

1. NAME

The Club shall be called the Mullaloo Surf Life Saving Club (Inc.) and shall consist of all persons duly elected as members and shall affiliate with the Surf Life Saving Association of Australia, WA State Centre.

2. OBJECTIVES

The objectives of the Club shall be:

- 2.1 To study, practice and advance methods of surf life saving as laid down by the Surf Life Saving Association of Australia and through the Club's affiliation with that Association through the WA State Centre.
- 2.2 To prevent or minimise loss of life from drowning and to render all possible aid to persons in distress or injured by providing beach patrols within the boundaries of Mullaloo Beach, as contracted with WA State Centre (Inc.).
- 2.3 To promote demonstrations and arrange classes of instruction for members of the public in water safety and resuscitation to bring about a widespread and thorough knowledge of the principles which underline the art of natation in the surf, and further promote generally the best interest of surf life saving.
- 2.4 To co-operate with local governing authorities in taking such measures as are considered necessary to ensure the safety of surf bathers and other users of the Club's area of responsibility.
- 2.5 To provide facilities, equipment and circumstances conducive to members being able to pursue proficiency and excellence in surf life saving and competitive skills within the constraints provided in the Constitution and Club By-Laws.
- 2.6 To foster and encourage member's participation in Club, Inter-Club and Championship competitions in the interests of maintaining fitness for surf life saving responsibilities and in the spirit of true sportsmanship and fair play for the benefit of the Club and its members.
- 2.7 To organise and conduct fundraising and social activities for the benefit of the Club and its members.
- 2.8 To do all things as are incidental or conducive to the attainment of the foregoing objectives.

3 POWERS

The Mullaloo Surf Life Saving Club (Inc.) by and in accordance with the Constitution and By-Laws is empowered to:

- 3.1 Admit members to appropriate membership categories (Clause 6) and refuse applications for membership. Elect office bearers (Sub-Clause 8.1) from such members to manage and run the Club.
- 3.2 Set and collect membership fees subscriptions or make charges for admission to all or and part of the Club property.
- 3.3 Acquire purchase, take on lease or in exchange hire or other wise any real and personal property and any rights which the Club may deem necessary or convenient for the purpose of carrying out the objectives of the Club or any of them and in particular any land, buildings, easement or other interest in real estate or in any plant machinery or stock-in-trade.
- 3.4 Raise and receive any money on loan or deposit or otherwise with power to give mortgages over any property of the Club or any part thereof and to give and issue bonds, debentures, debenture stock or other obligations or securities charged or not charged for any monies received and for interest thereon or for any other purpose and to purchase redeem or pay off any such securities.
- 3.5 Lease or sub-lease any real property of the Club and to sell let dispose of or grant rights over all or part of any property of the Club
- 3.6 Invest Club monies surplus to immediate and short term operating requirements. Draw and negotiate bills of exchange promissory notes and other negotiable instruments.
- 3.7 Allow the Club property or any part thereof to be utilised for any charitable purpose and apply such portion of the Club's funds towards any such charitable purpose deemed worthwhile by the Club.
- 3.8 Make awards grant prizes rewards and privileges and make commendations in recognition for accomplishments achievements of distinction and extraordinary duty and service.
- 3.9 Discipline, suspend and expel members found to be guilty of varying degrees of transgression against the Club, impose penalties and fines.

4. INCOME

The profits (if any) and other income of the Club shall be applied solely to the promotion of the objectives of the Club and no takings, receipts, profits, gains or other income of the Club howsoever derived shall be distributed amongst its members or any of them and no payment of any dividend shall be made to members of the Club

5. DEFINITIONS

ACTIVE MEMBERSHIP - shall include all members who have attained the Association Bronze Medallion and who are liable for patrol duties.

VOTE - shall mean a vote in the affirmative or negative but shall not include abstentions.

ASSOCIATION - Surf Life Saving Association of Australia and/or WA State Centre.

6. MEMBERS

Members shall be designated in the following categories. Age shall be determined as at midnight 30 September each year.

6.1 ACTIVE MEMBER - shall hold a Bronze medallion and shall fulfil the full patrol and Club obligations, as provided by the Association and Club Constitution and By-Laws and shall qualify in an Annual Proficiency Test each season, unless the member has obtained his/her Bronze Medallion in that season.

6.1.1. **SENIOR** - shall be a minimum of nineteen (19) years of age and shall pass the Bronze Medallion Examination within three (3) months of joining the Club unless granted an extension by the Board of Management.

6.1.2. **JUNIOR** - shall be a minimum of sixteen (16) years of age and less than nineteen (19) years of age and shall pass the Bronze Medallion Examination within three (3) months of joining the Club or within three (3) months of attaining the age of fifteen (15) years, unless granted an extension by the Board of Management.

