - (x) be responsible for the preparation of events for Branch programs and to conform to the requirements of the Competition Manual.
- (g) The Director of Finance and Property shall ensure compliance with directions of 1/D/2, and shall:-
- (i) Collect all fees and monies due to the Branch.
 - (ii) Keep account of the finances, the books, documents and property of the Branch.
 - (iii) Present a detailed account of the finances to each Executive Meeting, prepare a Financial Statement for presentation to each Council Meeting covering the period between meetings.
 - (iv) Be responsible to the Executive for the overall control and operation of the Board.
 - (v) Work in conjunction with Staff, Branch Officers and Branch Administrator who shall attend to all minutes of meetings, routine matters and correspondence.
 - (vi) be the Chairperson of the Board of Finance and Property.
- (h) The Director of Youth and Membership Development shall:-
- i) Provide overall strategic planning, tracking and reporting on all youth and membership development activities throughout the season.
 - ii) Ensure roll out and compliance is met across clubs on mandatory youth and membership deliverables including blue cards, child youth risk management strategy and health checks.
 - iii) Review and provide guidance and feedback on membership trends and issues across the Branch.
 - iv) Responsible for budgets, funding opportunities and sponsorship arrangements for all youth and membership activities.
 - v) Responsible for member recognition coordination and promotion.
 - vi) Support the development, promotion and roll out of programs that promote member welfare i.e. peer support.
 - vii) Sits on Branch Executive

- viii) Chairs Board of Youth and Membership Development (see review of board make up recommendation below)
- ix) Coordinates delivery of induction forums based on youth and membership services.
- x) Provides support to clubs where necessary on matters related to membership.
- xi) Coordinates development and roll out of new initiatives aimed at supporting clubs in developing members.
- xii) Encouraged to nominate for the State Membership Services Committee to provide SSCB input.

BY-LAW 4.2
OTHER OFFICERS' DUTIES

- (a) Patrons and Vice Patrons duties shall be limited and in most cases the appointments will be made with respect to a person holding public office or as a tribute for services to the Association.
- (b) Deputies may be appointed by the Executive to assist each Executive Officer and shall deputise for him in his absence or on special assignment.
- (c) The Branch Team Managers and Coaches shall:-
 - (i) be appointed separately by the Board of Surf Sports/Surf Life Saving from nominations received, for Teams representing the Branch;
 - (ii) prepare and present to the Director Finance & Property within fourteen (14) days, a budget covering all financial matters associated with the Branch Team;
 - (iii) be responsible for the outfitting and funding of the Branch Team in excess of provisions made by the Executive;
 - (iv) submit progress reports to the Board of Surf Sports/Surf Life Saving regularly, and a final report on team member performances and results;
 - (v) be responsible for the assembly (after selection), transport, accommodation and general behaviour of the team;
 - (vi) submit a report and financial statement with receipts and invoices within thirty (30) days after the competition date;
 - (vii) assist with any displays or demonstrations required during the season.
- (d) The Legal Officer shall –
 - (i) be appointed by the Council from a recommendation submitted by the Branch Executive;
 - (ii) attend to all legal matters relating to the Branch as determined by the Executive or Council;
 - (iii) advise on legal right with regard to summons or complaint with regard to the Branch or its members;
 - (iv) submit opinions on constitutional items requiring legal interpretations;
 - (v) prepare legal documents, submissions etc on the request of the Executive or Council;

- (vi) review documents, contracts etc as required by the Branch.
- (e) The Medical Officer shall –
 - (i) be appointed by the Council from a recommendation submitted by the Branch Executive;
 - (ii) be a member of the State Medical Advisory Committee;
 - (iii) communicate through the Branch Administrator on all matters of medical policy;
 - (iv) discuss, draft, and submit recommendations to the Director of Life Saving and/or Director of Surf Sports and other appropriate officers regarding the teaching and application of resuscitation techniques and equipment, member's health and fitness, competition, life saving techniques and equipment and other medical matters;
 - (v) in conjunction with the First Aid Officer guide the Branch in First Aid treatment, equipment and facilities;
 - (vi) assist in the revision of the Resuscitation and First Aid Chapters of any Manuals and Publications and make recommendations when required by the Australian Council;
 - (vii) act as Branch Adviser for community resuscitation teaching programs;
 - (viii) advise on the teaching, training and examination of members in advanced resuscitation and first aid techniques in conjunction with the First Aid Officer and the Resuscitation Officer;
 - (ix) act as Chairperson of the Medical Advisory Committee.
- (f) The Immediate Past President's duties shall be limited to assisting the President at the request of the President.
- (g) The Deputy Director Live Saving North and South amongst other things shall
 - g) The Deputy Director Live Saving amongst other things shall
 - (i) Be a proficient member of the Board of Life saving
 - (ii) Assist the Director of Life Saving in their duties and shall deputise for them in their absence
 - (iii) Hold or have recently held SLSA training and assessment qualifications
 - (viii) Be responsible to the Branch Director of Life Saving
 - h) The Deputy Director Live saving – special projects amongst other things shall
 - (i) Be a proficient member of the Board of Life saving
 - (ii) Assist the Director of Life Saving in their duties specifically pertaining to that of any special projects as allocated by the Director of Life Saving
 - (iii) Hold or have recently held SLSA training and assessment qualifications
 - (viii) Be responsible to the Branch Director of Life Saving

- (h) The Deputy Director Surf Sports (Junior Activities) shall amongst other things
- i) Be an accredited SLSA official and/or SLSA Coaching Accreditation
 - ii) Assist the Director of Surf Sports in their duties and shall deputise for them in their absence.
 - iii) Attend to surf sports matters pertaining to junior activities
 - iv) Be responsible for the preparation and organization of junior activities carnivals in consultation with the Director of Surf Sports
 - v) Attend and represent junior activities at the Board of Surf Sports
 - vi) Be responsible to the Branch Director of Surf Sports
- i) Deputy Director Youth and Membership Services – Youth () shall:-
- (ii) Provide leadership in the delivery of Branch development programs and activities for members under 30 years of age including coordination of youth working groups.
 - (iii) Provide support for youth member recognition and delivery of initiatives such as youth ball.
 - (iv) Provide support in the delivery of forums and workshops for youth officers.
 - (v) Provide support in promoting and delivering new initiatives aimed at youth such as youth engagement programs and pathways.
 - (vi) Provide advice where needed on matters impacting youth i.e. changes in surf sports
 - (vii) Work to help promote and engage the Branch's youth ambassadors (award winners in U14, U18 and 18-25 categories).
 - (viii) Liaison with the State Youth Advisor as needed.
 - (ix) Reports to the SSCB Director, Youth & Membership Services
 - (x) Sits as a member of the SSCB Board of Youth & Membership Development .
 - (xi) Encouraged to nominate for the State Youth Committee to provide SSCB input
 - (xii) Assist the Director of Youth and Membership Development in their duties and shall deputise for them in their absence.
- j) Deputy Director Youth and Membership Development – Junior Activities shall:
- i) Provide support and guidance to club Junior Activities Chairs in delivering junior activities programs.
 - ii) Provide support in working with junior activities programs within clubs to assist them in meeting mandatory requirements with needs identified through club visits and health checks.
 - iii) Provide support in the delivery of forums and workshops aimed at improving junior activities.
 - iv) Provide support in promoting and delivering new initiatives aimed at junior activities such as the family participation program.

- v) Provide advice where needed on matters impacting junior activities i.e. changes in surf sports and personal protective safety initiatives
 - vi) Liaison with the State JA Advisor as needed.
 - vii) Reports to the SSCB Director of Youth and Membership Development
 - viii) Sits on the State Junior Activities Advisory Panel as the Sunshine Coast representative (federated model).
 - ix) Sits as a member of the SSCB Board of Youth & Membership Development
- (i) The Grievance Officer shall –
- (i) The Grievance officer shall be appointed by Council at the Annual General Meeting;
 - (ii) Attend to all matters referred to him by the Branch President;
 - (iii) Determine, in consultation with the Branch President (or their nominee) matters relating to grievances, harassment, equity and the like;
 - (iv) As soon as practicable after receiving a reference, meet with, or discuss the issue with the aggrieved party/parties, and take whatever steps and conduct whatever investigations are necessary to determine if the grievance is legitimate, including a requirement of members to provide a statement of report;
 - (v) Take all reasonable steps to resolve any grievance by way of mediation or otherwise;
 - (vi) If appropriate, refer any such grievance to the Club/Branch President who must then action the grievance within a reasonable time but no longer than three (3) months
 - (vii) If the grievance is determined to be not legitimate, advise the aggrieved party/parties accordingly;
 - (viii) If unable to resolve a grievance or the grievance is considered to be of a very serious nature, she shall report the grievance to the Branch Executive for action;
 - (ix) Keep all information surrounding the circumstances of the grievance confidential, and communicate such information only to the Branch President or Appointee, and/or an appropriate enforcement body following a written authority from the Executive.

BY-LAW 4.3

GENERAL DUTIES OF ADVISORY OR SPECIALIST OFFICERS

- (a) Each Officer shall -
- (i) investigate and report on matters referred to him by the Branch, its Boards or Committees, in relation to his particular field (By-law 4.4);
 - (ii) be encouraged to attend meetings of the Council;
 - (iii) be prepared to attend the Executive meetings when requested and shall attend meetings of the Board to which his duties shall apply;
 - (iv) submit written monthly reports to the applicable Board Chairperson;
 - (v) process all correspondence through the Branch Administrator.

- (vi) provide and submit to the Branch, when requested, a brief annual summary in the form of a report on his season's activities;
- (vii) keep records for reference purposes if applicable to his particular field, e.g. price lists, number of units in use, etc.;
- (viii) liaise with all sections of the Branch and maintain a close relationship with the Branch Executive Officers associated with his particular activity and the Branch Manager ;
- (ix) co-opt any members or people outside the Association to assist him in his duties;
- (x) receive endorsement by club of nomination prior to election from the relevant Board.

BY-LAW 4.4

SPECIFIC DUTIES OF ADVISORY OR SPECIALIST OFFICERS

(a) The Surf Boat Officer shall -

- (i) have a close relationship and experience within the Association in the field of surf boat use and manufacture;
- (ii) be responsible for all boat scrutineering and officiating at Branch run carnivals and Branch championships;
- (viii) be responsible to the Director Surf Sports provided that reporting shall be through the Branch and re-directed to the Executive Officer concerned.

(b) Emergency Care Officer shall:

- i) Hold current Emergency Care Awards (First Aid, ART) or Professional Healthcare Qualifications that supersede the former
- ii) Be experienced in matters of out-of-hospital emergency care and first aid
- iii) Australian Health Professional Registration would be favourable (RN, Paramedic, Medical Practitioner)
- iv) Attend and provide advice to the Branch BOLS
- v) Liaise with the Branch DOLS and Education Officer to foster and develop high standards of emergency care treatment within the Branch
- vi) Foster relationships with Peak Bodies/Professional Entities to the benefit of SLS SSC where possible
- vii) Report to the Branch DOLS

(c) The Communications Officer (Life Saving) shall -

- i) Be a current Surfcom operator or equivalent
- ii) Liaise with Branch DOLS and Education Officer to foster and develop high standards of radio communications and operational systems management within the Branch
- iii) Attend and provide advice to the Branch BOLS
- iv) Report to the Branch DOLS

- v) SLSA Radio Operator Assessor Certificate favourable
- (d) The Inflatable Rescue Boat Officer (Lifesaving) shall -
- i) Be a current IRB Assessor
 - ii) Be a current RWC Operator and/or Area Coordinator and/or RWC Trainer/Assessor
 - iii) Fill the role of Regional Training and Assessing Coordinator (TACO) or equivalent
 - iv) Attend and report to the Branch BOLS on matters pertaining to powercraft use for standard SLS Beach Patrols
 - v) Liaise with the Branch DOLS/Appropriate Officer/Staff Member on any Powercraft usage trials underway/planned/evaluated within the Branch in regards to Beach Patrols
 - vi) Coordinate with the Education Officer to deliver Branch Facilitated IRB Award courses as requested by the Branch DOLS
 - vii) Conduct Quality Assurance Checks in liaison with the Branch DOLS on Special Events conducted by Clubs utilising Powercraft as a Water Safety or Workforce Asset
 - viii) Report to the Branch DOLS
- (e) The Inflatable Rescue Boat Officer (Surf Sports) shall –
- (a) organise competition (IRB only), seminars and training programs in accordance with the Association's Competition and Training Manuals;
 - (ii) be responsible to the Director Surf Sports provided that reporting shall be through the Branch and re-directed to the Executive Officer concerned.
 - (iii) to liaise with Water Safety Co-ordinator and Carnival Referee to ensure all carnival IRB operations met and comply with SLSQ policies, eg Code of Conduct, IRB Safety Policy, and are responsible for allocation of all rostered crews.
 - (iv) Shall attend meetings of the Board of Surf Sports as requested.
 - (v) ensure all IRB's meet SLSQ policies for compliance, eg. Registration, plates.
 - (vi) to work with Branch office to maintain operational Branch IRB.
- (f) The Gear and Equipment Officer (Surf Sports) shall -
- (i) be appointed for Surf Sports activities;
 - (ii) be responsible for all surf sports gear and equipment belonging to the Branch and shall supervise its maintenance and prepare a register for records and loan details and shall attend meetings of the Board;
 - (iii) supervise and coordinate the supply and return of the equipment required from Branch for any carnival, seminar, display or training activity and make a date record of same, its place of destination, date of return and any remarks required on condition of gear returned;
 - (iv) store equipment so that deterioration shall not occur and unauthorised access is not available;

