

**BY- LAWS**  
**of**  
**MULLALOO SURF LIFE SAVING CLUB**

These By-Laws should be read in conjunction with the Constitution of the Association. They include the general rules and policy for the operation of the club including corporate governance issues and the core values to which we aspire. The By-Laws also include structures for dealing with resolution of grievances or disputes in a fair and equitable manner.

**Document Control**

This document has the following amendment history:

Version	Date	Approved by	Comments
8.4	Sept 2012	Board	By – Laws reviewed to align with new Corporate style Constitution.
9.0	26 Aug 2015	Board	Updated to reflect Dept. of Racing Gaming & Liquor requirements, also to outline review of management structure.
9.1	16 Sep 2015	Board	Updated to reflect Dept. of Racing Gaming & Liquor request for additional paragraph.

# Mullaloo Surf Life Saving Club By Laws

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## **1 CORE VALUES**

The policies and procedures of the Mullaloo Surf Life Saving Club (Mullaloo SLSC) will be developed and implemented under the core values that are our foundation.

- Family - Embrace family values and promote inclusion
- Safety – Promote safety as a part of core activities
- Respect - Respect and value all individuals and the club community
- Integrity – Conduct of self and club affairs, according to the highest standards of ethics and behaviour
- Unity - To operate as a team including effective communication with, and involvement of, all of our stakeholders
- Excellence - Strive for excellence in everything we do.

## **2 HIERARCHY OF PRECEDENCE**

The following shall represent the hierarchy of precedence for determination of Rules, By-Laws and Regulations within Mullaloo SLSC:

- Laws and Legislation of the State of Western Australia;
- Laws and Legislation of the Commonwealth of Australia;
- Mullaloo Surf Life Saving Club Constitution;
- Mullaloo Surf Life Saving Club By Laws;
- Surf Life Saving Western Australia Constitution and By Laws;
- Surf Life Saving Australia Constitution and By Laws;
- Mullaloo SLSC Policies; and
- Mullaloo SLSC Practices, Procedures and Guidelines.

Without limiting the application of the precedence of hierarchy or By Laws outlined hereafter, any amendment to a rule does not include retrospectivity unless specifically endorsed as part of the rule amendment.

## **3 BY LAW AMENDMENTS**

These By-Laws serve to provide guidance on the application of the club Constitution, and to give direction on specific aspects of club policy and management.

Any member can request any change to these By-Laws in the following manner:

- Submit a document which describes the requested change, the reason/s the change is required, and the benefits to the club as a result of the change
- The document is reviewed by the Board of Directors and a decision is made and implemented as required
- The member making the submission is advised of the outcome.

Unless otherwise specified, amendments to these rules will come into effect on the day following the amendments endorsement by the Board of Mullaloo SLSC.

As soon as is practicable after the making of any proposal for a change to the By-Laws 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.

## **4 DOCUMENT CHANGE MANAGEMENT**

Mullaloo SLSC shall adopt a control methodology for the management of Mullaloo SLSC Association documents and subsequent versions or changes to those documents. The rationale is to adopt a best practice approach for the management of organisational documents that deliver guidance and governance. The approach will enable a full audit of relevant documents from

creation to withdrawal. It shall provide for good quality control over the currency and adequacy of Mullaloo SLSC published documents. Not all documents will require a high level of control, but any document that falls within the categories below shall be subject to document control measures:

- a. Policy documents;
- b. Guideline documents;
- c. Procedure documents;
- d. Forms; and
- e. Manuals.

The General Manager (Support Services) shall implement a Document Change Management procedure incorporating the guideline within this policy as a minimum. Portfolio heads will be responsible to ensure documents of the categories outlined above, generated by their portfolio use the established Document Change Management procedure.

## **5 SEASON**

The surf life saving season is determined by Surf Life Saving WA and is currently from 1 October to 31 March each year.

It is at the discretion of the club to undertake activities outside of this time; an example being the Easter weekend patrols.

## **6 DUTIES AND RESPONSIBILITIES**

### **6.1 Organisational Structure**

The club organisational structure consists of three levels:

#### ***Operational management – today; making things happen***

- The operational managers of the club are assigned to a specific functional area.
- Qualifications/experience – relevant to role, with ability to develop and lead teams
- Appointed by the Board of Directors, or their delegate/s.
- Role is to manage the operational activities to achieve the club's goals.