6.1.3. **ACTIVE MEMBER** – shall be liable for patrol duty unless exempt as provided elsewhere in the Club Constitution and By-Laws.

6.2 CADET MEMBER - shall be minimum of thirteen (13) years of age and less than sixteen (16) years of age, and shall be required to pass the

Examination for Surf Rescue Certificate within three (3) months of joining the Club or within three (3) months of attaining the age of thirteen (13) years unless granted an extension by the Board of Management.

- 6.3 PROBATIONARY MEMBER - shall be the designation of any person for the time period between applying for membership, acceptance and gaining of an appropriate category award and/or the granting of a formal category membership by the Board of Management.
- 6.4 ACTIVE RESERVE MEMBERSHIP - may be granted by the Board of Management to an Active Senior member who from the date of being awarded the Bronze Medallion have completed a minimum of eight (8) years of Patrol and/or Club obligations as provided by the Association and Club Constitution and By-Laws and who have made written application to the Board of Management.

Active Reserve Membership shall:

- (i) preclude such members from Normal Patrol duties but at the discretion of the Board of Management such members may be required to perform Patrol duties and/ or Club obligations in special circumstances.
- (ii) complete the Annual Proficiency Test, and
- (iii) notwithstanding sub sub-clause above, comply with Association Patrol requirements

In any case Active Reserve Membership may be granted, at the discretion of the Board of Management, to Active Members:

- (iv) with previous service at other Association affiliated Clubs.
 - (v) where extenuating circumstances exist irrespective of the length of Active Service, and/or
 - (vi) transferring from the other Association affiliated Clubs and who before transfer held Active Reserve Membership at the losing Club.
- 6.5 LONG SERVICE MEMBERSHIP - may be granted by the Board of Management to members who from the date of being awarded the Bronze Medallion have completed a minimum of either ten (10) years Patrol and/or Club obligations or eight (8) years Active service together with at least four (4) years Active Reserve service.

Application for Long Service Membership shall be made in writing to the Board of Management which shall decide whether to grant or deny such membership status. Applications shall be so detailed as to provide sufficient particulars that the Board of Management shall necessarily be required to research the applicant's records.

In the case of members who have transferred or persons who are applying to transfer from another Association affiliated club and who already holds or qualifies for being granted Long Service membership and who are applying for membership in the Long Service category may be credited with such qualifying service or granted continuation of Long Service Membership status already held at their previous Club upon acceptance of such membership application by the Board of Management. It shall be responsibility of such applicant to supply full documented particulars of previous service secured from the Secretary of the affiliated Club where such service was completed.

A former Long Service Member may re-apply for admission as a Long Service Member and may be re-admitted at the discretion of the Board of Management.

In any event the Board of Management shall if in its opinion determine exceptional circumstances exist grant Long Service Membership to an Active Reserve Member irrespective of the number of years served.

Long Service Members shall be exempted from all Patrol obligations and may be granted other special privileges of membership as provided in the Club Constitution and By-Laws. Long Service Members shall be required to successfully complete the Annual Proficiency Test each season in order to compete in Association Carnivals in all events other than the March Past.

- 6.6 AWARD MEMBERSHIP - may be granted by the Board of Management to persons who hold an Association award of one or more of the following designations -

Radio Award/s. Resuscitation Certificate,
Advance Resuscitation Certificate, SLSA First Aid Certificate.

Award Members may at the discretion of the Director of Life Saving Services be called upon to perform Patrol and/or Club obligations within the ability of their qualifications, and when so called shall perform such obligations required.

- 6.7 LIFE MEMBERSHIP - may be granted by the Club to members who have rendered distinguished or special service to the Club and who have completed a minimum of ten(10) consecutive years, or in the case of broken service completed an aggregate of a minimum of twelve(12) years Active Senior Membership with the Club. In the case of non-Active members a minimum of fifteen (15) years consecutive service or seventeen (17) years of broken service.

Nomination of members for Life Membership shall be made by the Life Membership Committee to the Board of Management which shall pass the nomination to the next Annual General Meeting only when the vote is carried in the affirmative by four fifths (4/5ths) majority of those Committee Members who choose to vote (and does not include those who choose to abstain from voting).

If carried the nomination shall be placed on notice for the next Annual General Meeting.

Election of Life Members shall only take place at the Annual General Meeting by a secret ballot of members present and eligible to vote at that time as provided by the Club Constitution (Para.9) and shall only be carried by an affirmative vote of four fifths (4/5ths) majority of such members.