- (v) see that disposable and useable items are replenished for immediate use;
 - (vi) arrange for the purchase of gear and equipment when directed and dispatch of same upon request;
 - (vii) arrange for regular inspections and storage of mobile equipment and vehicles, and ensure only authorised persons within the Branch have access;
 - (viii) be responsible to the Director Surf Sports provided that reporting shall be through the Branch and re-directed to the Executive Officer concerned.
- (h) The Education Officer shall -
- i) Hold a current SLS Assessor Award and be a current proficient Bronze Medallion Member. A Current Industry Standard Training and Assessing Certification would be favourable
 - ii) Have necessary skills and experience in Vocational Education and Training be it in a volunteer SLS capacity or professional VET sector role
 - iii) Be responsible for coordinating with all portfolios of the branch in all matters pertaining to member education (not including leadership or development camps as coordinated by the Branch BOYD, or Surf Sports Officials by the Branch BOSS)
 - iv) Be a member of the Branch BOLS and report to the Branch DOLS
 - v) Chair such meetings on Education and the like that are required for the Branch as set out by the Branch DOLS and Branch Administrator
 - vi) Provide advice to and liaise with Club Chief Training Officers and Assessors on matters pertaining to member education standards and delivery
 - vii) Be the Branch representative on the SLSQ Education Advisory Panel or equivalent

District supervisor shall:

- i) Be a current & Proficient Bronze Medallion Holder as a minimum, holding awards in Emergency Care (First Aid etc.) would be favourable
- ii) Hold or have previously held a Silver Medallion Beach Management or equivalent
- iii) Hold a current SLS Bronze Medallion Training or Assessing Award
- iv) Be a member of the Branch BOLS and report to the Branch DOLS
- v) Liaise with and assist Club Captains/Lifesaving Officers at clubs within their assigned area on matters of SLS policy and delivery standards
- vi) Attend Club Lifesaving Meetings where requested by Club Captains/Lifesaving Officers as the Branch Lifesaving Representative within their assigned area

- vii) Provide overview to the Branch BOLS on the standard of patrol services within their assigned area and be aware of all relevant SLS SSC/SLSQ/SLSA Policy Documents
 - viii) Work with the Branch DOLS, SLSQ SSC Lifesaving Services Coordinator (or equivalent role) and Relevant Club Lifesaving Officer/s to identify, investigate, address and rectify any alleged or actual breaches in SLS Patrol Standards as set out by the Patrol Operations Manual and relevant patrolling service contracts
 - ix) Conduct Quality Assurance and Buhk Wilkes patrol inspections as per roster provided by the Branch DOLS
- (j) Club Supervisor shall:
- i) Be a current & proficient SLSA Assessor (Bronze)
 - ii) Be elected by the Branch BOLS
 - iii) Report on club lifesaving activities to the Branch BOLS on a monthly basis, or as per scheduled meetings
 - iv) Liaise with the Club Captain and/or Patrol Officers on the standard of patrol Services.
 - v) Assist the Club Captain with the annual preparation of patrol service agreements ready for presentation to the Branch DOLS, if needed.
 - vi) Overview to the Branch for high standard of competency of candidates being submitted for assessment
 - vii) Assist with the coordination of annual proficiency tests & award updates, if needed.
 - viii) Assist with the coordination of new award assessments, if needed.
 - ix) Provide advice to the club management on any specific risk management and/or WH & S issues pertaining to lifesaving activities
 - x) Be aware of all relevant SLSA & SLSQ Policies
 - xi) Assist Club Captains to fulfill all responsibilities associated with all lifesaving reporting procedures
 - xii) Ensure that the Club & Patrol Captains are familiar with the content of the SLSQ Patrol Operations Manual.
 - xiii) Assist Club Captains to coordinate & conduct patrol captains briefings/workshops
 - xiv) Ensure that the club complies with any requirements set down as a result of any lifesaving audits conducted
 - xv) Assist the club to plan for future extension or expansion of lifesaving services
 - xvi) Act as an adviser to SLSQ and/or Branch, in the event of any external assistance or support being required with lifesaving service delivery
 - xvii) Investigate any breaches of patrol service agreements in conjunction with Branch and/or SLSQ officers, if needed.
- (l) The Communications Officer (Surf Sports) shall -

- (i) hold a current Level One Officials Accreditation and be responsible for the surf sports radio equipment and standards of the Radio Communications Network at all Branch Surf Sports events and attend meetings of the Board of Surf Sports;
 - (ii) in conjunction with the Communications Officer (Life Saving) attend to licensing and communication with the appropriate authorities;
 - (iii) be responsible to the Director Surf Sports provided that reporting shall be through the Branch and redirected to the Executive Officer concerned.
- (m) The Branch Officials Liaison Officer shall -
- (i) hold a minimum of a current Level 1 officials accreditation and be responsible for education and general welfare of Branch competition officials.
 - (ii) be an elected member of the Board of Surf Sports.
 - (iii) attend to appropriate licensing matters with the appropriate authorities and State Centre;
 - (iv) arrange seminars and training programs in consultation with the Director of Surf Sports.
 - (v) co-ordinate relevant examinations in line with the Association's training manual and protocols;
 - (vi) be responsible to the Director Surf Sports provided that reporting shall be through the Branch and re-directed to the Executive Officer concerned.
 - (vii) maintain contact with and advise club liaison officers

BY-LAW 4.5

COUNCILLORS, ALTERNATES, PROXIES OR DELEGATES

- (a) Councillors or Alternates and Delegates to the Council shall -
- (i) attend all Council Meetings either personally or by proxy and be the elected representative on that body;
 - (ii) act as a liaison between the Branch and their Club or the body they represent and fully and regularly report to that body in writing or in person on the overall activities of the Branch.
- (b) Delegates from Branch to the Auxiliary Organisations shall -
- (i) either themselves or by proxies attend all General Meetings of the organisation and represent the Branch on that body;
 - (ii) act as a liaison between the Branch and the organisation and fully and regularly report to the Branch in writing on the overall activities of the Auxiliary Organisation;
 - (iii) except where otherwise specifically directed by the Branch, exercise personal discretion on matters of a general nature at meetings of the Auxiliary Organisations but shall have no authority to commit the Branch to decisions of a major or policy nature without first having had the express authority of the Branch Council or Executive.

SECTION 5 STAFF AND EMPLOYEES

BY-LAW 5.1 STAFF

The Executive pursuant to 1/D/4/1 may appoint a Branch Manager/Administrator who shall, subject to the provisions of this Constitution and By-laws and to the directions from time to time of the Branch Council and Executive:-

- (a) carry out and implement all decisions of the Council and the Executive and within the scope of such decisions, use their best endeavours to further the policies of the Branch and the advancement of Surf Life Saving;
- (b) attend meetings and act as Minute Secretary for all Council and Executive Meetings and in addition, where possible, attend the meetings of the Boards and Committees;
- (c) shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Executive Meeting and General Meeting to be made available at all reasonable times by any member who previously applies to the Branch Administrator for a copy.

For the purposes of ensuring the accuracy of the recording of such Minutes, the Minutes of every Executive Meeting shall be signed by the Chairperson of that Meeting or the Chairperson of the next succeeding Executive Meeting verifying their accuracy

Similarly, the Minutes of every General Meeting shall be signed by the Chairperson of that Meeting or the Chairperson of the next succeeding General Meeting provided that the Minutes of any Annual General Meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding General Meeting or Annual General Meeting;

- (d) control the activities and working of the Branch Headquarters and staff;
- (e) refer to the President and/or Directors, as the case may require, every matter arising for consideration which does not come within the policy or directions previously decided on by the Branch;
- (f) be available at all reasonable times to members for consultation with and assistance in matters which are within the jurisdiction of the Branch;
- (g) develop and implement, in conjunction with the appropriate Officer or Officers, plans and proposals for the continued progress of Surf Life Saving, including approaches at levels of Local Government and in both the public and private sectors;
- (h) maintain close contact with Clubs, including regular visits, and be available to offer advice and guidance, provided that they shall inform the President in advance of all proposed visits;
- (i) cultivate and maintain close liaison with State Centre, its Officers and staff, and expedite matters held to be important by that body;
- (j) approach and develop donors and sponsors with the assistance of the Directors;
- (k) conduct the correspondence of the Branch and at all times, make available to the President and Officers, either by submission of the office copy, or by supplying copies of all such correspondence, so as to keep those members fully aware of all activities;
- (l) in all aspects of their activities, be responsible to the Council and Executive and consult the President between meetings on matters of policy, and report to each meeting of the Executive and Council on the activities within the

Branch;

- (m) in all aspects of their activities, observe and comply with existing procedures as regards correspondence and communications with the various sections of the Association;
- (n) prepare and issue the notices for all meetings;
- (o) attend to the preparation and presentation of the Annual Report, Official Championship Program and booklets and special handbooks that may be issued from time to time;
- (p) keep up to date stock lists on goods and stationery and an inventory of all gear and equipment on loan or held by the Branch;
- (q) maintain credit and debit ledger on behalf of the affiliated bodies (By-law 7.7(b), and be a member and attend meetings of the Board of Finance and Property;
- (r) be responsible for the availability and distribution of all trophies associated with the Branch championships;
- (s) attend to all appropriate insurance and security on Branch property.

BY-LAW 5.2
EMPLOYEES

- a) The Executive, in pursuance of 1/D/4, and in conjunction with the Branch Administrator shall monitor and endorse the employment or dismissal of full-time or casual employees or other paid assistance e.g. consultants.

SECTION 6 BOARD AND COMMITTEES

BY-LAW 6.1
GENERAL

- (a) Composition and membership of Branch Boards and Committees shall be as prescribed in the respective By-laws.
- (b) Membership may be drawn from Council members and/or other members of the Branch.
- (c) A member appointed to a Board or Committee shall retain their appointment only whilst they retain their membership of the Council or Branch: provided that the Council may, at its discretion, remove any member from membership of a Board or Committee.
- (d) In the event of the absence of the Chairperson from any meeting the meeting shall appoint one of its members to act during such absence.
- (e) It shall be the duty of the Branch Manager/Administrator to refer for consideration and recommendation all matters as properly relate to the jurisdiction of each Board or Committee.
- (f) In the event of any matter coming within the jurisdiction of two or more Boards, the President may direct such Boards to jointly consider and report and/or recommend to the Executive thereon.
- (g) Unless specified otherwise in these By-laws, a quorum for a meeting of the Board or Committee shall be a simple majority of the members thereof.

- (h) A Board or Committee may, in its discretion, co-opt the services of any member of the Branch or other person to assist in its deliberations, but such co-opted member or person shall have no voting rights, except as may be determined by the Board or Committee.
- (i) Reports and recommendations of the Boards and Committees shall be presented in writing to the Executive or appointing body.
- (j) Expressions of interest may be called from members interested in being appointed to panels, committees, task forces as and when required.

BY-LAW 6.2
BOARD OF LIFE SAVING

- (a) The Council, at its Annual General Meeting, shall appoint a Board of Life Saving, the members of which shall be the holders of a current proficient Assessors Certificate and be current members of an affiliated Club to have voting rights.
- (b) The Board shall be comprised of:-
 - (i) Director of Life Saving (Chairperson) as provided for in By-law 1.1;
 - (ii) Deputy Director Life Saving North and South as provided for in By-law 1/1.2(b);
 - (iii) Four District Supervisors, 15 Club Representatives (must be either the Club Captain, Club Director of Lifesaving, Club Supervisor), 3 Assessors (to be elected at BOLS AGM), Branch IRB Officer, Branch Communications (lifesaving) Officer, Branch Education Officer, Branch Emergency Care Officer, Sunshine Coast Lifesaving Services Co-ordinator (non voting) and Sunshine Coast Development Officer (non-voting);
 - (iv) All Assessors and Probationary members who are candidates in training for any SLSA Assessor Certificate are invited to attend but only those listed at 6.2 (b) (iii) above will be known as 'Board Members' and have voting rights.
- (c) Membership provisos shall be determined as follows:-
 - (i) Director and Advisory or Specialist Officers who shall be endorsed by the Board and elected by the Council at its Annual General Meeting;
 - (ii) Deputy Director Life Saving North and South who shall be endorsed by the Board of Junior Activities and elected by the Council at its Annual General Meeting shall have the right to appoint a proxy in their absence and shall be officially recognised as Deputy Director Life Saving (Junior Activities);
 - (iii) Members of Clubs who apply for membership of the Board shall hold a current SLSA Assessors Certificate;
 - (iv) Probationary members who are candidates in training for an Assessors Certificate, and who apply for probationary membership of the Board.
- (d) Continued membership of the Board shall depend on the following conditions and shall be subject to the Board's or Director of Life Saving's recommendations:
 - (i) Satisfactory attendance at meetings and functions arranged by the Board;

- (ii) Performance of duties required by the Board or its Officers;
 - (iii) Acceptance of appointments to Committees/Sub-Committees or groups detailed for specific tasks on behalf of the Board or Branch.
- (e) Meetings of the Board shall be held as follows:-
- (i) General meetings shall be held every two months on odd numbered months.
 - (ii) Conferences shall be held on a regular basis on dates as determined by the Board or the Chairperson and approved by the Executive.
- Note:-** Provided that the predetermined dates of meetings may be altered to meet emergent situations by resolution at any meeting of the Board or its Executive.
- (f) Powers and duties of the Board shall be:
- (i) To disseminate life saving information and instruction to unify and advance methods of life saving throughout the Branch, such instruction and methods shall be set out in the Manuals of the Association and bulletins distributed by the Australian Council and/or the State Centre/Branch;
 - (ii) to conduct schools of instruction, conferences and seminars at which all specified members of the Board shall be required to attend and of which due notice shall be given;
 - (iii) to control the practical side of lifesaving and through the Board submit written recommendations to the Branch for the compilation and/or alteration of such issues;
 - (iv) to deal with any other matter referred to it from time to time by the Council or Executive;
 - (v) to allocate Board membership into active Sub-Committees under the control of the appointed Sub-Committee Chairperson;
 - (vi) at its Annual General Meeting, endorse the nominations for the Office of Director of Life Saving and the relevant Advisory and Specialist Officers to be appointed or elected by the Council at its Annual General Meeting;
- (g) A quorum for a meeting of the Board shall be sixteen (16) members.
- (h) The duties of the Director of Life Saving shall be as specified in By-law 4.1(b).
- (i) To deal with any other matters referred to it from time to time by the Branch Council or the Branch Executive.
- (j) To report and make recommendations on policy matters to the Branch Executive.
- (k) to develop, coordinate and implement activities and programs related to lifesaving and specifically relevant priorities in the Branch Strategic Plan.