#### ***Executive management – tomorrow; mentoring and development***

- The interpretive level – link between operations and the Board
- Qualifications/experience relevant to managing people and interpreting the club's operational plans
- Appointed by the Board
- Role is to plan and support operational managers to achieve the goals of the club
- Plan and facilitate activities for the Club under the strategic direction of the Board

#### ***Board of Directors – the future; sustainability and security***

- The foundation and strategic level
- Charged with assuring the future sustainability and growth of the club
- Qualifications/experience relevant to role and attainment of club's objects
- Elected by the members of the club.

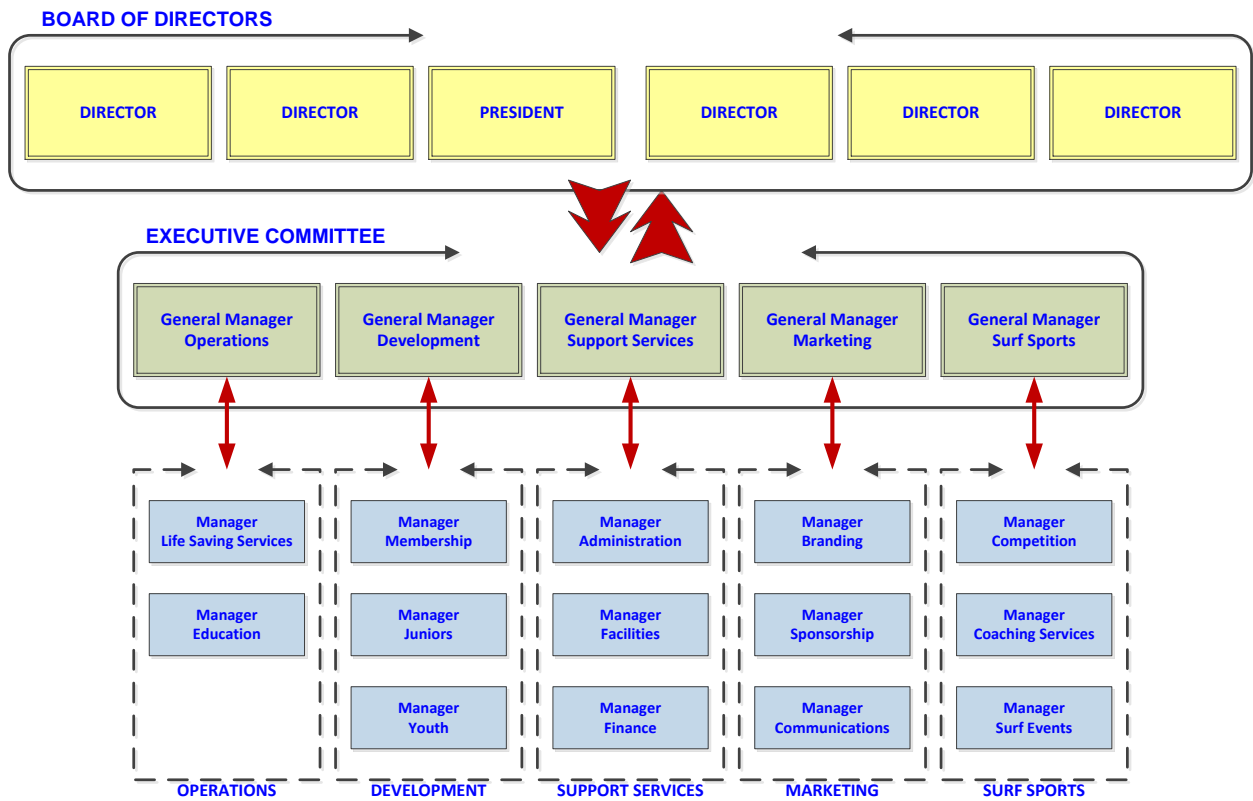


Figure 1 - Management Framework

6.2.1 **Board**

The Constitution provides for the Board to consist of the President as Chairman and five other Directors who will not hold specific portfolios. The President will be a non-executive Director but will lead the Association, the Board and Executive management. The five elected Board members will be non-executive and will not have an operational role. The structure of the Board in this respect, and other committees operating within the club, is at the discretion of the Board.

The Board alone has the power to make additions, deletions or amendments to the club’s By-Laws.

The Board will elect a Deputy President from its membership. The Deputy President will be appointed at the first Board meeting following the AGM.