- 6.8 HONORARY MEMBER - shall be appointed at the discretion of the Board of Management where in its opinion special circumstances exist and such an appointment is warranted and in the best interest of the Club. Such members are not required to pay annual subscription nor obliged to perform patrol duties and shall not have voting rights.
- 6.9 JUNIOR MEMBER - shall be aged between the age of seven(7) and thirteen(13) years on a seasonal basis and such person shall be required to gain the relevant Junior Activity Achievement Certificate for that person's age group.
- 6.10 ABSENTEE MEMBER - any Long Service, Active Reserve, Active and Award Member who, for any cause deemed reasonable by the Board of Management, applies in writing for leave of absence and who at the time of application has fulfilled Club and/or Patrol obligations shall be granted Absentee Membership status by the Board of Management for any period of time that it determines. Absentee Members shall be exempt from all obligations of active membership other than payment of the Annual subscription hereinafter prescribed.
- 6.11 ASSOCIATE MEMBER - Associate Membership may be granted by the Board of Management to persons aged not less than 28 years and who may or may not hold an Association award, except as provided in this Constitution. Associate Members shall be ineligible to vote or serve on any committee or sub-committee but shall be entitled to all other Club rights and privileges and exceptions from patrol duties.

Associate Members may at the expressed wish of the Board of Management nominate and be elected to office or any position which this Constitution provides that office with voting rights.

Association Membership annual subscription shall not be less in monetary value than any other individual membership category monetary value.

Associate Members who have gained their Bronze Medallion shall have the right to vote and serve on any committee or sub-committee.

- 6.12 FAMILY MEMBERSHIP - The Board of Management shall on an Annual basis when determining subscriptions (refer 7.2) also determine the provision/conditions of Family Membership.
- 6.13 SOCIAL MEMBERSHIP - The Board of Management shall on an Annual basis determine the provisions/conditions of Social Membership taking into account the requirements and limits approved by the Licensing Division.
- 6.14 TEMPORARY MEMBERSHIP – a person who is on any day visiting the club as a member or an official of, or a person assisting a team that is to contest a pre-arranged event in that sport on that day or at the invitation of a member to engage in that sport on that day, may be taken to be a person who is afforded temporary membership on that day.

7. MEMBERSHIP

The power to accept or reject applications for membership of the Club is vested in the Board of Management. Every member shall be bound by and submit to the Constitution and By-Laws of the Club.

- 7.1 Cadet, Active, Active Reserve, Long Service, Life Members and elected officers of the Club who are proficient and financial as defined by the Association and Junior Division members are eligible for selection to represent the Club in Inter-Club and Championship Competitions
- 7.2 Annual membership subscription for every category shall be decided by the Board of Management at least one (1) full calendar month prior to the Annual General Meeting. The amounts of subscription appropriate to each membership category shall be promulgated and included in the written notice to registered members advising the forthcoming Annual General Meeting within the time period as prescribed hereinafter.
- 7.3 Membership of the Club may be fixed by and at the discretion of the Board of Management to limit the number of members in each category to ensure the efficient working of the Club. No membership shall be refused in any circumstances on the grounds of sex, race, creed or colour.
- 7.4 All new members, other than Honorary Members, shall complete the Club's Membership Nomination form and shall pay the prescribed subscription (Sub-Clause 7.2) at the time of lodging nomination for membership. All new membership applications/ nominations shall not be deemed to have been accepted until approved by the Board of Management and membership subscription has been paid.
All applications for membership shall be posted on the noticeboard of the Club for a period of not less than seven days before election, provided

also that an interval of not less than two weeks shall elapse between nomination and election.

- 7.5 Existing Members other than Life, Absentee and Honorary Members, shall complete the Club's Renewal of Membership Form and shall pay the prescribed membership subscription within one (1) month of the commencement of the current season as stipulated by the Association or at the date of Application for renewal of Membership when made after the current seasons commencement and such renewal is approved by the Board of Management.
- 7.6 All members eligible to vote at the Annual or Special General Meetings shall be financial prior to such meetings. Any new members or persons applying for membership shall be accepted as members by the Board of Management prior to such meetings to be eligible to vote (Clause 10).
- 7.7 Any person or past member rejoining after a period of absence who applies for membership or renewal of membership on or after 1st February, shall at the discretion of the Board of Management be accepted on the basis that each membership shall be financial for the remainder of the current season and for the season immediately following. In respect of each member the aforesaid shall apply only once during that person's history with the Club.

Such members shall meet all Club obligations and may participate in Club, Inter-Club or Association competitions providing that each conforms to Club and Association requirements in respect of award qualifications proficiency and completion of patrol obligations.

- 7.8 The Registrar, or an Officer appointed in his/her stead, shall be responsible for interviewing all new members obtaining and ensuring that all relevant particulars in respect of each is accurate and appropriate to the category of membership applied for and shall present each application for approval or otherwise of the Board of Management at its next meeting

The Registrar shall be responsible for the registration within the Club records of all members' particulars, awards, achievements, appointments, commendations, reprimands, suspension or any other details pertaining to membership, and to provide relevant and necessary details required to register each member with the Association through the WA State Centre.