BY-LAW 6.3
BOARD OF SURF SPORTS

- (a) The Council, at its Annual General Meeting, shall appoint a Board of Surf Sports
- (b) The Board shall be comprised of:

- (i) Director (Chairperson) as provided for in By-law 1.1 or his proxy;
 - (ii) Deputy Director Surf Sports (Junior Activities) as provided for in By-law 1.2(c) or his proxy;
 - (iii) 15 Club Representatives; 3 Officials (elected at BOSS AGM), Branch Officials Liaison Officer; Branch Gear & Equipment Officer and Branch IRB Officer (Surf Sports), from nominations endorsed by clubs.
 - (iv) All Licensed Officials/Coaches and Probationary members who are candidates in training for the SLSA Officials and/or Coaches Accreditation Certificate are invited to attend but only those listed at 6.3 (b) - (i, ii, iii) above will be known as 'Board Members' and have voting rights.
- (c) Membership provisos shall be determined as follows:
- (i) Director and Board members shall be endorsed by the Board and elected by the Council at its Annual General Meeting;
 - (ii) Deputy Director Surf Sports (Junior Activities) who shall be the holder of a current Level 1 Competition Officials and/or Coaching Certificate, be endorsed by the Board of Junior Activities elected by the Council at its Annual General Meeting and shall have the right to appoint a proxy in his absence and shall be officially recognised as Deputy Director Surf Sports (Junior Activities);
 - (iii) Members of Clubs who apply for membership of the Board shall hold a current Competition Officials Certificate and/or a Level of Coaching Accreditation;
- (d) Continued membership of the Board shall depend on the following points and shall be subject to the Board's or Director's recommendations:
- (i) Satisfactory attendance at meetings and functions arranged by the Board;
 - (ii) performance of the duties required by the Board or Director Surf Sports;
 - (iii) acceptance of appointment to Committees/Sub-Committees or groups detailed for specific tasks on behalf of the Board or Branch.
- (e) Meetings of the Board shall be held as follows:
- (i) General meetings shall be held every two months on even numbered months.
 - (ii) Conferences shall be held on a regular basis on dates as determined by the Board or the Chairperson and approved by the Executive.
- Note:-** Provided that the predetermined dates of the meetings may be altered to meet emergent situations by resolution of any meeting of the Board or its Executive.
- (f) Powers and duties of the Board shall be:
- (i) to disseminate surf sports information and to unify and advance surf sports procedures throughout the Branch as set out in the Association's Competition Manual and relevant Bulletins issued from time to time;
 - (ii) to conduct schools of instruction, conferences and seminars for accredited members of the Board to maintain the standards of the Carnival Officials;
 - (iii) to conduct officials accreditation courses and competitor's clinics as required or requested;

- (iv) to deal with all matters referred to the Board through the Branch Council or the Branch Executive;
 - (v) to investigate and make recommendations, via the Branch, to State Centre on all applications for Special Events and sporting events outside the Competition Manual;
 - (vi) to establish a co-ordinating group to recommend to the Council, a surf sports program each year, based on Club submissions and to better serve the total membership;
 - (vii) to establish a balance of competition and ability as it effects members of different age, gender and membership category;
 - (viii) to review regularly the types of competition events for juniors including "fun activities" as an important part of Junior Activities;
 - (ix) to allocate Board membership into active Sub-Committees under the control of the Board Chairperson;
 - (x) to make recommendations to the Branch Executive and Branch Council on the venue, dates, and events for Branch Championship Carnivals, three (3) years in advance;
 - (xi) to control all competition through the Board and submit written recommendations to the Branch for the compilation and/or alteration of such issues;
 - (xii) to appoint accredited Officials for all Branch controlled Carnivals, competitions or special events;
 - (xiii) to endorse the nominations for Director and Board members at the Board's Annual General Meeting;
 - (xiv) on a regular basis to critically analyse competition policies and procedures generally to improve the management and conduct of competitions.
 - (xv) to develop, coordinate and implement activities and programs related to surf sports and specifically relevant priorities in the Branch Strategic Plan.
- (g) Reports and recommendations shall be presented in writing to the Executive.
- (h) The duties of the Director shall be as specified in By-law 4.1(c).
- (i) A quorum for a meeting of the Board shall be fifteen (15) members.

BY-LAW 6.4

BOARD OF FINANCE & PROPERTY

- (a) The Council at its Annual General Meeting may appoint a Board of Finance and Property from a recommendation endorsed by the Executive.
- (b) The Board shall be comprised of -
 - (i) The Director Finance and Property who shall be the Chairperson;
 - (ii) Branch President
 - (iii) Three Club representatives (to be elected at the AGM);
 - (iv) Branch Administrator or nominee (non-voting) who shall act as Minute Secretary;

- (iv) Other members or staff co-opted by the Board or Chairperson from time to time for specific purposes or projects or advice;
- (c) Continued membership of the Board shall depend on the following points, and shall be subject to the Board's or Chairperson's recommendation -
 - (i) satisfactory attendance at meetings or functions arranged by the Board;
 - (ii) performance of the duties required by the Board or its Chairperson;
 - (iii) acceptance of appointment to Committees/Sub-Committees or groups detailed for specific tasks on behalf of the Board or the Executive.
- (d) Meetings of the Board shall be held as follows -
 - (i) Meetings shall be held at least three times each year.
 - (ii) An Annual Meeting shall be held preceding the Council Annual General Meeting.

Note:- The predetermined dates of meetings may be altered to meet emergent situations by resolution of any meeting of the Board or the Executive.
- (e) Powers and duties of the Board shall be -
 - (i) to deal with matters relating to finance, property and the assets of Branch, as well as other items of similar nature referred to the Board by the Executive;
 - (ii) to maintain direct and/or develop an income earning ability with adequate capacity to service the operational planning and administration resources of the Branch;
 - (iii) to develop a Branch Policy for the appropriation of Government subsidies and grants in accordance with the State Government's guidelines on accountability;
 - (iv) to review regularly current financial programs and management accounting systems;
 - (v) to develop and maintain a policy, in conjunction with State Centre, relating to the financial borrowing of Clubs;
 - (vi) to develop a three (3) to five (5) year investment Plan for the Branch;
 - (vii) to prepare Annual Budgets of income and expenditure with recommendations for submission to the Council and the Executive;
 - (viii) to assist Club Treasurers by providing guidelines for efficient and proper accounting methods and systems;
 - (ix) to provide income and expenditure cash flow reports of the Branch through monthly financial statements tabled at the Board's meetings;
 - (x) to keep Minutes of meetings for record purposes and prepare written reports and recommendations for submission to the Executive;
 - (xi) to report and to make recommendations on policy matters to the Executive.
 - (xii) assist in the preparation of submissions to Government for projected funding

requirements and assistance.

- (f) The Duties of the Director of Finance & Property shall be as specified in By-law 4.1/(F).

BY-LAW 6.5

BOARD OF YOUTH AND MEMBERSHIP DEVELOPMENT

- (a) The Council at its Annual General Meeting shall appoint a Board of Youth and Membership Development.
- (b) The Board shall be comprised of –
- (i) Director Youth and Membership Development who shall be Chairperson.
 - (ii) Deputy Director Youth and Membership Services – Youth
 - (iii) Deputy Director Youth and Membership Development – Junior Activities
 - (iv) Youth or JA representative from each club,
 - (v) All other SLSA members who have an interest in Junior and Youth/leadership development activities are welcome and encouraged to attend. But only those listed above will be known as “Board Members” and have voting rights.
- (c) Continued membership of the Board shall depend on the following points and shall be subject to the Board or Chairperson’s recommendations –
- (i) satisfactory attendance at meetings or functions arranged by the Board.
 - (ii) performance of the duties as required by the Board or its Chairperson.
 - (iii) acceptance of appointment to sub-committees or groups detailed for specific tasks on behalf of the Board or the Executive.
- (d) Meetings of the Board shall be held as follows:-
- (i) General meetings /forums may be held as deemed necessary by the Board or the Chairperson and approved by the Executive.
- Note:** The dates of meetings/forums may be altered to meet emergent situations by resolution of any meeting of the Council or the Executive.
- (e) Powers and duties of the Board shall be –
- (i) To enhance membership recruitment and retention and transition through the age levels of U14 to Under 19 and functions within Surf Life Saving.
 - (ii) To develop, coordinate and implement activities and programs related to youth and membership development and specifically relevant priorities in the Branch Strategic Plan.
 - (iii) To develop, conduct and co-ordinate personal developmental activities including leadership training and associated programs, policies, resources etc for membership levels 14 to 17 inclusive.
 - (iv) To pursue issues and activities of benefit to youth within Surf Life Saving.
 - (v) To foster recognition of the important role youth plays within Surf Life Saving and the community generally.

- (vi) On a regular basis, critically analyze youth/leadership development policies and programs and membership levels and trends.
- (vii) To deal with matters referred to the Board through BOLS, BOSS, Branch Council and Branch Executive.
- (viii) To conduct regular assemblies of members involved in youth development programs to discuss matters relevant to the betterment of youth/leadership development.
- (ix) To consult with the Director Life Saving on lifesaving matters and with the Director Surf Sports on competition matters.
- (x) To consult with the Branch Executive and Marketing Officer, other Officers or staff on sponsorship, marketing or funding.
- (xi) To establish sub-committees, if required, to carry out special tasks or projects from time to time.
- xii) To report and make recommendations on policy matters to the Branch Executive.
- xiii) responsible for the conduct and co-ordination of all matters relating to Junior Activities in Association policy;
- xiv) to provide for an educational experience in a wide range of subjects and skills within the aquatic/marine environment;
- xv) to prepare members for their eventual transition to the marine and patrol environment of Surf Life Saving Australia Limited;
- xvi) to provide for the instruction and the conduct of examinations of members;
- xvii) to organise, in conjunction with the Board of Life Saving, the instruction and/or examination of members willing to gain the Resuscitation Certificate and/or the Surf Rescue Certificate of the Association;
- xviii) to provide rules and regulations for the conduct of junior Activities for members who have attained the age of five (5) years but who have not attained the age of fourteen (14) years;
- xix) to ensure that the age classification shall be five (5) to thirteen (13) years, and shall be the members age as at the 30th September in the ensuing Season, and a member who turns 14 years of age in the then current Season shall be permitted to continue for the remainder of the Season in Junior Activities;
- xx) to deal with matters referred to the Board by the Council or Executive.
- xxi) A quorum for a meeting of the Board shall be eight (8) members.

BY-LAW 6.6
COMMITTEES

The following Committees shall be appointed by the Council and results of their proceedings either as Minutes, recommendations or decisions as the case may be shall be submitted to the Executive for processing and/or endorsement. Committees shall meet as required by the Council or the Executive, or by request of the Committee Chairperson.

(a) The Surf Sports Selection Committee shall -

- (i) comprise the Director plus four (4) members from different Clubs, two of whom shall be currently

involved in Junior Activities (and who shall only be involved in the selection of Junior Team /s) endorsed by the Board of Surf Sports, elected by the Council from Club nominations;

- (ii) select individuals for events and/or teams as required by the Executive;
 - (iii) not require approval of its selections as they shall be final and binding.
- (b) The Judiciary Committee shall -
- (i) be appointed by the Council at a General Meeting following a recommendation of personnel submitted by the Executive;
 - (ii) comprise a Chairperson; who may be legally qualified to be admitted as a barrister or solicitor, the Branch Administrator (non voting), who shall act as minute secretary, and at least four (4) others who may or may not be members of a Club;
 - (iii) function in accordance with the Rules of Procedure of a Judiciary Committee, attached to this Constitution as Appendix "A";
 - (iv) process matters referred to it under By-laws 11.2, 11.3 and 11.4.
- (e) The Medical Advisory Committee shall -
- (i) be appointed by invitation from the Executive;
 - (ii) comprise qualified medical personnel members with the Branch Medical Officer as the appointed Chairperson. (Additional qualified personnel may be invited to membership where specialised assistance and knowledge is required or geographical situations warrant);
 - (iii) have the Director of Life Saving as a member and he be the Liaison Officer to the Executive with the Emergency Care Officer and other specialist members selected as representatives from the Branch;
 - (iv) meet at least once per year or as directed by the Executive or Council;
 - (v) receive and dispatch official communications through the Branch;
 - (vi) perform the following duties and submit recommendations on the following matters –
 - case histories and resuscitation reports
 - techniques of resuscitation and training procedures;
 - medical aspects of the manuals and teachings of SLSA;
 - lifesaver health, fitness and safety;
 - such other subjects as shall be referred by Boards, the Executive or Council, from time to time;
 - undertake and investigate projects on behalf of the State Medical Committee Panel and the Board of Life Saving;
 - assist with the examination of candidates for Association awards as prescribed by the Association from time to time.