6.2.2 **Executive Committee**

Each year the Board will seek expressions of interest, with the Board nomination process for the Annual General Meeting, for key roles and positions that form the Executive Committee, i.e. General Managers. Appointment will be by the Board.

6.2.3 **Operational Managers**

Each year the Board will seek expressions of interest for key roles and positions relating to Operational Managers within functional portfolios.

6.2.4 **Appointments**

The Board will confirm appointments of General Managers and Operational Managers as soon as practical following the AGM. Appointment of Operational Managers will be by the Board, in consultation with the General Managers. In the absence of suitable expressions of interest being received the Board may identify and appoint suitable members to fulfil key roles.

6.2.5 **Delegates**

Affiliation with Surf Life Saving Western Australia requires delegates to attend various state meetings. Delegates to SLSWA meetings will be members of the Board, Executive Committee or Management Committee, or their portfolio representative/s preferably at least the President, and/or Deputy President. The Board may instruct club delegates to vote in a particular way. Reports will be provided back to the Board by delegates, as considered appropriate.

Other delegates may also be appointed by the Board as considered necessary.

## **6.2 Committees**

In accordance with rule 32.1 of the MLSLSC Constitution committees can be formed at the direction of the Board or by recommendation from a General Manager.

Such committees will fall into two categories;

- a) Board Committees, or
- b) Operational Committees

### **6.2.1 Purpose and Role of Board Committees**

The purpose and role of a Board Committee is to conduct such business and function that may assist and support the Board in maintaining or delivering good governance to the Association. The role of a Board Committee is to report to the Board providing recommendations for determination. All decisions shall be decisions of the Board not the Board Committee except where specific power has been delegated in writing.

The Board should, following the Annual General Meeting of the Association, establish the following Board Committees, if not already established, for the purposes identified;

- a) Risk and Governance Committee, as soon as practicable following the Annual General Meeting;
- b) Judicial Committee, constituted as and when required. The Judicial Committee shall be delegated such specific power required to make decisions independent of the Board with regard to disciplinary matters;
- c) Honours and Awards Committee, constituted as and when required in accordance with the Terms of Reference;
- d) Such other committees approved by the Board for the purposes of governance or delivering strategic outcomes.

### **6.2.2 Construct of Board Committees**

The Board shall appoint the Committee Coordinator, with the express intent to deliver a chairman fit for purpose with regard to experience, knowledge and skills.

The specific construct of a Board Committee will be outlined in the Terms of Reference, with the rules being consistent with the principles established by the Constitution.

### **6.2.3 Purpose and Role of Operational Committees**

The purpose and role of an Operational Committee is to conduct such business and function that may assist and support the General Managers in delivery of services, products or outcomes by the Association.

An Operational Committee may be Portfolio specific or service a group of General Managers. Operational Committees will be subject to approval by the Board after submission of Terms of Reference by the relevant General Manager.

The role of an Operational Committee is to make recommendations for determination by the General Managers, except where specific powers of determination have been delegated in writing.

#### **6.2.4 Construct of Operational Committees**

A General Manager will be appointed by the Board as the ex-officio chairman of an Operational committee.

The specific construct of an Operational Committee will be outlined in the Terms of Reference, with the rules being consistent with the principles established by the Constitution.

### **7 OBJECTS**

The Objects of Mullaloo Surf Life Saving Club are described in the Constitution, at Section 2. The club's achievements in relation to these Objects will be monitored by the Board.

### **8 MEMBERSHIP**

The membership period will start 1 October and finish 30 September of the following year.

#### **8.1 Admission of Members**

8.1.1 Candidates for membership will complete the form prescribed and pay the appropriate subscription fee. In addition, all new members will pay a one-off nomination levy, as set by the Board and reviewed from time to time.

8.1.2 The names and residential suburb of persons nominated for membership, other than honorary members, will be displayed in a conspicuous place on the Club premises for not less than fourteen days before their approval.

8.1.3 A person shall be elected to membership by a ballot of the Executive Committee. A vote of one third of the Executive Committee members present against the candidate shall exclude the applicant from membership.[RRC1]

8.1.4 All members must conduct themselves to the satisfaction of, and comply with, all reasonable directions given to them by the office bearers of the Club in order to maintain membership.

#### **8.2 Categories of Membership**

The following Memberships will exist within the club at any time:

1. Junior member;
2. Full member may be any one of:
  - a. Active
  - b. Active Reserve
  - c. Long Service
  - d. Award;
3. Social member;
4. Senior Retired Full Member;
5. Expatriate Member;
6. Honorary member;
7. Life Member.