- 7.9 The Club shall keep an up to date register of members in respect of each class of membership. The register must be continually available for inspection at the club premises.

8. OFFICERS AND ELECTIONS

- 8.1 The Officers of the Club shall consist of Patron, Vice Patrons, Trustees (three of), Hon. Club Solicitor, Hon. Club Medical Officer, Hon. Club Auditor, Hon. Padre as well as a Board of Management made up as follows – President (Chairman), Director Membership Services, Director House, Director Life Saving Education, Director Life Saving Services, Director Competition, Director Coaching, Director Junior Activities, Director Finance, Director Marketing, Director Youth Development and Club Secretary/Administrator.
- 8.2 The Patron, Vice-Patrons, Trustees, Hon. Club Solicitor, Hon. Club Medical Officer, Hon. Club Auditor and Hon Padre shall be elected by the Members at the Annual General Meeting.

Members with the right to vote as provided in Sub-Clause 7.6 and Clause 10 shall elect all members of the Board of Management at the Annual General Meeting.

All other Club officers/positions shall be nominated by each Director and such nominations shall be presented to the Board of Management for ratification. The duty statements covering each officer/position shall be prepared annually by the appropriate Director who may make amendments to the duties as and when required provided the officer concerned is notified by means of issue of an amended duty statement.

The following nominated officers must hold the appropriate Surf Life Saving Association of Australia qualifications:

First Aid Officer	SLSA First Aid Certificate
Radio Officer	SLSA Radio Operator Certificate
Mobile Services Officer	SLSA IRB Drivers Certificate
Boat Captain	SLSA Bronze Medallion
Board & Ski Captain	SLSA Bronze Medallion
Safety Co-ordinator	SLSA Award – Ideally should hold, or be working towards attaining an appropriate qualification in the occupational safety & health field

- 8.3 Nominations for the Board of Management shall conform to the following:
- a) The Nomination shall be in writing and bear the signatures of the Nominator and Secunder who shall be financial members and eligible to vote, in accordance with Sub-Clause 7.6 and Clause 10.
 - b) The Nominee shall sign the nomination signifying his/her acceptance of the nomination and certify their preparedness to undergo a clearance process as outlined in the Club's Member Protection policy.

- c) The nomination shall be duly signed as per a) and b) above and shall be lodged with the Club Secretary fourteen (14) full days before the Annual General Meeting.
- d) The Nominee shall be financial at the time the nomination is lodged with the Club Secretary in accordance with Clause 7.6 and Clause 10.
- e) The Directors of Life Saving Services and Life Saving Education must hold a minimum of Bronze Medallion, Training Officers Certificate and an Advanced Resuscitation Certificate. All other Directors/Nominees shall hold an Association Award.

8.4 In the case of vacant position/s for which nominations in accordance with Sub-Clause 8.3 have not been received:

- a) The Chairperson may call nominations from eligible members from the floor and the appointment of such nominee (s) shall be at the discretion of the incoming Board of Management.
- b) In the absence of nominations at Annual General Meeting, the Board of Management may at its discretion appoint members to vacant positions.
- c) All nominations accepted under these clauses are to comply with the provisions of sub-clause 8.3(a), 8.3(b), 8.3(d) and 8.3(e).

8.5 In the case where a duly elected Board member's:

- a) Police clearance is returned with a disclosable court history, the member's rights as a director shall be suspended until the matter can be assessed in accordance with club policy.
- b) Assessment determines the disclosable court history is not in the best interests of the elected position that member's election shall be declared void.

9. GENERAL MEETING

9.1 Annual General Meeting

Shall be held on or before the 30th day of June each year, the date to be fixed by the Board of Management, to conduct the following business:

- a) Apologies
- b) Confirmation of Minutes of Previous AGM
- c) Presentation of Annual Report
- d) Endorsement of Annual Subscriptions
- e) Notices of Motion to amend Constitution and By-Laws
- f) Election of Officers
- g) Notified General Business

Twenty eight (28) days notice in writing shall be delivered to all registered members and such notice to include:

- h) Notification of Date and Venue of the Annual General Meeting
- i) Notification of closing date for :
 - Nominations for Officer (Clause 8.3)
 - Proposed amendments to the Constitution (Clause 23.1)

Ten days notice in writing shall be delivered to all registered members and such notice shall include :

- j) Agenda including the order and details of business
- k) Details of proposed amendments to the Constitution and By-Laws.
- l) Details of Membership subscriptions set for the ensuing season
- m) Details of Nominations received for positions on the Board of Management
- n) Annual Report to Members

9.2 Special General Meeting

Shall be called, as directed by the Board of Management or upon written request received by the Secretary and signed by thirty (30) of the eligible voting members (as defined Sub-Clause 7.6 and Clause 10). The Secretary shall arrange such General Meetings and ten (10) days notice in writing shall be delivered by hand or post to all registered Members. Only that business listed in the notice shall be dealt with at the meeting.