- (f) The Life Members Panel shall -
- (i) be appointed by the Council at a General Meeting following a recommendation of personnel submitted by the Executive;
 - (ii) comprise of at least five (5) Branch Life Members, two of whom are also a Life governor and/or SLSQ/SLSA Life Members.
 - (iii) be responsible to the Council
 - (iv) review nominations for Life Membership and make recommendations to the Council to assist their considerations of Life Membership nominees.
 - (v) receive administrative assistance from the Branch Administrator or their nominee.

BY-LAW 6.7
SUB-COMMITTEES

- (a) It shall be competent for the Executive and the Boards to appoint Sub-Committees, panels groups etc to process particular items or projects.
- (b) The composition of the Sub-Committees shall be detailed by the appointing body.
- (c) Detailed terms of reference of their duties shall be supplied by the appointing body to the Executive.
- (d) Minutes shall be kept of their proceedings and reports and recommendations shall be submitted through the appointing body.

SECTION 7

PROCEDURES AND RULES

BY-LAW 7.1
BRANCH, SLSQ & SLSA POLICIES, RULES, REGULATIONS

- (a) The Branch, through the Branch Administrator shall maintain a register of all Branch, SLSQ, and SLSA Policies, Rules and Regulations as amended from time to time;
- (b) Branch, State Centre and SLSA Policies, Rules and Regulations as issued from time to time are accepted as By-Laws of the Branch;
- (c) Without limiting the current and future scope of Branch, SLSQ and SLSA Policies Rules and Regulations, the Branch acknowledges and accepts the following Policies, Rules and Regulations:
 - (i) Surf Life Saving Training Manual
 - (ii) Competition Manual
 - (iii) Capital Expenditure
 - (iv) Business Development/Venture
 - (v) Member Protection

- (vi) Competitive Rights, Obligations and Qualifications
- (vii) Trophies, Prizes and Eligibility
- (viii) Team Management
- (ix) Membership Categories and Restrictions
- (x) Membership Clearances
- (xi) Competitive Rights and Transfers
- (xii) Intellectual Property
- (xiii) Sponsorship
- (xiv) Visits and Tours.

BY-LAW 7.2

AUXILIARY ORGANISATIONS

- (a) The Branch may authorise the formation and affiliation of auxiliary organisations, eg. Branch Old Boys Club with the approval of the State Centre.
- (b) Each Organisation's objects and functions shall be reviewed annually and shall be compatible with the Branch's objects as detailed in 1/A/3.
- (c) The Constitution of any such organisation and any amendments thereto, shall at all times be subject to the endorsement of the Council.
- (d) The Branch may be represented on any such organisation by an Officer or member or staff of the Branch appointed annually for the purpose; and such organisation may, by special invitation, likewise attend meetings of the Branch;
- (e) Such organisations shall be registered Incorporated bodies subject to 1/B/2/2.5.

BY-LAW 7.3

CORRESPONDENCE

- (a) Except in the case of a special circumstance approved by the President, all correspondence from the State Centre to a Club, or from a Club to the State Centre, shall in the first place be transmitted through the Branch to which such Club is affiliated, but no such correspondence shall be considered and/or attended to by the State Centre unless and until it has been so transmitted; provided that the provisions of this By-law shall not apply to correspondence which has been copied by the State Centre to the Branch or Club for attention.
- (b) Upon receipt of any correspondence from a Club, which is required to be dealt with a Branch, the State Chief Executive Officer shall, at his discretion, either forward such letter to the Branch concerned for appropriate action or return it to the Club concerned for transmission through the Branch.

BY-LAW 7.4

AUDITS

- (a) The books and accounts of the Branch shall be audited at such intervals as may be required by law and/or the appropriate State Government Department. Such audits shall be carried out by an Auditor approved to operate in the State of Queensland.
- (b) Auditors shall be appointed annually.

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

The Auditor –

- (i) must be formally qualified;
- (ii) must be a member of a recognised professional accounting body;
- (iii) must not be a past or present employee of the entity being audited;
- (iv) must not be related to the Director of Finance and Property (Treasurer) or President of the entity being audited;
- (v) must not be related to any person employed as the Administrator or Accountant of the entity being audited;
- (vi) must declare if they are a past or present member of the entity being audited, and such declaration must be included in the minutes of the meeting at which the auditor was appointed.

BY-LAW 7.5
COLLECTION SANCTION

- a) The Branch and every affiliated Club or Auxiliary Organisation, shall comply with the provisions of the relevant Government Acts or any subsequent amendments gazetted from time to time.
- b) The Branch and every affiliated Club, shall each make application to the relevant Government Department for entitlement under the "Approved Association Registration". When registration is approved and a "number" is issued all relevant requirements to maintain Registration shall be complied with in every detail.

BY-LAW 7.6
FUND RAISING

- a) Fundraising authority is vested in the Branch Council, which may allocate portions of its responsibilities pertaining to specific major projects.
- b) The Sunshine Coast Branch shall adhere to the general conditions associated with fund raising in Queensland as laid down by Surf Life Saving Queensland and/or Surf Life Saving Foundation -

(i) The Sunshine Coast Branch and Clubs -

- (a) The Branch and Clubs are authorised to solicit monetary donations, sell art union tickets by door to door, canvass to any company, firm, newspaper or other business operation or trading or any person within the area of the Branch as defined in Clause (c). Similar fund raising shall be permitted outside these areas after prior negotiation and with approval of the State Centre Chief Executive Officer or his nominee(s);
- (b) Upon the granting of affiliation to any directly affiliated Club, the State Centre shall define the area of such Club for the purpose whereupon the provisions of By-law 7.6 shall apply to such Club;
- (c) The area of the Branch shall be defined as the parts of the Moreton Bay Regional Council, Sunshine Coast Regional Council and Gympie Regional Council.
- (d) The Branch shall designate each Club fundraising area within its boundaries.

(ii) General -

- (a) In the case of any approval granted under the foregoing provisions, the State Centre/Branch may, at its discretion, impose such conditions and/or restrictions, as it deems necessary and desirable in the best interests of the Association generally.

- (b) In the event of any breach of the foregoing provisions of this By-Law it shall be a condition of continuance of affiliation and/or membership that the Branch, Club, member or group of members concerned shall forthwith surrender to the State Centre or Branch of such monies, and their right thereto, obtained as a result of such breach and the State Centre or Branch shall thereupon, in its discretion, determine how and in what proportions (if any) such monies shall be applied; provided that the Branch, Club, member or group of members concerned may appeal to the state Council against the determination; and provided further, that any cancellation or suspension of affiliation or membership (as the case may be) under this By-Law shall be subject to the provisions of the State Centre's Constitution and By-Laws relating to judicial action.

BY-LAW 7.7
INSURANCE

(a) General

It is mandatory that the Branch, and Auxiliary Organisations hold insurances approved by the State Centre. In cases where the State Centre has appointed one or more Insurance Brokers, and the Branch does not insure through such Brokers the Branch shall submit such policies to the State Centre for approval.

(b) Personal Accident Insurance

(i) Paid Staff and Employees -

A Workcover Policy shall be effected by the Branch with Workcover Queensland to cover all paid staff of the Branch and its Committees.

(ii) Members -

Personal Accident Insurance is covered under the State Centre's Workcover policy for all registered members of Surf Life Saving Queensland (except Junior Activities (Nipper) members aged 5 to 14 years i.e. non Bronze Medallion holders) whilst engaged in Surf Life Saving activities.

The benefits and conditions applying under the policy are as described in the relevant Government Act and/or contracts of insurance.

(iii) Time Limit for Lodgement of Claims –

An application for compensation is valid and enforceable only if the application is lodged in accordance with policy requirements.

(iv) Volunteer Workers

A personal accident policy shall be arranged by Surf Life Saving Queensland to cover all persons engaged in voluntary work for the Branch or SLSQ, and/or who are not eligible for WorkCover. The benefits cover exceptional items (refer Insurance Manual), eg. death, liability, medical (restricted), dental, ambulance. A register of Workers should be established for each relevant activity which should be signed by all volunteer workers prior to commencement of work.

(v) Junior Activity Members (5-14 Years) -

A Personal Accident Policy shall be arranged by the State Centre to cover all financial Junior Activity Members (non Bronze Medallion holders). The benefits cover exceptional items (refer Insurance Manual), eg. death, liability, medical (restricted), dental, ambulance.

(c) Public Liability Insurance

- (i) A public liability policy shall be negotiated by SLSA/SLSQ to cover the Branch and its members, against legal action instigated by a member of the public during activities approved by the State centre;
- (ii) whilst the cover will apply to normal Surf Life Saving Association activities, a separate cover may need to be taken out by the Branch, or Auxiliary Organisations entering into some activity away from the Branch facilities or beach, such as a display or fundraising activity where the public are involved. The insurance brokers should be consulted in these situations.

(d) Insurance on Property

- (i) The Branch shall negotiate insurance policies to cover the loss or damage to its own property, or upon goods in transit destined for one of its affiliated bodies. Reassessments of values shall be carried out regularly;
- (ii) It is mandatory for all property insurances to be held with a reputable insurance company and it is a requirement that such policies, if not managed by State Centre's Brokers, be submitted to the State Centre Executive for its endorsement to ensure that the protection provided is adequate and serves the interest of the Association;

(e) Directors and Officers Insurance

- (i) A Directors and Officers policy shall be negotiated by SLSA/SLSQ to cover officers of the Branch against claims, made against an officer during the policy period for a wrongful act.
- (ii) It is noted that this is a "claims made" policy, eg. no claim can be made against the policy once it has expired or has been cancelled. Also, if a case exists where a claim may be possible, immediate notification must be given to SLSQ's Insurance Broker.

(f) Professional Indemnity Insurance

- (i) A Professional Indemnity policy shall be negotiated by SLSQ to cover members whilst engaged in authorised Association activities.
- (ii) The indemnity covers claims the insured is liable to pay for, eg. breach of professional duty or by reason of any negligent act, error or omission.

BY-LAW 7.8

FEES AND CHARGES

- (a) Affiliation fees as referred to in 1/B/2/2.1 of the Constitution shall be included in the annual credit contribution that accompanies the Application for Affiliation Form. This contribution shall be determined by the Branch Executive from time to time.
- (b) Assessment, Registration, Carnival Entry Fees and other general and lifesaving costs for each affiliated Club or organisation as the case might be shall be debited to each Club or organisation as the case might be. Invoices shall be issued on a monthly basis and it is a requirement that Clubs shall pay outstanding monies within thirty (30) days of the date of the invoice.

BY-LAW 7.8
AFFILIATION

- (a) The Branch agrees -
 - (i) that it is bound by these By-laws and that these By-laws operate to create a single uniform entity through and by which the objects of the Branch and Surf Life Saving are to be conducted, promoted and administered.
 - (ii) In all other respects the provisions of the Branch Constitution Part A Section B2.1 to 2.13 shall apply.

BY-LAW 7.9
HONORARIUM

Honorariums may be granted to Officer/s on the decision of the Executive. Such Honorariums paid would be subject to Income Tax.

BY-LAW 7.10
DISSOLUTION OF AFFILIATED BODIES

- (a) The Constitution of every affiliated body shall contain a dissolution clause similar to that set out herein and should any affiliated body fail to make any such specific provision, the specific dissolution provision of this Constitution is deemed to be included in the Constitution of such affiliated body.
- (b) In the event of any affiliated body becoming inactive, going into recess or having its affiliation as a Surf Life Saving affiliated body terminated, the State Centre is empowered to require such body to implement the requirements of 1/E.13 regarding dissolution. Should there be no remaining responsible Officers of such affiliated body capable of carrying out the required procedures for dissolution, the State Centre is empowered by its Constitution to take any necessary action in this regard.
- (c) Upon the dissolution of an affiliated body in terms of the preceding Clauses, the books, accounts and assets of the affiliated body shall be transferred over to or taken possession of by the State Centre to deal with as it may, in its absolute discretion, set fit.

Section 8

Membership

BY-LAW 8.1
RESTRICTION

- a) All applications for membership of the Association shall be made annually on the approved Association Form and shall be available to males and females provided that Active Membership shall be limited to proficient SLSA Bronze Medallion holders.
- b) A member of a Life Saving Organisation affiliated with International Life Saving may be accepted as a member of an affiliated Club provided that the member complies with all the conditions for membership of this Association and its manuals.
- c) An unfinancial, suspended or expelled member of an affiliated Club shall not knowingly apply to join another Club, nor shall an affiliated Club knowingly admit to membership, nor retain in membership, any past or present member of any Club who is financially indebted to or has been suspended or expelled from such Club.

- d) A Club shall immediately provide the Branch and SLSQ with the names and addresses of members who have had their membership cancelled or suspended and such information, including the period of suspension/cancellation of membership shall be set out in a register provided for that purpose.
- e) Should a bona fide member of more than one Club be suspended or expelled by an affiliated Club, he shall not be allowed to compete in any competitions conducted by any Club of which he is a member, or by the Association.
- f) All members and elected Officers of an affiliated Club/Branch and State Centre, shall have reciprocal rights within the facilities of Clubs throughout Queensland, and the conditions of entry upon and use of any Club facilities are at the discretion of the host Club.