##### **8.2.1 Junior Member**

(a) Junior membership may be granted to a person of a minimum age 5 years up to a maximum of 14 years of age.

(b) Each Junior member will be required to gain the relevant Junior education award for that person's age group during the season.

(c) Junior members will have restricted access to club facilities.

(d) Each Junior member must have at least one Parent/Legal Guardian as a member of the club unless they are a member of the U/15 age group.



#### **8.2.2 Full Member**

- (a) Full Membership may be granted to a person of minimum age 15 years
- (b) All candidates for Full membership are required to obtain a relevant Surf Life Saving award, and until such time will remain as Social members. The relevant award may be:
  - i. Bronze Medallion
  - ii. Senior First Aid
  - iii. Advanced Resuscitation Techniques
  - iv. Surf Rescue Certificate
  - v. Any other Surf Life Saving Australia award, as approved by the Board.
- (c) All Full members are required to perform patrol duties in accordance with the requirements, as approved by the Board, SLSWA and SLSA from time to time.
- (d) Approval for Long Service membership may be granted by the Board for members who, from the date of being awarded the Bronze Medallion, have completed a minimum of ten (10) years of Patrol and/or club obligations.
- (e) The Executive Committee may grant a leave of absence from patrols to any Full member in special circumstances.
- (f) Every Full member is required to requalify at the proficiency test relevant to their award/s each season, as specified by SLSA, unless that member obtains their award during that season.
- (g) Failure to pass the proficiency test within the time stipulated will result in the membership reverting to the classification of Social member.
- (h) Full members have access to all facilities and equipment available at the Club.
- (i) Full members are entitled to vote at any meeting.

#### **8.2.3 Social Member**

- (a) Social Membership may be granted to a person 15 years of age, as a minimum
- (b) Social members are not required to hold a relevant SLSA award, or maintain proficiency of any previously gained awards
- (c) Social members will have limited use of Club facilities. These facilities are limited to:
  - i. Club entertainment facilities (Bar, Lounge, Hall, balcony)
  - ii. Club Change Rooms
- (d) Social members are not entitled to vote at any meeting.

#### **8.2.4 Expatriate Member**

- (a) Expatriate membership may be granted by the Board for members who are unable to meet their annual commitments due to family or employment circumstances that render them geographically unable to attend the Mullaloo SLSC on a regular basis.
- (b) Expatriate members will continue to have full use of the club facilities and voting rights for the period of this category.
- (c) Members will apply in writing each year for an Expatriate membership. The application will be reviewed by the Board.

- (d) Subscription fees will be set to 25% of a Full Membership and will be reviewed annually.

#### **8.2.5 Senior Retired Member**

- (a) Senior Retired membership may be granted by the Board for members who have reached the age of 60 years and have made a significant contribution through either active patrol duty or similarly through a volunteer role within the club activities.
- (b) Senior Retired members will continue to have full use of the club facilities and voting rights for the period of this category.
- (c) Members will apply in writing outlining their history within the club and will be allocated membership based on:
  - i. Retired Active – those members that meet the requirements under section 8.2.2.
  - ii. Retired Volunteer – those members that meet the requirements under sections 8.2.3 or 8.2.6.
- (d) On application the Board will consider a request for a Senior Retired Membership from an individual member who is aged less than sixty years due to unique and special circumstances.
- (e) Senior Retired members will have access to all of the club facilities in accordance with their initial membership including voting rights.
- (f) Subscription fees will be set to 50% of a Full Membership and will be reviewed annually.

#### **8.2.6 Honorary Member**

- (a) The Board may appoint Honorary membership to persons who, in the Board's opinion, can provide a service or contribution to the Club which justifies that person's acceptance as a Full member of the Club.
- (b) The Board shall review each Honorary membership every 12 months to ensure that the person still complies with requirements.
- (c) Honorary members will be entitled to the use of the Club premises and facilities.
- (d) Life Members' spouses who elect to use the Club premises and facilities are to be granted Honorary membership
- (e) Honorary members will not be entitled to vote at any meeting. Honorary members are exempt from payment of annual subscription fees.

#### **8.2.7 Life Member**

- (a) Life membership may be granted to those members who have met the relevant conditions as determined by the Life Membership committee.
- (b) Life Members have access to all facilities and equipment available at the Club.
- (c) Life Members are exempt from payment of annual subscription fees.
- (d) Life Members are entitled to vote at any meeting.