The President may at his/her discretion call a Special General Meeting where matters of importance need to be presented to the membership and discussed.

9.3 Quorum

Thirty (30) of eligible voting members (Sub-Clause 7.6 and Clause 10) shall constitute a quorum at the Annual and Special General Meetings except where provided otherwise hereinafter (Sub-Clause 9.4). In the absence of a quorum being present at the duly notified time and place of the meeting the meeting shall be postponed to another date not later than twenty one (21) days whereupon the Secretary shall arrange for seven (7) days notice in writing to be delivered to all registered members. In the absence of a quorum for a second occasion then the business listed shall lapse and where the circumstances warrant Club dissolution (Clause 24) procedure may be invoked

9.4 Impeachment, Vote of No Confidence, Censure

Shall only be brought against any Officer, Group of Officers or Constituted Committee by a vote to that effect by fifty (50) percent of all registered financial and eligible voting members (as defined Sub-Clause

7.6 and Clause 10) and who are present at a Special General Meeting called in accordance with Sub-Clause 9.2 specifically for the purpose of either Impeachment, Vote of No Confidence or Censure. Under no circumstances shall any officer, group of officers or committee be Impeached, Censured or have a Vote of No Confidence carried by a vote of less than fifty (50) percent of the total eligible voting and registered membership. Only in the case of Impeachment of all or any of the Board of Management shall the resultant vacancy or vacancies be filled by election at a Special General Meeting (Sub-Clause 9.2). With the exception of the Office of President, the Board of Management shall be empowered to fill all vacant positions by appointment for the remainder of the season (Sub-Clause 11.4). In the case of the replacement of the President where no candidate is elected by due process the Deputy President shall assume the office of President until the next Annual General Meeting or failing this the Trustees are empowered to and shall invoke the Club dissolution Procedure (Clause 24).

10. VOTING

Voting at all General Meetings shall be restricted to Elected Officers (Excluding Patron, Vice-Patron, Hon Auditors, Hon Solicitors, Hon Medical Officers, Hon. Padres and Hon Trustees), Active (Bronze Holder), Long Service, Active Reserve, Award (Adult) and Life Members.

All members eligible to vote shall be financial for the current season. Cadet (non-Bronze), Juniors (Nippers), Associate and other non-active members are ineligible and precluded from voting.

11. BOARD OF MANAGEMENT

11.1 The management of the Club shall be vested in the Board of Management consisting of President (Chairman) and Directors for each of Membership, House, Life Saving Services, Education, Competition, Coaching, Junior Activities, Finance, Marketing, Youth Development and the Club Secretary/Administrator.

The Board of Management may appoint a Minute Secretary to attend meetings for the purpose of Minute taking, however, the appointee will not have voting rights at any meeting. Similarly, guests, members or invitees attending meetings may be invited to address the Board of Management on specific issues but have no voting rights on any matter on the Agenda.

11.2 The Board of Management shall meet at least once every month and shall have the power to conduct all business of the Club, make or amend By-Laws (to be presented for ratification at the next Annual General Meeting), appoint sub-committees and appoint replacement office bearers in the case of vacancies arising during the year (sub-Clause 9.4 and 11.4).

- 11.3 All Board of Management meetings shall be chaired by the President or Vice-President or in their absence any Director so nominated by those members in attendance.
The meeting shall where practicable be conducted in order of the circulated Agenda and shall conform to the principles of normal business procedure and/or the rules of debate.
Five (5) Board persons shall form a quorum.
Each Board person shall be given at least seven (7) days verbal or written notice of Board of Management meetings.
- 11.4 Should any member of the Board of Management absent themselves without leave of the rest of the Management Committee from two (2) consecutive or a total of three (3) Board of Management meetings in any one season, such member/s office shall be declared vacant and remainder of the Board of Management shall appoint another member as a replace Office-Bearer (sub-Clause 9.4).
- 11.5 A member of the Board of Management who is duly elected or appointed to more than one Board of Management position that member shall be entitled to only one vote in respect of each matter of business.
- 11.6 In determining all matters, the Chairperson shall have a deliberative as well as a casting vote.
- 11.7 Minutes shall be kept in writing by the nominated Administrator of all proceedings at each meeting and presented to each Board person at least seven (7) days prior to the next meeting. Minutes of the Board of Management meetings shall at the request of any Club member eligible to vote be made available to be read by any such member or members.
- 11.8 Each Director should appoint a Deputy who shall be a financial member of the club and shall be deputised with voting rights. Each deputy shall hold all prerequisite awards and clearances.
- 11.9 The Board of Management shall elect one of the Directors the Vice-President, who shall assume all rights and responsibilities of the President in his absence
- 11.10 The President, Directors and Secretary/Administrator shall be responsible to carry out the duties of their portfolios as determined by the Board of Management and published annually in the Club's Induction/Year Book. They shall carry out the duties required of them to ensuring the efficient and effective administration of the Club with regard to the welfare of all members and promotion and adherence of the stated Club objectives (refer P1 – 2, Objectives).