BY-LAW 8.2
CATEGORY POLICY

In relation to membership categories, each Club shall provide for the following types of membership and the following minimum qualifications shall be adhered to provided the procedure for granting Club Membership should be detailed in Club Constitutions or By-laws -

- a) Probationary Member shall be the designation of any person for the time period between applying for membership and the gaining of an award and/or the granting of a formal category membership by the appropriate Club Committee.

NOTE: Probationary members are not Individual Members for the purposes of the SLSA. Constitution.

- b) Junior Activity Member (Nipper) shall be a minimum age of 5 years up to a maximum age of 13 years on a seasonal basis (age for a season is determined as at midnight on 30 September at the commencement of that season), and such person shall be required to gain the relevant Junior Activity Certificate for that person's age group.
- c) Cadet Members shall be subject to the age qualification as defined in the Association's Manuals and have obtained the Surf Rescue Certificate and passed an annual proficiency test.
- d) Active Members shall be Bronze Medallion holders and shall fulfil the full patrol and Club obligations, as provided by the Association and the Club Constitution and By-Laws and shall qualify in an annual proficiency test each season, unless the member has obtained his Bronze Medallion in that season.

Members gaining their Award prior to the first of July in any year are proficient only to the thirty-first December of the same year, whilst members gaining their Awards after the first of July in any year are proficient to thirty-first December of the year following.

- e) Reserve Active Membership -
 - (i) may be granted by a Club to active Members who have satisfactorily completed (from the gaining of the Bronze Medallion) at least eight years patrol and Club obligations as provided by the Association and Club Constitution and By-laws. Reserve Active Membership shall not be automatic, but shall be granted by resolution of the appropriate Club body;
 - (ii) members shall perform a minimum of patrols in each Club where they hold Reserve Active Membership, as required by SLSA and further patrol duties at the discretion of the Club Management;
 - (iii) members shall complete the Annual Proficiency Test.

Note:- Notwithstanding (i) above, Reserve Active Membership may be granted under exceptional circumstances to active members irrespective of years of service.

f) Long Service Membership -

- (i) may be granted by a Club to members who have completed ten (10) years active service or to members who have completed eight (8) years active service plus four (4) years reserve active service;
- (ii) members may be exempted from all or some patrol obligations and may be granted other special privileges of memberships as provided in the Club Constitution and By-laws;
- (iii) should such members join another affiliated Club the receiving Club shall determine if such member's Long Service shall be recognised by that Club.

g) Award Membership -

- (i) Award membership may be granted to persons who are proficient holders of an Association award of one or more of the following qualifications – Surf Rescue Certificate (Over 15 years of age), Radio Award(s), Resuscitation Certificate, Advanced Resuscitation Certificate or First Aid Award(s) (or equivalent).
- (ii) members may be called upon to perform patrols and/or other Club obligations commensurate with their qualifications, and provided they so do, shall then be eligible for voting rights as approved by the Club.

h) Associate Membership -

- (i) may be granted by a club to a person who may or may not be the holder of an Association award;
- (ii) does not entitle such member to voting rights unless elected to office or a position, which is provided with voting rights by the Club Constitution or By-laws;
- (iii) Shall carry a joining and/or annual membership fee substantially greater than fees for other categories of Club membership.

i) Honorary Membership may be granted by a Club to persons who may or may not hold a SLSA Award and is not entitled to voting rights.j) Life Membership may be granted by Clubs and/or the Branch to members who have rendered distinguished or special service and as provided for in the Club/Branch Constitution or By-laws, and is relevant to that Club/Branch only.k) Past Active Membership:

- (i) Past Active membership may be granted by a Club to persons who have held a SLSA Bronze Medallion, and been an active patrol member for a minimum of three (3) years.
- (ii) Past Active members may have Club voting rights at the discretion of the affiliated Club.

BY-LAW 8.3DUAL MEMBERSHIP

In relation to dual or multi-club membership the following shall apply: -

- a) Any member of a club may be admitted as a member of another club or clubs, providing such member has a "clearance" as provided for in "Clearances". (By-law 8.4)
- b) Any competing member shall not participate in any Inter-Club competition as a representative of more than one club during any one competition season unless and until his "competitive rights" have been transferred as provided for in "Competitive Rights Transfer". (By-law 8.5)

- c) Any competing member who is a member of more than one club shall be entitled to compete in Club events of all such clubs.

BY-LAW 8.4
MEMBERSHIP CLEARANCES

- a) Any member who desires to join another Affiliated Club or to retain membership of his existing Club (or Clubs if more than one), and any person who has ceased to be a member of any Club and desires to join another Club, shall first obtain from his present Club (or Clubs if more than one), or from the Club of which he was last a member, a Clearance Certificate in the prescribed Form which shall clearly indicate:
- (i) any awards that may be held by such person;
 - (ii) that such person is not indebted in any way to such Club;
 - (iii) that such person is not expelled or under suspension from such Club;
 - (iv) the destination of such person's competitive rights.
- b) The member desiring the clearance shall obtain the prescribed duplicate controlling authority clearance form, and after entering the relevant details lodge the original with the losing Club and the duplicate with the relevant controlling authority.
- c) The losing Club or its Executive shall, within fourteen (14) days of receiving the original, approve or reject the application and after recording its decision on the application, immediately forward the original with the Club's decision to the controlling authority.
- d) If the losing Club approves the application, the controlling authority shall record the approval on the ORIGINAL form and return same to the member. The controlling authority with a notation of the decision shall retain the DUPLICATE.
- e) If the losing Club objects to the application, the application shall be dealt with at the next meeting of the controlling authority for a decision. Such controlling authority decisions shall be final. The decision shall be recorded on the ORIGINAL and returned to the member forthwith. The authority with a notation of the decision shall retain the DUPLICATE. The losing Club shall be advised, in writing, of the controlling authority's decision.
- f) If the Controlling authority does not receive a decision or the original form from the losing Club within twenty-one (21) days of the receipt of the duplicate form, the application shall be dealt with at the next meeting of the authority for a decision. Any decision made at the meeting shall be final. The losing Club and the member shall be advised of such decision in writing.
- g) Clearances of transferring members shall automatically take effect from the date when the application is approved by the controlling authority.
- h) The Branch shall charge an administration fee for transfers.

BY-LAW 8.5
COMPETITIVE RIGHTS TRANSFERS

A member of an affiliated Club who desires to transfer competitive rights to another affiliated Club during the currency of a competition season must comply with the following conditions:

- a) The member desiring the transfer shall obtain the prescribed duplicate transfer form and, after entering the relevant detail in duplicate, lodge the original with the losing Club and the duplicate with the controlling authority.
- b) The losing Club or its Executive shall, within 14 days of receiving the original, endorse or reject the application and, after recording the decision on the application, immediately forward the original with the Club's decision to the controlling authority.
- c) If the losing Club approves the application the controlling authority shall record the approval on the original and return the same to the member. The controlling authority with a notation on the decision shall retain the duplicate.

- d) If the losing Club rejects the application, the application shall be considered at the next meeting of the controlling authority for a decision and such decision shall be final. The decision shall be recorded on the original and returned to the member. The controlling authority with a notation of the decision shall retain the duplicate.
- e) If the controlling authority does not receive a decision on the original form from the losing Club within 21 days of the receipt of the duplicate form, the application shall be considered at the next meeting of the controlling authority for a decision. Any decision made at the meeting shall be final. The losing Club and the member shall be advised of such decision in writing.
- f) Transfers of competitive membership shall take effect from the date approved by the controlling authority. Members are permitted one transfer per year (ie 1 October in one year to 30 September in the next year defines one SLSA competitive season) except that no transfer is permissible after competing in any Branch, State, Australian or World Championship in that year. Any further transfer in that year will be processed for effect in the next year. An exception to this will be bonafide relocation because of employment/study/family commitments or other exceptional circumstances. Such transfers will be subject to consideration and approval by the State Centre or the member's losing Club. Any ILS rulings in respect of competitive transfers and world championships will be complied with.

BY-LAW 8.6
VOTING RIGHTS

Membership voting rights of affiliated Clubs shall be limited to Active, Reserve Active, Long Service and Life Members, Past Active Members at the discretion of the affiliated Club.

BY-LAW 8.7
CAPITAL EXPENDITURE

- (a) The Branch and its affiliated Clubs shall notify SLSQ of any proposed capital expenditure over \$100000.00.
- (b) Capital expenditure includes alterations, additions or improvements to existing facilities, acquisition of any land, buildings or other property, the building of any new facilities, the building or refurbishment of any other facilities either singularly or in partnership.
- (c) Capital expenditure also includes capital expenditure to purchase or invest in any business Venture, community project, or other project using Club (including affiliated Supporters Club) funds or borrowings.
- (d) Such notification is to include –
 - (i) a brief outline of the proposed expenditure clearly stating the intended purpose;
 - (ii) details of architectural plans (where necessary);
 - (iii) cost estimates with recommendation and justification (3 quotes);
 - (iv) details of recommendation of the above proposal in General Meeting minutes;
 - (v) latest financial information (Profit and Loss & Balance Sheet) prepared in accordance with accrual accounting requirements; and
 - (vi) any other information considered relevant.
- (e) Where financing is required to support the capital expenditure, the Club must provide details of the proposed financing arrangements, and appropriate financial data supporting the capacity to service the proposed debt.
- (f) In the situation where future anticipated income (eg future distributions from Supporters Clubs including gaming, meals and bar revenue) is being relied upon to service the debt, an independent professionally prepared financial analysis will also be required, including the following –
 - (i) a detailed business plan;
 - (ii) cash flow projections for at least five years;
 - (iii) market survey/sensitivity analysis confirming the feasibility of the proposal

- (iv) funding arrangements.
- (g) Such proposals shall be dealt with in the following manner –
 - (i) proposals shall be assessed by the SLSQ Board of Finance and Property upon receipt of all relevant information. The Board may seek external advice.
 - (ii) After assessing the proposal, SLSQ may issue an "Approval to Proceed". Any such approval (which may be granted or withheld conditionally or unconditionally at SLSQ's discretion) forms part of SLSQ's policy of encouraging responsible financial and asset management, but should not be construed as express or implied advice, or any guarantee, that the proposal is technically, financially or otherwise feasible or responsible.
 - (iii) If SLSQ declines to issue an "Approval to Proceed" it may give reasons for doing so. However, in determining whether to take further action which might result in a subsequent approval by SLSQ (for example by following SLSQ's recommendations or conditions of approval), the applicant must undertake any such further action based on independent financial and other relevant professional advice. Should the applicant proceed with the expenditure based on any recommendations or conditions made by SLSQ, the risk that this might not be appropriate for your circumstances is accepted by the applicant.

BY-LAW 8.7

BUSINESS DEVELOPMENT/VENTURE

- (a) In order to protect and enhance the Association's objectives, SLSQ affiliated Clubs (Including SLS Supporters Clubs and related entities) and the Branch shall inform and consult with SLSQ about any developments or redevelopments, or any developments or commercial or non-commercial venture – on existing property or elsewhere – which involve expenditures over \$50 000.00.
- (b) Examples of such developments or ventures where SLSQ needs to be consulted include:
 - (i) major development or re-development of a clubhouse;
 - (ii) development or re-development of any property;
 - (iii) land and/or property acquisition (Freehold or lease)
 - (iv) negotiation and/or renewal of leases;
 - (v) a commercial or non-commercial venture either on-site (eg at the clubhouse) or off-site, either singularly or in partnership.
- (c) SLSQ affiliated Clubs and the Branch shall notify SLSQ's CEO immediately when considering any development or venture outside the existing scope of operations of a Surf Life Saving Club or Branch.
- (d) SLSQ may request further information such as plans, contractual arrangements, financial and feasibility studies (as per the "Capital Expenditure Policy") etc to ensure the project/venture is in keeping with the aims and objects of the Association, and is financially sound.
- (e) SLSQ shall review all such information (with external expert advice if necessary) and if considered appropriate issue an "Approval to Proceed" (as per the existing Capital Expenditure Policy).
- (f) No development or venture shall proceed until SLSQ has issued the "Approval to Proceed".
- (g) SLSQ shall be kept informed on a regular basis where such developments/ventures have been given "approval to proceed".
- (h) SLSQ shall respect and comply with any "commercial in confidence" issues.

BY-LAW 8.8
INTELLECTUAL PROPERTY

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

BY-LAW 8.9
MEMBER PROTECTION

- (a) The Branch is committed to the health, safety and wellbeing of all members, and shall use their best endeavours to ensure a safe environment exists for all members participating surf lifesaving activities.
- (b) The Branch shall not condone any form of discrimination, harassment or abuse of, or by, members.
- (c) All members shall abide by the relevant SLSA policies with respect to Member Protection, Equity and Harassment, and the Codes of Conduct as determined from time to time.
- (d) All members involved, either directly or indirectly in leading, chaperoning, coaching, instructing, examining, or supervising (or the like) youth members shall be screened in accordance with legislative and Association requirements as determined from time to time.
- (e) All members shall immediately report any suspected breaches of the SLSA Member Protection or Equity policies or Codes of Conduct to the appropriate authority to SLSQ's Chief Executive Officer (or his nominee). The Chief Executive Officer shall, in accordance with Association policies and procedures, determine the most appropriate method of dealing with such reports.