### **8.3 Club Patron**

A Patron or number of Patrons can be appointed by the Board to recognise those institutions which either have a substantial interest in the Club's welfare or who would be beneficial, in the view of the Board, of providing status to the Club by way of their recognised association with the Club.

The person should hold a position of influence in the community and be a supporter of the surf life saving movement, and could be called upon to provide advice from time to time. Examples include the Mayor of the City of Joondalup, local members of Parliament, the State Governor or the like. A Patron who is not a member cannot vote at meetings.

#### **8.4 Member details**

All members must furnish their address and contact details to the Club, and promptly notify any change thereof.

Notices posted to the last known address will be deemed valid and to have been received by the members within three (3) days following the date of postage.

### **9 ANNUAL SUBSCRIPTIONS**

Annual subscriptions will be set by the Board and will be announced at the Annual General Meeting for the season following. The setting of membership fees will take into account movements in the Consumer Price Index.

Subject to the Constitution and By-Laws, payment of annual subscriptions will entitle a person to membership of the Club for the period 1 October to 30 September of the following year.

Annual subscriptions must be paid prior to the end of September each year. The Board reserves the right to impose penalties for late payment, or cessation of membership.

The annual levy payable will be 50% of the normal annual subscription, or as otherwise determined by the Board, in the case of any person applying for new membership after 31 January, and who is accepted as a member by the club.

The Board may, at its discretion, place a special levy on members who use specific facilities of the club such as the gymnasium, ski racks and/or board storage facilities. This levy will be in addition to the annual subscription applicable to the membership category.

#### **9.1 Leave of Absence**

Any member not seeking to renew his/her Club membership may make a request to the Board of Management in writing at least two (2) weeks prior to the expiry of the member's membership that he/she wishes to be granted a leave of absence.

Any member granted a leave of absence will be permitted to re-join the Club without having to pay the current nomination fee, provided that he/she re-joins the club within two (2) years of the expiry of his/her membership, or such other time as prescribed by the Board.

### **10 INSURANCES**

The Club is required to carry specific insurances for the protection of itself as an entity, its members, and its property. Some of these insurances are managed by SLSWA as part of its support for member clubs, and the club is invoiced annually for its share of the premium.

Specific insurances for which the club is directly responsible include:

- Building contents
- Club owned equipment, including vehicles
- Cover for equipment in transit, e.g. equipment transported for competition. Insurances managed by SLSWA on behalf of the club include:
- Professional error and omissions
- General public and products liability.

Responsibility for assuring maintenance and currency of the club's insurances is vested in the

Board.

## **11 USE OF CLUB EQUIPMENT AND PROPERTY**

### **11.1 First Aid Room**

The Club First Aid Room is for the purpose of providing first aid and casualty care, or related training. It will only be used by patrol members and others, as directed, for the treatment of injuries, recuperation of patients, or the like. During patrol days, the Patrol Captain on duty is responsible for the operation of the First Aid Room.

### **11.2 Club Boards and Skis**

Junior club boards will be used during organised training sessions, club events or at the discretion of the Manager of Junior Development. This equipment is only available to Junior Members.

Club senior boards and skis can be used by Full members during organised training sessions or club events. Use of this equipment during other times, or by other members, will be at the discretion of the Manager, Competition or Manager, Coaching Services.

Allocation of skis and boards to members will be made by the Manager, Competition, and will take into account:

- (1) the previous performance, training, competition participation and experience of members seeking allocated equipment;
- (2) the number of members requesting allocation of equipment;
- (3) the available budget; and
- (4) suitable equipment available to the Club.

Full details of the qualifying requirements and the conditions of use are provided in the ***Equipment Subsidy Policy***. [RRC2]

### **11.3 Club Patrol Equipment**

The use of Club patrol equipment will be for the express purposes of lifesaving duties, lifesaving education or specific competition purposes. Club patrol equipment is not to be used for recreational purposes. Use of Club equipment is restricted to Full members or Junior members who are suitably qualified.

Any member who is not a Full member may only use Club rescue equipment at times designated as an official class or training session for an Award, under the supervision of a Training Officer, or during a patrol and with the express permission of the Patrol Captain.

### **11.4 Gymnasium**

Use of the Gymnasium is restricted to Full, Life and Honorary members. Social members or other persons approved by the General Manager, Surf Sports or Manager, Coaching Services, will pay an additional Gym use fee.