12 BOARD OF MANAGEMENT, STANDING AND SUB-COMMITTEES

- 12.1 The Board of Management may appoint sub-committees to consider and report upon or carry out any Club activities referred to them. The number to form such sub-committees who shall act as convenor and chairperson

and the number to form a quorum shall be decided by the Board of Management with the proviso that at least one member of each sub-committee shall be a member of the Board of Management and shall in turn submit reports to the Board of Management on a regular basis. The President and Secretary shall be ex-officio on all sub-committees.

- 12.2 The Life Membership Committee shall consist of three Board of Management members and two Life Members and one Life Member shall be Chairperson. Three (3) including one Life Member shall form a quorum. The Committee shall be elected by the Board of Management at the first Board of Management meeting after the Annual General Meeting and shall meet at least three (3) months prior to the forthcoming Annual General Meeting to review, and where appropriate, recommend eligible members for nomination to the Board of Management and ratification before final submission to the Annual General Meeting.
- 12.3 The Board of Management or Sub-committee to whom such function has been delegated shall employ such person on such terms and conditions as it considers necessary and shall insure all persons so employed against such risks as are covered by the usual Workers Compensation and any other statutory Insurance.

13. CLUB DISCIPLINE AND CONDUCT

- 13.1 The Board of Management shall, at the first Board Meeting following the Annual General Meeting, nominate a Disciplinary Committee to hear all matters pertaining to Club discipline referred to the Board of Management in writing. The Disciplinary Committee shall recommend, to the Board of Management, any action to be taken in accordance with the Constitution and By-Laws and in the best interests of the Club and Justice.
- 13.2 The Disciplinary Committee shall comprise the Vice President or another board member as nominated by the board (who shall be Convener and Chairperson), two (2) Life Members and three (3) other members as nominated by the Board. Apart from the Chairperson, no member of the Board of Management shall be a member of the Disciplinary Committee.
- 13.3 The Disciplinary Committee when sitting shall comprise the Convener, one (1) Life Member and one (1) other Disciplinary Committee member. The Convener shall nominate which Life Member and other member shall sit on the Disciplinary Committee for the specific hearing.
- 13.4 The Disciplinary Committee shall convene to hear a complaint within seven (7) days of the Board of Management receiving written advice of the complaint. The Disciplinary Committee's majority findings and recommendations shall be heard and ratified by the Board of Management within ten (10) days of such determination.
- 13.5 On the recommendation of the Disciplinary Committee, the Board of Management may suspend for any period or expel indefinitely from the

privileges of membership of the Club any member who is found to be in violation of any Rule or By-Law of the Club or guilty of misconduct or acting in a manner which is contrary to the best interest of the Club and Association.

- 13.6 Any member who infringes the Constitution or By-Laws of the Club or in any way misconducts his/herself either on the Club premises or during the course of any activities of the Club at any place or whilst acting as a member of the Club at any place or performing duties on behalf of the Club or in any way by his/her actions discredits the Club or Association may be called upon by the Disciplinary Committee to show cause why he/she should not be disciplined. The accused member/s shall be provided with reasonable opportunity to state his/her case either personally or through another financial Club member with voting rights. The accused member/s shall be allocated an advocate to assist if required with the preparation of a defence and constitutional process. The Disciplinary Committee if satisfied that the member has been guilty of such infringement or misconduct as aforesaid may recommend to the Board of Management appropriate disciplinary action. The Board of Management may then penalise or suspend or expel member(s) from the Club based on the findings of the Disciplinary Committee.
- 13.7 If any finding is made against any person, that person has fourteen (14) days in which to register a written application with the Board of Management to appeal that finding. The Appeals Committee shall hear such appeals within fourteen (14) days of receiving the written application to appeal.
- 13.8 The Appeals Committee shall comprise the President (as Chairperson) and four (4) other members of the Board of Management as nominated by the Board. No member of the Disciplinary Committee shall sit on the Appeals Committee.
- 13.9 a) Pending a Disciplinary Committee hearing, the President shall have the power to suspend from office any Officer of the Club whose continuance in the office shall be deemed by the Board of Management to be contrary to the objectives (Clause 2) and detrimental to the welfare of the Club.
- b) The President shall report to the Board of Management in all cases of suspension from office any officer of the Club at the earliest possible time but not later than seven (7) days after suspension. The Disciplinary Committee shall be convened to hear and consider each such case at which the suspended Officer shall be called to state his/her case.
- 13.10 Any financial member and with full voting rights (Clauses 7 and 10) may report in writing to the Board of Management any violation by any other member or members. Such reports shall be presented in person, defended and considered at a specially convened Disciplinary Committee meeting or next scheduled or specially convened Board of Management meeting