BY-LAW 8.10
CODES OF CONDUCT

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

(a) Individual members shall -

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

(b) Team Managers/Age Managers/Chaperones shall -

- (i) Abide by the "Code of Conduct" for Members;
- (ii) Be responsible for the overall welfare and well-being of team members and officials when travelling with a team;
- (iii) Maintain a duty of care towards team members and an accountability for the management of the team;
- (iv) Have a sound knowledge of SLSA policies, responsibilities (and competition rules where necessary), and ensure that the conduct of the team is in accordance with these policies and guidelines;
- (v) Foster a collaborative approach to the management of the team.

(c) Coaches/Officials shall –

- (i) Abide by the Code of Conduct for members;
- (ii) Be responsible for matters concerning the coaching, training, development and competition of surf lifesavers;
- (iii) Maintain a duty of care towards others and an accountability for matters relating to training and competition;
- (iv) Have a sound working knowledge of SLSA policies, rules and regulations, officiating and coaching techniques;
- (v) Ensure that any physical contact with others is:-
 - (a) appropriate to the situation
 - (b) necessary for the person 's development
- (vi) Provide a safe environment for training and competition.
- (vii) Be a positive role model for surf lifesavers and SLSA.

(d) Administrators/Directors/Officers shall -

- (i) Abide by the Code of Conduct for members;
- (ii) Be fair, considerate and honest with others;
- (iii) Operate within the rule of SLSA;
- (iv) Be professional in all actions. Language, presentation, manner and punctuality should reflect high standards;
- (v) Resolve conflicts fairly and promptly through established procedures;
- (vi) Maintain strict impartiality;
- (vii) Maintain a safe environment for others;
- (viii) Show concern and caution towards others;
- (ix) Be a positive role model.

(e) Youth Leaders shall -

- (i) Abide by the Code of Conduct for members;
- (ii) Recognise the importance of, and encourage the development of members, encompassing camaraderie and team work;
- (iii) Treat members with respect and accept the duty of care for the welfare, safety health and happiness of members and conduct themselves responsibly;
- (iv) Be a role model to all members and conduct themselves in a manner befitting a leader with Surf Lifesaving;
- (v) Adhere to all Association Policies and ensure that the duty of care to all members is met in these areas;

- (vi) Accept that adults in Surf Lifesaving do not involve themselves in unobserved activities with individual youth members;
- (vii) Realise that physical or verbal abuse, neglect or any other type of abuse, is unacceptable conduct by any member of the Association;
- (viii) Allow members the opportunity and access to gain valuable leadership qualities and skills through lifesaving and surf sports activities;
- (ix) Provide the best possible lifesaving and sporting activities for members with the view to encouraging and promoting long term active participation;
- (x) Be reasonable in demands on members time, energy, enthusiasm and commitment;
- (xi) Ensure young members are involved in planning, leadership, evaluation and decision making processes at various levels within the Association;
- (xii) Ensure that equal opportunities for participation in lifesaving are made available to all members regardless of ability, race, colour, religion or sex.

SECTION 9

CLUBS COLOURS/BADGES, COMPETITIVE CONDITIONS

BY-LAW 9.1 COLOURS AND BADGES

- a) Each new affiliated Club shall apply to the State Centre to register its proposed colours and badge and competition cap design, which shall be subject to the endorsement of the State Centre and the approval of the Association.
- b) The existing Branch and Clubs' colours and badges shall not be altered without re-endorsement of the State Centre and the approval of the Association.
- c) Initial registration of colours and badges is subject to the payment of a fee, as is each additional registration. No registration fee shall be payable with the annual club affiliation, unless a change of registration is desired. The registration fee shall be as determined from time to time by the Association.
- d) The Association from time to time shall appoint a Cap Registrar who shall be responsible for the administration of this regulation, and who shall maintain a cap colour register.
- e) Every three (3) years the CAP Registrar shall update the CAP register.

BY-LAW 9.2 COMPETITIONS

- a) The Branch shall have power to regulate all competitions between Clubs and/or directly affiliated Clubs within its boundaries. The Branch Championships shall be held at a venue within the Branch Boundaries whenever possible.
- b) The Branch, through their respective Boards of Surf Sports, shall have the power to allocate any competition to any affiliated Club, and to appoint officials to control such competitions, provided that, in the event of two or more Clubs applying for permission to hold Carnivals or competitions on the same date, such matter shall be determined by the State Board of Surf Sports and no Inter-Club competition within the Branch shall be held without the approval of the Branch or State Centre.
- c) The Branch Board of Surf Sports, on a recommendation of the Director, shall appoint Referees, Judges, and other officials and, subject to the Association's Manuals, may make special rules for such events.
- d) Wagering and/or gambling by persons competing or participating (eg as a competitor, coach, official, manager, organiser etc) in events conducted by the Association is not permitted. Such members proven to have gambled on an Association competition event, in which they are involved, will be liable to appropriate disciplinary action.

BY-LAW 9.3
TROPHIES, PRIZES AND ELIGIBILITY

a) Trophies

The following shall apply to trophies:

- (i) no trophy unless sanctioned by the Branch, shall be given by an individual, Club, organisation or competed for, or accepted by any competitor or competitors other than suitably inscribed (where possible) life saving gear, badges, pennants, medals or items of clothing;
- (ii) cash equivalents shall not be offered in lieu of an advertised trophy;
- (iii) neither of the foregoing paragraphs shall prevent any donor from providing, for competition, any items of approved Association gear;
- (iv) a trophy offered from any source shall not be accepted for interclub competitive conditions unless the Branch approves such trophy and competitive conditions. Such conditions shall provide for the trophy to be won within a period of not more than three years, unless the nature of the trophy warrants a contest over a longer period. Every effort should be made to induce donors to donate trophies in the form of surf lifesaving gear and the winner should be determined in one season;
- (v) should the Branch or a club desire to conduct an Interclub competition or a competition at an interclub carnival, or over a series of interclub carnivals for a suggested trophy, the trophy or its value must be in the hands of the Branch or Club before the competition commences;
- (vi) notwithstanding the foregoing paragraphs, it shall be permissible for a donor to provide a perpetual trophy for competition to honour the memory of a dignitary, such trophy to be contested under conditions approved by the Branch;
- (vii) all perpetual or series shields, cups or trophies shall be returnable, if required, to the Branch, one month prior to the next competition;
- (viii) holders of the perpetual or series shields, cups or trophies shall be responsible for their safekeeping and proper care, but the Branch shall affect insurances.

b) Prize Money

The following shall apply to cash prizes:

- (i) The Branch shall be the authority to approve competition involving "cash prizes" and therefor any affiliated Club wishing to allocate any "cash prizes" for competition events shall seek the approval of the Branch, or in the case of events involving other Branches, the State Centre, or in the case of events involving International or Interstate Competitors then both the State Centre and SLSA;
- (ii) "Cash prizes" shall not be awarded for any event at a Championship Carnival;
- (iii) "Cash prizes" shall not be made available from affiliated Club General funds, however sponsor income may be distributed utilising the Clubs banking account;
- (iv) no competitor shall wager or gamble on any competition conducted by State Centre, Branch or any affiliated Club;
- (v) notwithstanding the foregoing, sponsors should be strongly encouraged to provide items of life saving gear as prizes rather than cash but where "cash prizes" are presented they shall be portrayed as coming direct from the sponsors.

Note:- Members of SLSA who hold membership of an Olympic Sporting Organisation shall be mindful of the eligibility requirements of the Australian Olympic Federation.

BY-LAW 9.4

COMPETITIVE RIGHTS, OBLIGATIONS AND QUALIFICATIONS

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

- a) Inherent in membership of SLSA, but subject always to gaining the appropriate qualification as prescribed by SLSA and complying with the competition rules issued by SLSA, is the right to enter, participate in events, contests, carnivals and competitions conducted by SLSA.
- b) Members are obliged to ensure they obtain and maintain the appropriate qualifications, including but not limited to, awards, age limits, patrols, proficiency tests, equipment and limiting disabilities, to enable them to participate in Association events, contests, carnivals and competitions.
- c) Members acknowledge and agree that should they participate in, and/or use any SLSA equipment in any event, contest, carnival and competition, which has not been licensed, sanctioned or otherwise authorised by SLSA that they will attract disciplinary action under the Regulations which may result in forfeiture of their competitive rights set out in By-Law 9.4(a) above.

BY-LAW 9.5

TEAM MANAGEMENT

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

Section 10

Visits and Tours

In relation to visits and tours by Association Individual Members or teams who shall include all persons who travel with or under the arrangements made by the Association, State Centre, Branch or Affiliated Club, the following directions shall be mandatory requirements.

BY-LAW 10.1
INTER-CLUB/INTERSTATE VISITS

In relation to affiliated clubs or a member or members of an affiliated club wishing to visit other clubs within Australia, the following shall apply:-

- a) Visits within a State, Territory or Branch shall be subject to the control of that Centre or Branch providing any such control provides for the appointment of a Manager in all circumstances.
- b) With the exception of national surf carnivals, interstate visits shall be subject to advice to the State Centre and Branch by the intending touring party at least twenty-one (21) days prior to such visits.
- c) Such advice shall detail the proposed destination and dates of the visit, method of travel, the number intending to travel and the name, address and contact details of the Team Manager/s who shall be deemed responsible in the event of necessity for future reference.
- d) Providing there are no grounds for objection, the State Centre of the intending touring party shall forthwith advise the relevant State Centre/s of the proposed visit to their region.

BY-LAW 10.2
INTERNATIONAL TOURS POLICY

When individuals or teams are identifiable as Association members by uniform of insignia or the purpose of the tour is to compete in events using Association type equipment or attend Association conferences or matters identifiable with Association activities, then the following policies and conditions apply:

- a) At least six months notice of the proposed departure date shall be given by a Club, Branch or State Centre before permission to tour shall be granted, unless under special circumstances as approved by the Australia Council.
- b) The Branch shall not, in any way, be responsible financially for any part of the expenses attributable to any tour by any Club.
- c) Appointment of officials, size and composition of the team and selection policies shall be a matter for the body making the tour, however, the Association strongly recommends the inclusion of Educational Officers in any team to tour overseas.
- d) No Club shall knowingly select in an overseas touring team any member who is under any form of suspension or is financially indebted to any Club, Branch or State Centre.
- e) The Association shall reserve the right to set special conditions under which permission will be granted to a Club/Branch team to tour overseas countries.
- f) At least one month prior to the departure of any Club or Branch team, State Centre and Australia Council shall be supplied with a copy of the final itinerary, points of contact, full details of the composition of the team, names and addresses of team members and the team Manager.
- g) Any Club, Branch or State Team to tour overseas shall have an appointed Team Manager who will be responsible for all matters concerning the team. In the event of any incident, complaint or otherwise adverse reaction to the team as a whole, or members individually, the Manager shall be automatically responsible to the Association and may be called before the Branch, State or Australia Council to face judiciary inquiry and possible disciplinary action.
- h) Comprehensive reports and recommendations (if any) on any tour (together with a team photograph where possible) must be supplied to the Branch/State Centre within ten (10) weeks of the completion of the tour.

- i) Adequate insurance policies shall be negotiated in respect of personal accident to and/or sickness of every member of the touring team, loss or damage to the personal effects of team members and to such special life saving and/or display equipment as shall be provided for use on the tour.

BY-LAW 10.3

INTERNATIONAL TOURS – WITHOUT INVITATION

A Club or Branch seeking to tour overseas without having received a specific invitation shall:

- a) make application to its Branch, State Centre or Australia Council (whichever is its immediate controlling body) for permission to conduct a tour, which shall include the following:
 - (i) proposed itinerary;
 - (ii) duration of the tour;
 - (iii) proposed composition of the team (a detailed composition of team members, names, capacities, etc., should be supplied as soon as it is completed);
 - (iv) details of how the tour will be financed including any proposals of sponsorship;
 - (v) aims and objectives of the tour, having regard to surf life saving;
 - (vi) an undertaking that the Branch, State Centre or Association will not in any way be financially responsible for the tour;
 - (vii) the method of selection to be used.
- b) If the application by the Club is endorsed at Branch level, the Branch shall then forward the application to the State Centre requesting endorsement of same and onforwarding to Australia Council, and in the case of an application to tour by a Club affiliated directly to the State Centre, the State Centre shall, if it endorses the application, forward same to Australia Council.
- c) The Australia Council upon receipt of the application, and if satisfied all conditions have been met, may then seek from the overseas country, district or club concerned, permission for the tour to take place and give the Club, Branch or State Centre permission to correspond direct with the overseas body.