Members are required to leave equipment in a clean and tidy state after use. General conditions of Gymnasium use include:

- Wear appropriate footwear
- Wear appropriate clothing (including shirt)
- Make use of a sweat towel whilst training with equipment
- Returning all weights to the racks after use
- Turn off all lights, shut all windows and lock all the doors, if last to leave
- Children under the age of 13 are not permitted in the Gym at any time. Children between the ages of 13 to 16 must be supervised by a suitably qualified adult at all times.

Any member who provides access to the gymnasium for someone who is not a member of the club and does not have permission of the General Manager, Surf Sports or Manager, Coaching Services will face disciplinary action as described in these By-Laws, following appropriate investigation.

Full details of Gymnasium use is provided in the **Gymnasium Use Policy**. [RRC3]

### **11.5 Club Lounge and social facilities**

Use of the Club Lounge and social facilities is restricted to Club members and invited guests. Hire facilities within the Club Lounge and social facilities are included in the **Club Facilities Use Policy** [RRC4] and approved by the General Manager of Support Services or Manager of Facilities. Children must be accompanied by, and under the control of an adult when on Club premises.

### **11.6 Storage of Personal Equipment**

There is limited availability of the Club facilities for storage of personal equipment.

Allocation of spaces for personally owned equipment will be restricted to members of the club who meet the requirements of the **Board and Ski Storage Allocation Policy**. [RRC5]

An annual fee for nomination for a storage space will be charged by the Club, in addition to other membership fees payable.

## **12 FINANCIAL MANAGEMENT**

The Club is accountable to its members for the responsible management of its finances. The Board has accountability and will provide direction to the executive management team with respect to the Budget for operations.

The Budget will be the responsibility of the President and General Managers and shall be prepared each year, and submitted to the Board for approval. The Executive and Management Committees will be authorised to execute the Budget, once it is approved by the Board. The Board may, at its discretion, review specific purchases, or the Budget overall, should financial considerations necessitate it.

### **12.1 Purchases, repairs and payments**

Purchases for equipment, repairs and payments must be made in line with the approved Budget for the area.

Purchase or repair of Club equipment must be made on the relevant Order Form and approved by the appropriate General Manager, or the Manager responsible for that area.

All expenditure should be made in line with budgetary allocation. Purchases over \$500.00 which are not allocated in the relevant budget are to be referred to the General Manager responsible for that area.

Unauthorised purchases do not have to be accepted by the relevant General Manager, Manager or the Board, and if not accepted, will become the responsibility of the person who made the purchase.

Further details of the process for purchases and payment will be detailed in the **Financial Services Policy**. [RRC6]

### **12.2 Payment of coaching fees**

Payment of coaching fees must be authorised and approved on the appropriate form. Approval

to employ must be obtained before coaching commences, subject to budgetary considerations.

Any coaches who are to be paid are required to enter into a formal agreement with the Club. This agreement will specify the terms and conditions of the appointment, relevant qualifications required and the details of the relevant training sessions.

Coaches must provide evidence of current and relevant qualifications and insurances prior to commencing any coaching activities.

### **12.3 Payment of Casual Staff**

Casual staff must be authorised and approved by the relevant Manager or General Manager, subject to budgetary considerations.

### **12.4 Payment of Permanent Staff**

Permanent staff may be employed by the Club on a full or part-time basis. Appointment of permanent staff will only be authorised by the President, with the approval of the Board.

Permanent staff can only be employed with a relevant employment contract. Payments to the employee can only be made once the contract is duly executed.

## **13 PATROL REGULATIONS**

The General Manager, Operations, in association with the Manager; Lifesaving Services, will review and enter into a **Lifesaving Service Agreement** with the City of Joondalup and SLSWA each patrolling season.

The Lifesaving Service Agreement outlines the requirements to support the needs of the City of Joondalup, SLSWA and the Club.

The **Mullaloo SLSC Lifesaving Standard** provides direction for the management of patrols and patrolling members.[RRC7]

### **13.1 Duties and responsibilities of Patrol Captains**

Patrol Captains are responsible for the coordination and management of beach activities during rostered patrol hours.

The Patrol Captain is responsible for managing the personnel and activities of the patrol members during each patrol. The Patrol Captain will ensure that patrol members carry out their duties as required by the Club and SLSWA in accordance with SLSA Regulations and the current Lifesaving Service Agreement.

The Patrol Captain will maintain the necessary documentation required by the Club and SLSWA to record the activities performed by the Patrol.