(if hearing an appeal against the findings of the Disciplinary Committee) and the reporting member and reported member(s) shall be notified in writing at least three (3) days prior of the date time and venue of the said meeting to enable those members to state their cases personally.

13.11 At the discretion of the Board of Management, any member convicted by any Court exercising criminal jurisdiction may have their membership suspended or cancelled.

13.12 Any member expelled shall forfeit any claims on property of the Club and shall cease to be a member thereof.

14. FINANCE

All monies received shall be banked in the name of the Club with the bank of financial institution duly approved by the Board of Management and in accordance with this Constitution any By-Laws.

- (i) That all payments be made by cheque or by electronic transfer with authorization by two signatories as designated by the Board of Directors. One of the signatories must be a member of the Board of Directors
- (ii) The Board of Management may approve the operation of 'special' accounts and also determine the method of operation and approve signatories to such accounts.
- (iii) The Board of Management may approve the operating of Petty Cash floats as and when required provided all such expenditure is recorded, receipted and within the limits approved by the Board of Management on an Annual basis

No member shall have authority in any way to commit the Club to any expenditure without the express approval of the Board of Management.

All purchases duly approved by the Board of Management shall only be transacted on the Club's official order form signed by any member of the Board of Management.

The Secretary shall maintain full control of the Club order book.

The Financial Year shall be determined by the Board of Management to fall in line with the Annual General Meeting.

Members' subscriptions shall become due on the 1st September each year and shall be paid no later than the commencement of new season, i.e. 1st October.

15. CLUB COLOURS, BLAZER AND BADGE

- 15.1 The Club colours shall be white, gold, brown and navy blue.
- 15.2 The Club Blazer is to be worn only by Office Bearers and holders of a Bronze Medallion or Surf Rescue Certificate. The style of the blazer is to be determined by the Board of Management
- 15.3 The Club Badge with a surf reel, containing a kangaroo with the words Mullaloo and S.L.S.C. in the Club colours.
- 15.4 The official Club Badge as approved by the Board of Management shall be purchased by members and shall remain their property for as long as they remain members. On retirement, departing members shall return the badge to the Secretary and the original cost shall be reimbursed.

16. CORPORATION

The President and either the Secretary or Director of Finance are empowered to sign all documents and do all things necessary for the Club to become incorporated under the provision of the Associations Incorporation Act 1895-1969 or as amended.

17. COMMON SEAL

- 17.1 There shall be a common Seal engraved with the Name of the Club and it shall be kept in the care and custody of the Secretary of the Club's premises. The Seal shall not be used or affixed to any Deed or other document except pursuant to any by virtue of a Resolution of the Board of Management and in the presence of the President, Vice-President and the Secretary.
- 17.2 The Common Seal shall be a circular shape, with words "Mullaloo Surf Life Saving Club (Inc)" inscribed around same and the words "Common Seal" in the centre.

18. TRUSTEES

- 18.1 The Trustees shall hold office during the pleasure of the members. They may be removed either jointly or separately, and another or others elected in their stead.
- 18.2 They shall respectively have attained the age of at least thirty (30) years and shall wherever possible be Life Members of the Club.
- 18.3 In the event of the death or resignation of any one or all of the Trustees the Board of Management shall have the power to appoint replacement(s). Such replacement(s) to be confirmed at the next General or Special General Meeting.

- 18.4 The Trustees shall be responsible for the dissolution of the Club (Clause 25).

19. PATROLS

- 19.1 Unless otherwise provided in this Constitution all members must perform patrol duties in accordance with Patrol By-Laws set out as part of this Constitution or as adopted by the Surf Life Saving Association of Australia
- 19.2 The Board of Management shall have the power to grant exemption from Patrols in accordance with the Surf Life Saving Association of Australia.
- 19.3 All Active and Active Reserve Members shall pass the Proficiency Test by the 31st December as set down by the Surf Life Saving Association of Australia.

The Board of Management may in exceptional circumstances grant exemption from section(s) of the Proficiency Test.

Failure to pass the Proficiency Test may mean cancellation of membership.