BY-LAW 10.4

INTERNATIONAL TOURS – WITH INVITATION

A Club or Branch seeking to tour overseas after having received a specific invitation shall:

- a) if the invitation is accepted, make application for permission to conduct the tour, to its Branch, State Centre and the Australia Council setting out all details as required by the Association's Regulations 7.10.1(c) and 7.10.3(a) accompanied by full details and a copy of the invitation received;
- b) if the Branch and/or State Centre endorse the application, it shall be forwarded to the Australia Council seeking final approval for the tour to be conducted;
- c) the Australia Council, upon receipt of the application and having satisfied itself all conditions have been met, may grant permission for the tour to take place and give the Club, Branch or State Centre permission to correspond direct with the overseas body. Before granting this permission, the Australia Council will ascertain from the national overseas body that they have endorsed the invitation;

BY-LAW 10.5

TOURS OF AUSTRALIA

In relation to tours by overseas Life Saving organisations to a Club, Branch or State Centre in Australia, the following conditions shall apply:

- a) if any Club, Branch or State Centre wishes to issue an invitation to any overseas life saving body to tour Australia, it must firstly make an application to the Australia Council through its Branch/State Centre. Such application shall include all details of the proposed tour including accommodation, financial obligations of the host body, proposed itinerary and details of any appointed liaison officer(s);

- b) Branches and/or State Centres receiving such applications shall, before endorsing the application, consider the following:
- (i) the ability of the Club and/or Branch to host such a tour having in mind the membership and financial situation of the hosting Club and/or Branch;
 - (ii) that the proposed visit will not seriously disrupt any programming of the Club, Branch or State Centre;
 - (iii) that the qualifications of the host body's liaison officer(s) are satisfactory to properly carry out the required duties;
 - (iv) that such tours may be referred to as "domestic tours" and once authority has been given by the applicable Branch, State Centre, and Australia Council, these authorities shall not bear any responsibility, financial or otherwise, in connection with the tour.
- c) The Australia Council, upon receipt of the endorsed application, and provided that all the necessary conditions have been met, will consider the application and if approved the Australia Council shall notify the overseas Association concerned. However, the tour should not be considered confirmed until the overseas Association has advised the Australia Council of the invitation's acceptance.
- d) within eight (8) weeks of the completion of any tour by an overseas body, the host Club, Branch or State Centre shall supply the Australia Council with a comprehensive report detailing the activities and achievements of the tour;
- e) despite a tour being classified as a "domestic tour" it is anticipated that the host Club, Branch or State Centre will take such opportunities to invite the Branch, State Centre and the Australia Council representatives to be present at receptions and to be given the opportunity of having discussions with overseas visitors.

SECTION 11

DISCIPLINE, PENALTIES AND APPEALS

BY-LAW 11.1 JURISDICTION

- (a) The penalising authority for the Branch shall be vested in the following:
- (i) the Council;
 - (ii) the Executive;
 - (iii) the Judiciary Committee;
 - (iv) the Carnival or Function Sub-Committee as defined in By-law 11.2(b);
 - (v) the President;

Note:- It is suggested that any alleged unbecoming conduct should be referred to a Judiciary Committee unless the circumstances are such that in the opinion of the Branch that immediate action is required.

- (b) The jurisdiction of the Branch penalising authority shall be that where a Club or member of a Club affiliated with

the Branch is charged with having committed an offence:

- (i) within the boundaries of the Branch, the alleged offender shall be dealt with by the Branch ;
- (ii) within the boundaries of a Branch other than its/his Branch, the alleged offender shall be dealt with by the Branch to which it/he belongs;
- (iii) within the boundaries of a State Centre and the alleged offence is against the State Centre, the alleged offender shall be dealt with by the State Centre which may delegate its powers in this regard to a Branch, provided that the decision arrived at shall be subject to review by the State Centre.

BY-LAW 11.2
DISCIPLINE

(a) General

- (i) The Branch may penalise or refer to the Judiciary Committee, any Club or Auxiliary Organisation within its jurisdiction or any member of such Club or Auxiliary Organisation, whether a competitor or not, or any Officer and/or Officers of the Branch or Delegate who, in the opinion of the Branch, has practiced or counselled any unbecoming conduct or conduct which reflects upon the good name of the Association or any or all of its Officers, whether at any competition, meeting, function or other activity, or at any other time.
- (ii) Penalty decisions shall be promptly conveyed in writing to the Club or member concerned and it shall be incumbent on such body to give an immediate effect to such decision and to notify the Branch and any member failing in any of these requirements may be dealt with by the Branch.

(b) Carnivals, Competitions, Conference

- (i) At Branch Carnivals, Competitions , Seminars, Congresses or Association activities, shall appoint a Disciplinary Committee to inquire forthwith into any allegation of conduct prejudicial to the good name of the Association or an infringement of Association Rules or Regulations alleged to have been committed at any such Carnival, Competition, Seminar, Congress or other activity, or whilst travelling to or from the same or whilst within the jurisdiction of the Authorising Authority and may impose an appropriate penalty upon any member(s) Club or team which it finds guilty.
- (ii) The Committee, consisting of no less than three (3) members, shall be appointed by the Branch. Penalties may be administered as prescribed in the Constitution and By-laws but may also include forfeiture of titles or trophies won at a Carnival, Competition, Seminar, Congress or other activity which is relative to the misconduct.
- (iii) The Committee shall forthwith report in writing their enquiries and decisions to the Branch , and if applicable, to SLSA and the State Centre.
- (iv) Any Officer of the Branch or any Club or any Member of a Club or Auxiliary Organisation penalised by the Committee shall have the same right of appeal as provided for in By-law 11.4.

BY-LAW 11.3
PENALTIES

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

- (i) Reprimand - with the offence being recorded in the books of the penalising body.
 - (ii) Suspension - may be applied as a complete or partial suspension of a member's privileges for a definite period of time or until a definite pre-set goal is reached, and partial suspension could well require the member to carry out all or part of his duties in a Club without being able to avail himself of the normal facilities and privileges of a member. The extent or limit of the penalty must be set by the body imposing the said penalty, provided that the period of suspension shall not go be longer than three (3) calendar years from the date of the order..
 - (iii) Termination - Membership may be terminated because of the prevailing circumstances, and when the extreme action of expulsion is not warranted.

A member whose membership is terminated may re-apply for membership of the Association at some later time.
 - (iv) Expulsion - expulsion from Club Membership would only be applied as a response to a very serious offence against the Club, the Association or their principles or ideals.
 - (v) Fines imposed in such a manner as the penalising authority thinks fit.
 - (vi) Such combination of any of the above as the penalising body thinks fit.
 - (vii) Such other penalty or penalties as the penalising body thinks fit.
- (b) The suspension of a Club by the Branch shall mean the forfeiture of Membership and representation of the Club for the period of such suspension. The position of the officers of the Branch State Centre or SLSA who are members of a Club at the time of its suspension shall not necessarily be affected by such suspension, nor shall the suspension absolve the Club from any beach patrolling responsibility.
- (c) Where an individual Club member, Councillor, Delegate or Officer is suspended by the Branch, he shall forfeit either completely or partially, as may be decided, all privileges as a member of an affiliated Club during the period of his suspension and in the case of complete suspension, a member shall forfeit all rights during the currency of his suspension. Partial suspension shall limit such member's participation in inter-Club or Association activities but may not interfere with his right as a Club member.

BY-LAW 11.4

APPEALS

GENERAL

- (a) Any Branch, Club, Auxiliary Organisation or Member shall have the right to lodge an appeal against an adverse finding or penalty.
- (b) Any such appeal shall be dealt with in accordance with rules and procedures of SLSA Regulation 5.2 (SLSQ By-law 11.5).

PROCEDURES AND RULES

- (a) SLSQ Sunshine Coast Branch shall in each year appoint a panel of persons from whom an Appeals Tribunals shall be appointed from time to time. This panel shall comprise of the elected judiciary committee members.
- (b) A Branch, Club, Auxiliary Organisation or Member who or which has received a penalty or an adverse finding from a penalising body (for example, their Club, Branch or State Centre) may, within 14 days from date of the determination, appeal to the next level within SLSA. Thus:
- (i) an Individual Member appealing against a decision of his Club and having exhausted all appeals rights under

Club rules will appeal to their Branch (where applicable) or their State Centre;

(ii) a Club appealing against a decision of its Branch (where applicable) will appeal to its State Centre; and

(iii) a Club, Branch, or Auxiliary Organization appealing against a decision of the State Centre will appeal to the SLSA Appeals Tribunal.

Appeals under this clause will be determined in accordance with the procedures of the body hearing the appeal and with SLSA Regulation 5.2.

(c) a Branch, Club, Auxiliary Organisation or member who or which has received an adverse finding from the initial appeal body under paragraph (b) above may, within 14 days from date of the determination lodge a further appeal to the SLSA Appeals Tribunal against a penalty imposed by, or a finding of, a Judiciary Committee or the initial appeal body.

(d) An appeal must be lodged in writing with the relevant body hearing the appeal and if an appeal under paragraph (c) with the relevant State Centre setting out the:

- (i) ground(s) on which the appeal is made; and
- (ii) reasons or circumstances supporting the alleged ground(s) of appeal; and
- (iii) must be accompanied by a non refundable appeal fee of \$300.00.

The “relevant body” and “relevant State Centre” are those in which the appellant (whether individual or Club or Branch or State Centre) is located.

(e) Nothing prevents the withdrawal of an appeal at any time in writing to the relevant body if appealing under paragraph (b) or to the relevant State Centre if appealing under paragraph (c).

(f) On receipt of an appeal in accordance with this By-law, the relevant body must immediately convene an Appeals Tribunal and forward the appeal documents to the nominated Chairperson of the convened Tribunal.

(g) An Appeals Tribunal shall be constituted by up to three persons (but a minimum of two) available to hear the appeal from the SLSA Appeals Panel, which must include the following:

- (i) up to two persons with a thorough knowledge of surf lifesaving; and
- (ii) a barrister or solicitor who will chair the Appeals Tribunal.

No member of the Appeals Tribunal may be a party to or directly interested in the matter under consideration.

(h) The Appeals Tribunal has complete jurisdiction to re hear the matter in its entirety.

(i) The Chairman of an appointed Appeals Tribunal shall, as soon as practical after receiving the appeal documents under (f), investigate and consider the matter and shall within 7 days of receiving such notice, determine whether the:

- (i) appeal should be dismissed, because in its determination, the matter is trifling in nature or has no merit; or the appellant fails to show the club council was in error; or
- (ii) appeal warrants further review and determination in accordance with these rules.

(j) If the Appeals Tribunal determines the matter warrants further review, it shall as soon as practicable, having regard to the timing; serve a notice in writing on all relevant parties:

(i) stating that the parties may address the Appeals Tribunal at a hearing to be held as soon as practicable, being not earlier than 4 days from the date of the notice;

(ii) stating the date, place and time of that hearing; and

(iii) informing the parties that they may do any one or more of the following:

- (a) attend that meeting (either personally or by their representative who subject to SLSA Regulation

5.2 (m) may not be legally trained or qualified) and bring such witnesses as they wish to rely upon in respect of the matter the subject of appeal; and/or

(b) give the Appeal Tribunal, no later than 24 hours before the time of that meeting a further written statement setting out relevant information surrounding the appeal.

(k) The Appeal Tribunal may conduct a hearing convened in accordance with (j) (or any adjournment) in such manner as it sees fit, but shall:

(i) give to all relevant parties and their witnesses every opportunity to be heard;

(ii) give due consideration to any written statements received from any relevant party;

(iii) allow relevant parties to be present along with their adult representative; and may request or require such parties or other witness to attend the hearing or provide such evidence as is available to enable the Appeals Tribunal to properly consider the matter.

(l) Persons appearing before the Appeal Tribunal are not entitled as of right to:

(i) legal representation before the Appeals Tribunal. Subject to Paragraph (ii) below the Appeals Tribunal may grant a right to legal representation to a party where that party has made written application to the Appeals Tribunal for such representation. Such application must be received by the Chairman of the Appeals Tribunal within 7 days from the date of the notice served under (j).

(ii) Legal representation will only be permitted by the Appeals Tribunal where the party seeking legal representation can demonstrate to the Appeals Tribunal that the matter is serious, complex or the consequences for that party proceeding without legal representation are significant from a livelihood or business perspective. The onus is on the party seeking legal representation to prove that such representation should be permitted.

(iii) The Appeals Tribunal may refuse or grant such application in its absolute discretion. The Appeals Tribunal's decision in respect to legal representation is final and there is no appeal from such decision.

(m) Following consideration of all information which the Appeal Tribunal considers relevant and which is available, the Appeal Tribunal shall arrive at a finding. The Tribunal can impose new penalties or vary an existing penalty. A decision of the Appeal Tribunal may be by a majority decision. The decision of the Appeal Tribunal is final.

(n) The Appeal Tribunal shall notify all relevant parties, including SLSA and the State Centre of its decision as soon as practicable.

(o) An Appeal Tribunal has no power to award costs. That is, each party will be responsible for their own costs of the appeal.

BY-LAW 11.5 REFERENCES

- (a) In addition to the matters set out in By-laws 10.1 to 10.4 which are of a disciplinary nature, any interested party may submit a reference to the Branch upon any matter touching the affairs of the Association and its members;
- (b) Every Reference or Grievance shall be in writing setting out clearly the matters sought to be investigated, and the Executive shall then decide where such Reference or Grievance shall be directed.
- (c) The hearing of a reference shall proceed in accordance with Appendix "A" in these By-laws;
- (d) The hearing of any appeal from a decision on a reference shall proceed in accordance with Appendix "A" to these

By-laws.

APPENDIX "A JUDICIARY COMMITTEE RULES OF PROCEDURE

1. DEFINITIONS

In these Rules:

- 1-1 "The Committee" means the Judiciary Committee.
- 1.2 "Secretary" means the Secretary for the time being of the Judiciary Committee.
- 1.3 "Member" for the purposes of these Rules and Procedures means a member of the Association, and includes a Club, subject to the jurisdiction of State Centre or Branch by which the Committee shall have been appointed.
- 1.4 "Reference" includes any complaint against a member of the Association brought by any person, and any dispute under the Constitution. The term also includes grievances brought by a member of the Association against another member.

2. JURISDICTION

- 2.1 The Committee primarily has jurisdiction to hear a Reference of a disciplinary nature referred to it pursuant to the By-law 10.2 dealing with Discipline.
- 2.2 The Committee may also hear References directed to it by the Executive pursuant to By-law 10.5.