### **13.2 Duties and responsibilities of patrol members**

All Full members are expected to perform their patrolling obligations in accordance with the Mullaloo SLSC Lifesaving Standard, SLSA and SLSWA Regulations.

All members performing a patrol must sign onto the Patrol and enter their details, legibly and accurately, into the Patrol Log at the time they commence patrol duties.

Patrolling members will take direction from the Patrol Captain whilst on Patrol. Each Patrol member will perform only those activities they are qualified for, and capable of undertaking.

### **13.3 Patrol Exemption**

The Executive Committee may exempt any member from rostered patrols during the current Patrol season, if they perform any of the following duties on behalf of the club:

- Member of the Board, Executive Committee or Management Committee; or
- Any other position within the Club which, in the opinion of the Executive Committee, has such responsibilities or time commitments that warrant the member be exempted from rostered patrols.

Any patrol exemption granted by the Club does not override specific patrol requirements as required by SLSWA and stipulated in the SLSA Regulations.

Exemption granted pursuant to this clause is only valid for the patrolling season in which it is given.

## **14 PROFICIENCY**

All Full members are required to perform qualification/award proficiencies as stipulated by the awards and in accordance with SLSA regulations.

Any Full member who does not maintain current proficiency will revert to the classification of Social membership until such time that they are proficient.

### **14.1 Exemption from proficiency**

The Executive Committee may, at its absolute discretion, grant an exemption from proficiency requirements to any Full member who can demonstrate due cause, e.g. injury, sickness or other valid absence.

Any exemption from proficiency will not override SLSWA requirements, as stipulated in the SLSA Regulations.

## **15 VISITORS**

Visitors to the Club must be invited by a current, financial member, and are restricted to use of the social facilities.

Use of Club equipment or facilities by visitors may be granted by the Executive Committee or the relevant manager for activities such as:

- "have a go" days
- trial events
- members from other surf life saving clubs
- public demonstrations
- sanctioned public/private events.

The Visitor must be under the supervision of the club member at all times. The member must accept all responsibility in respect of the Visitor acting in accordance with Club requirements.

Statutory requirements for visitors on licensed premises must be maintained (*i.e. Liquor Act*).

## **16 MISCONDUCT OF MEMBERS**

### **16.1 Intoxicating Liquor**

No member shall bring, or cause to be brought, onto the Club premises any intoxicating liquor except with prior permission of the Board, and in accordance with the conditions of the club's Liquor License.

### **16.2 Grievances, Judicial and Discipline**

The Club adopts the Grievances, Judicial and Discipline Regulations of SLSWA as amended from time to time, as part of affiliation with the state body.

Section 7 of the SLSWA Regulations 2009 provides the Grievance Procedures for a member to lodge a grievance they believe warrants investigation. The section also outlines the mechanics for investigating a grievance and referral to a Judiciary Committee.[RRC8]

This By-Law does not remove the rights of a member under the Constitution of the Club.

#### **16.2.1 Immediate Temporary Suspension**

If any member breaks the Club Rules or Regulations, or conducts themselves in a manner which is in any way detrimental to the interests of the Club and/or SLSWA, the member may be temporarily suspended immediately on receipt of written notice of suspension by any three (3) members of the Executive Committee.

Such written notice must include:

- a) notice of the temporary suspension of the member and of the time, date and place of a meeting of the Disciplinary Tribunal, which shall be made up of the people appointed by the Executive Committee (Disciplinary Tribunal) at which the question of the member's conduct will be discussed pursuant to the Club Constitution and these By-Laws. The Disciplinary Tribunal is to be convened not less than 30 days after the date of such notice; and
- b) particulars of the conduct concerned.

#### **16.2.2 Disciplinary Hearing**

At the Disciplinary Tribunal meeting referred to in a notice communicated under this section, the Disciplinary Tribunal may, having afforded the member concerned a reasonable opportunity to be heard by, or to make representations in writing to, the Disciplinary Tribunal, the Disciplinary Tribunal shall recommend to the Executive Committee any of the following:

- a) lift the suspension,
- b) expel, or decline to expel, the member from membership of the Club,
- c) suspend the member for a defined period of time or until such condition/s as the Disciplinary Tribunal may determine are satisfied, or
- d) take such other action against the member as it so determines,

the Executive Committee shall, forthwith after making such decision, communicate that decision in writing to the member concerned.