20. CLUB PROPERTY

- 20.1 No person shall on any occasion remove from the Club premises any property belonging to the Club without first receiving permission from the Board of Management. Person receiving such permission shall be held responsible for the full value of the articles borrowed until they are returned.
- 20.2 Any damage done to Club property by any member at any time must be reported by him/her to a Director or any other official of the Club immediately.

21. INTOXICATING LIQUOR AND ILLEGAL DRUGS

- 21.1 Intoxicating liquor and illegal drugs shall not be brought onto or consumed on the Club premises or in the precincts of the Club. At the discretion of the Board of Management, liquor may be consumed on Club premises in accordance with the provision of the Liquor Licensing Act 1988 or as amended.
- 21.2 Any member deemed to be under the influence of intoxicating liquor or illegal drugs in the Club house or whilst on duty shall be immediately suspended (Clause 13 refers.)
- 21.3 The Board of Management shall deal with any member who breaks this Rule.

21.4 “Precincts” shall mean within a radius of 50 metres of the Club house and Beach Patrol

21.5 Under the provision of the Liquor Licensing Act 1988 only Club members are permitted into the licensed area of the club. Members are permitted to bring guests onto the club premises and the maximum number of guests per member per day for the purposes of section 48(4)(b) of the Act is five (5).

22. KEYS OF THE CLUB

The keys of the Club shall be given to such officials or approved persons as the Board of Management may determine. Such officials or approved persons shall return the keys to the Club Secretary prior to each Annual General Meeting.

23. CONSTITUTION

23.1 This Constitution shall be read in conjunction with the Constitution of Surf Life Saving Western Australia Incorporated and shall be deemed to include that Constitution. In the event of conflict between the two Constitutions, the provisions of Surf Life Saving Western Australia Incorporated’s Constitution shall prevail.

23.2 No alteration of the Constitution shall be made except at an Annual General Meeting or a special General Meeting called for that purpose and carried by three fourths (3/4ths) majority vote of members in attendance at the Meeting provided thirty (30) of the financial members eligible to vote are present. Twenty-one (21) days notice of such proposed alterations to be given in writing to the Secretary. The Secretary shall provide ten (10) days written notice of the meeting (Clause 8) and a copy of any proposed amendments. A copy of any additions or alterations and particulars of deletions shall be filed with the Register of Companies within 28 days after the meeting.

23.2a As soon as is practicable after the making of any proposal for a change to the Constitution or rules of the Club, the Secretary shall provide to the Director of Liquor Licensing certified particulars of the change proposed. No effect will be given to the change without the prior approval of the Director of Liquor Licensing.

23.3 The Board of Management may call at least one Special General Meeting during the year and or when any question of importance shall arise and shall be bound to do so on receiving a request in writing signed by thirty (30) of the membership eligible to vote and addressed to and served on the Secretary of the Club. Written notice thereof shall be forwarded to each member by the Secretary at least ten (10) days before the date of proposed meeting - thirty (30) of financial members eligible to vote to form quorum.

23.4 The By-Laws may only be added to or amended or repealed at the Annual General Meeting by a three fifths (3/5ths) majority vote of

members in attendance at the meeting provided thirty (30) of the financial members eligible to vote are present. (At least twenty one (21) days notice of proposed amendments shall be given in writing to the Secretary). Also provided at least ten (10) days notice of proposed amendments thereof can be given in writing to the members by the Secretary.

24. DISSOLUTION OF CLUB

- 24.1 The members of the Club may at a Special General Meeting duly convened for that purpose resolve upon the dissolution of the Club by a resolution passed by at least three fourths (3/4ths) of the votes held by the members present and eligible to vote at such meeting and subsequently confirmed by a similar majority at a second meeting held not less than twenty one (21) days nor more than thirty five (35) days after the first meeting.
- 24.2 If such resolution shall be duly passed and confirmed at the second meeting at least two (2) Trustees shall proceed to wind up the business of the Club.
- 24.3 Thereafter the Club shall be deemed to exist only for the purpose of winding up the business of the Club and distributing the assets as hereinafter provided.
- 24.4 Upon the dissolution the real and personal property of the Club shall be transferred to Surf Life Saving Western Australia Inc and used at its discretion to provide life saving equipment at the Mullaloo Beach or to form another Surf Life Saving Club at such beach if and when the opportunity arises.
- 24.5 The receipt by the proper officer of Surf Life Saving Western Australia Inc for the real and personal property transferred pursuant to Sub-Clause 24.4 hereof shall be a good and sufficient discharge by the Trustees and they shall not be bound to see the due application thereafter.

25. CONCLUSION

The Board of Management is empowered to deliberate and decide any Action it needs to take to resolve any matter occurring not within the scope of the foregoing Constitution and By-Laws.