- 2.3 Every Reference directed to the Judiciary Committee shall be dealt with by that Committee or it may delegate the conduct of the reference to the Club -
- (a) in whose area the matter for reference arises; or
 - (b) to the Club having the most direct interest in the matters raised by the reference.
- If the reference is delegated to a Club, that Club shall appoint its Judiciary Committee to hear the reference and proceed in the terms of Rule 3 set out hereunder.
- 2.4 Every person bringing a reference shall have a right to be heard by a Committee of the Branch provided that -
- (a) he has an interest in the subject matter of the reference;
 - (b) his reference is in clear and unambiguous terms.
- 2.5 In every case the Committee is required to proceed in accordance with the rules of natural justice.

3. PROCEDURE

The following procedures shall be followed by the Branch Judiciary Committee.

- 3.1 Upon receipt of a reference, the Chairperson of the Committee or his delegate may appoint an independent person to act as investigator upon the reference. Such appointment shall be in writing, enclosing a copy of the reference and instructing the investigator to make all relevant enquiries and prepare to assist the Committee within fourteen (14) days.
- 3.2 The investigator, if appointed, shall make all relevant enquiries and shall appear at the time and place appointed for the hearing by the Secretary of the Committee.
- 3.3 Upon receipt of a reference, the Secretary shall forthwith appoint the time and place for the hearing suitable to the members of the Committee. He shall give at least seven (7) days notice of the hearing to all interested parties and such notice shall be in or to the effect of the following form:

SURF LIFE SAVING QUEENSLAND

..... Branch

To:.....

Dear Sir,

You are hereby notified that a meeting of the Judiciary Committee of this Branch will be held at on 19..., at (pm/am), to inquire into the following matter, referred to the Committee by the Branch.

(You are) (Your Club is) required to be (present) (represented) at that time and place, together with such witness as (you) (your Club) may desire to call.

Mr./Ms. has been appointed pursuant to the Branch/Club Constitution, as an independent investigator to make all relevant enquiries and to appear to assist the Committee at the hearing - optional.

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

writing, to be in my hands at least three (3) days prior to the time appointed.

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

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

Yours faithfully,

SECRETARY

Judiciary Committee

- 3.4 The Committee shall have power to require the attendance of any member at any hearing by the Committee. The Secretary shall give reasonable notice to a member informing him of the time and place of the hearing, and that he is required to attend.
- 3.5 In the case of a complaint against a member of the Association who has been suspended, he shall remain under suspension until the decision of the Committee, unless the Chairperson of the Committee decides otherwise.
- 3.6 The independent investigator if appointed by the Chairperson of the Committee shall make enquiries within a reasonable time.
- 3.7 The Committee shall likewise conduct the inquiry within a reasonable time, subject to any reasonable application for an adjournment in writing and received by the Secretary at least three days before the time fixed for the inquiry.
- 3.8 No interested party shall be entitled to legal representation as of right at the Committee hearing provided always that an application may be made at the commencement of the hearing for such representation. The Committee may grant or refuse such an application as it sees fit. The same provisions shall apply where an application is made for representation other than legal representation, provided that where a minor (U18) member is charged, it shall be mandatory for a parent or guardian or an adult approved by the parent or guardian to be invited to attend at all material times, and every effort should be made to encourage these persons to be in attendance in the interest of the minor (U18) member.
- 3.9 Any notice required by the Rules to be given by the Secretary shall be given in writing delivered personally or sent by prepaid post addressed to the member concerned or to the Secretary of Club concerned of which the person for whom the notice is intended is a member. On receipt of a notice intended for a member of his Club, the Secretary of that Club shall forthwith inform the member concerned of the receipt of the notice and of its contents. A notice given by post shall be deemed to have been given on the day following that on which it shall be posted.
- 3.10 Any member who fails, without reasonable excuse, to comply with the requirements of any notice addressed to him by the Secretary and any Secretary of a Club who fails, without reasonable excuse, to comply with Rule 3.9 hereof, shall be subject to such action as the Executive of the Branch or Club, as the case may be, shall on the report of the Committee, think fit.

4. AT THE HEARING

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

- 4.2 A quorum of the Committee shall be three (3) members.
- 4.3 In the case of a complaint against a member or Club, all witnesses other than the member or Club concerned, must remain out of the hearing until called upon to give evidence.
- 4.4 The independent investigator (if appointed) shall be present to assist the Committee.
- 4.5 The reference to the Committee shall be read by the Chairperson.
- 4.6 The independent investigator (if appointed) shall present relevant evidence, including the calling of witnesses. Any submissions by the investigator, or documentary evidence submitted by him, shall be given whatever weight the Committee thinks fit, subject always to the consideration that oral evidence from a witness may be of more weight than other forms of evidence.
- If the independent investigator is not appointed, the Committee itself shall receive the evidence relative to the reference.
- 4.7 The person or Club the subject of the reference shall then present relevant evidence on his own behalf, subject to the same provisos as in Rule 4.6.
- 4.8 In all cases, where witnesses are called they shall be examined by the party (if any) on whose behalf they are called, and then cross-examined by the other interested parties to the reference. The party calling the witness shall have the right to re-examine the witness. The Committee members may ask questions of the witness, but no other examination or cross-examination of that witness shall be allowed except by leave of the Chairperson.
- Such examination or cross-examination may be conducted through the Chairperson and/or by telephone or other multimedia means as determined by the Committee.
- 4.9 The Committee may, in its discretion, refuse to admit evidence which is irrelevant or of so little weight as to be properly excluded.
- 4.10 At the conclusion of all the evidence, each interested party and the investigator (if appointed) may make submissions to the Committee in such speaking order as the Chairperson may direct. Right of reply by any party shall be at the discretion of the Chairperson.

5. AT THE CONCLUSION OF THE HEARING

- 5.1 The Committee shall meet in camera after the hearing has been completed and formulate its findings.
- 5.2 The findings of the Committee and the order or penalty agreed upon, may be by the majority, with the Chairperson having a casting vote in the event of a tied decision. The minority may furnish separate findings, but the majority findings and order or penalty shall be deemed to be the decision of the Committee.

6. DETERMINATION OF ANY PENALTY

- 6.1 The Chairperson or other member of the Committee shall deliver the Committee's findings in the presence of such interested parties who wish to attend.
- 6.2 If an adverse finding is delivered, the party against whom the finding has been made, shall be invited to make submissions on penalty.
- 6.3 the Committee shall make any determinations of penalty as may be required and it sees fit. If necessary, the

Committee may meet again in camera to consider a penalty.

7. NOTIFICATION

- 7.1 The Secretary of the Committee shall forthwith give notice of the decision of the Committee to all interested parties, together with notice of any made order or penalty imposed, which upon being confirmed by the appointing authority shall become effective forthwith.
- 7.2 The Committee shall furnish its report at the first meeting of the appointing authority after the hearing is completed. That authority shall either confirm the decision of the Committee or proceed according to the next succeeding paragraph.
- 7.3 The decision of the Committee cannot be altered by the appointing authority, but a two-thirds majority of those present and voting at the meeting, may return the reference to the Committee for further consideration or the hearing of additional evidence. The grounds of such return of the reference shall be clearly stated.
- 7.4 A person or Club exonerated by the Committee may start under protest at any Carnival or Association event held before the meeting of the appointing authority at which the Committee's decision is presented for confirmation or return as the case may be.

8. APPEALS

- 8.1 Except as provided in Clause 8.3 hereof, any person aggrieved by a decision of the Committee may, upon a Reference has a right to appeal to the next highest authority from that which appointed the Committee which conducted the hearing.
- 8.2 Except as provided in Clause 8.3 hereof, any person aggrieved by a decision of the Committee upon a Reference may, within twenty-eight (28) days after the decision is conveyed to that person, appeal against the decision provided –
 - (a) If the hearing was conducted by the Club/Branch Judiciary Committee, the appeal shall be lodged with the Secretary of that Club/Branch and it shall be forwarded immediately to the Branch/State Centre.
 - (b) If the hearing was conducted by the State Centre Judiciary Committee, the appeal shall be lodged with the State Centre, and it shall be dealt with in accordance with the Constitution of the Association.
- 8.3 Where a Reference submitted pursuant to By-law 10.5 the Branch has been heard by the Committee and its decision has been confirmed by the Executive, that decision shall be final and no appeal shall lie to the next highest authority, except in cases where the Committee and the Executive has decided that an interested party to the Reference or Grievance should be penalised in terms of By-law 10.3.

APPENDIX "B"
RULES OF DEBATE

1. GENERAL

- 1.1 The undermentioned rules shall apply to the conduct of all meetings of the Council, its Boards and Committees.
- 1.2 For the purpose of these Rules, the word "member" shall refer to members of the Association.

2. CHAIRPERSON'S AUTHORITY

- 2.1 Whenever the Chairperson rises during debate, the member then speaking shall be silent and resume his seat.
- 2.2 In the case of any remark considered by the Chairperson to be offensive or imputing improper motives, the Chairperson may call upon the speaker to withdraw and apologise.
- 2.3 The Chairperson may call a member to order. If such member persists in being disorderly, he may call upon such member to withdraw from the meeting.
- 2.4 It shall not be permissible to dispute the Chairperson's rulings, or move a motion of dissent from his ruling, on matters of procedure and points of order.

3. DEBATE

- 3.1 Any member desiring to speak shall stand up and address the Chairperson.
- 3.2 If two or more members rise to speak at the one time, the Chairperson shall decide which is entitled to priority.
- 3.3 The meeting may decide that a particular person shall or shall not be heard, provided that a motion of this nature shall not be debated.
- 3.4 No member shall interrupt another while speaking, except to rise to a point of order.
- 3.5 No speaker shall digress from the subject under discussion.
- 3.6 No member shall use offensive or unbecoming words.
- 3.7 During the debate, a member may raise a point of order whereupon the member then speaking shall resume his seat until the point of order has been decided.
- 3.8 It shall be competent for any member to move a motion of dissent from the Chairperson's ruling other than on matters of procedure and points of order. The mover of a motion of dissent shall concisely state his point. The seconder and Chairperson only may then speak to the motion.
- 3.9 At any time during the debate, a member may move "that the question be now put", provided the Chairperson is satisfied that reasonable time for debate of the original motion has been allowed. The motion shall be put without debate - it need not be seconded. This motion may be applied to an amendment, in which case it is the amendment which is immediately put to the vote. It shall not be competent for the mover, seconder or any person who has spoken to the original motion or amendment to move "that the question be now put".
- 3.10 If carried, the original motion shall be put to the vote without further debate except that the mover thereof shall have the right of reply; if lost, the debate may proceed.
- 3.11 A member may move the adjournment of the debate to a subsequent meeting. If the motion for adjournment is lost, the mover thereof shall not be allowed to speak again on the question under debate. If carried, the mover shall have the right of resuming the debate at the ensuing meeting and the mover of the original motion shall have the right to reply.

4. MOTIONS AND AMENDMENTS

- 4.1 Any member proposing a motion or an amendment shall state its nature before addressing the meeting thereon.

- 4.2 The mover of a motion shall not occupy more than ten minutes nor any other speaker more than five minutes; provided that the meeting may, by resolution, without debate, grant an extension of time to any speaker.
- 4.3 No member may speak more than once to a motion except with the Chairperson's permission, in explanation or reply, or to ask a question provided that he may speak again on any amendment to the motion.
- 4.4 The mover of a motion's right of reply shall be exercisable at the end of the debate.
- 4.5 The mover of an original motion must get the consent of his seconder, and the approval of the meeting, before making any alteration to the wording of his motion.
- 4.6 Any member (other than as provided in Rule 4.7 herein), may move an amendment to a motion, provided it is not a direct negative of the motion proposed to be amended.
- 4.7 The mover or seconder of a motion may not move or second an amendment to it but may speak on any such amendment.
- 4.8 A particular member may move or second one amendment only to each motion, but may speak on amendments moved by others.
- 4.9 An amendment having been moved, it shall not be competent to move any further amendment, provided that notice may be given of intention to move a further amendment when the previous amendment has been determined. Only one amendment can be considered at any one time.
- 4.10 If there is an indication of more than one amendment to be brought forward the mover of the original motion may elect to reply at the end of the debate on the first amendment.
- 4.11 The mover of an amendment has no right of reply.
- 4.12 A member, who formally seconds a motion or amendment without speaking, may speak in support at a subsequent stage of the debate.
- 4.13 Amendments shall be put to the meeting before the motion is put, and shall be committed to the meeting in the order in which they are received.
- 4.14 When an amendment is carried, the motion as amended becomes the motion before the meeting.
- 4.15 Motions and amendments can be withdrawn only with a majority of those present at the meeting consent. A motion for withdrawal is open to debate, which however, must be confined to the matter of withdrawal.
- 4.16 If, after a motion has been determined, it is considered in the general interest that the matter should be re-opened for discussion before the termination of the same meeting, the meeting may, by unanimous vote, order its recommittal.

5. VOTING

- 5.1 Voting shall be by the voices, or at the discretion of the Chairperson or at the request of any member, by show of hands or by secret ballot.
- 5.2 Any member, supported by not less than three others, may call for a division, in which case members shall move to the right or left of the Chairperson, as directed by him.

- 5.3 In the event of a division, any member declining to vote shall elect to retire behind the Chairperson or have his vote counted in the negative.
- 5.4 The Chairperson may appoint tellers to assist him in counting a vote.

APPENDIX "C"

THE COMMON SEAL



LIFE MEMBERSHIP BADGE