#### **16.2.3 Appeal**

Within ten (10) days of receipt of a decision in writing, the member involved shall have the right to appeal the decision by notice in writing to the Executive Committee. The outcome of the appeal may:

- a) confirm the decision of the Disciplinary Tribunal; or
- b) set aside the decision of the Disciplinary Tribunal and either:
  - i. lift the suspension
  - ii. expel, or decline to expel, the member from membership of the Club (provided that such decision must be decided by a three quarter majority of the Executive Committee members, by secret ballot)
  - iii. suspend the member for a defined period of time or until such condition(s) as the Disciplinary Tribunal may determine are satisfied, or
  - iv. take such other action against the member as it so determines,

The Executive Committee shall, forthwith after making such decision, communicate that decision in writing to the member concerned. This decision shall be final.

#### **16.2.4 Suspended Members**



A member expelled shall cease to be a member immediately after the day on which the decision to remove or to expel him/her is communicated to him/her as appropriate.

Any member suspended shall forfeit all rights and privileges (as hereinafter defined) for the period of their suspension. Suspension must be made for a given period, or until a certain condition is satisfied.

Suspended members are precluded from:

- a) taking part in the Club and functions and intra-Club operations
- b) holding office in the Club
- c) exercising any voting powers
- d) storing any personal equipment in the club premises, or
- e) entering any part of the Club premises unless authorised to do so by the Executive Committee.

#### **16.2.5 Reinstatement**

At the termination of the suspension period, the member concerned may apply for reinstatement of full membership in the form required by the Club Constitution.

#### **16.2.6 Notification**

The Club must comply with the SLSWA and SLSA requirement to notify SLSWA and SLSA of any suspension, expulsion or reinstatement of any member.

### **17 SPONSORSHIP**

#### **17.1 Sponsorship of the Club**

If any person or body provides general sponsorship to the Club, the proceeds of the sponsorship will go into the general funds of the Club, as determined by the Board.

Sponsorship arrangements made on behalf of the Club must be approved by the Board. A formal Agreement is to be drawn up and signed by relevant parties before the sponsorship commences. Relevant parties are:

- The President
- An appropriate representative of the Sponsor.

Monitoring and managing the Sponsorship Agreement is the responsibility of the General Manager – Marketing, assisted by the General Manager – Support Services. A Register of Sponsors will be maintained.

#### **17.2.1 Sponsorship of a Section**

If any person or body provides sponsorship to the Club and directs that the proceeds are to go to a Section of the Club, the proceeds of the sponsorship will go towards that Section.

If the sponsoring person or body requires that the Club provide some service or perform some obligation as a condition to providing the proceeds of the sponsorship, the Club will be reimbursed from the proceeds of the sponsorship up to the value of the service or obligation to be performed by the Club, before any proceeds of the sponsorship go towards the relevant Section.

The Executive Committee may determine the value of the service or obligation to be performed by the Club.

#### **17.2.2 Sponsorship of a member**

In this clause, member includes an individual member, group of members or a team of members.

If any person or body provides sponsorship to the Club and directs that the proceeds are to go

to a member, the proceeds of the sponsorship will go towards the Section the member is in. Where the proceeds are money, the money will go into the Budget of the Section and will be applied by the relevant Manager for the purpose of bettering the member as a surf competitor. Where the proceeds are equipment, the equipment will become Club Equipment of the Section, and will be allocated to the sponsored member/s of that Section.

If the sponsoring person or body requires the Club to provide any service or perform some obligation as a condition to providing the proceeds of the sponsorship, the Club will be reimbursed from the proceeds of the sponsorship up to the value of the service or obligation to be performed by the Club, before any proceeds of the sponsorship are allocated for the benefit of the member, group or Section.

The Executive Committee may determine the value of the service or obligation to be performed by the Club.

Any proceeds of sponsorship directed towards any Section will remain within the Section and may not be transferred across Sections except with the consent of the Executive Committee.

## **17.2 Fundraising**

In this clause Club Activity means:

- Any activity that the Executive Committee resolves to be a Club Activity from time to time.

In this clause Fundraising Activity means:

- Any money raising activity which utilises the name of the Club or its goodwill, or
- Activity which secures benefits (whether pecuniary or otherwise) for any member, members or the Club which utilises the name of the Club or its goodwill, conducted by a member or members which for the purpose/s of any member or members performing or participating in any Club activity; and/or performing or participating in any activity or surf sports event.

Any member, or members, wishing to conduct fundraising activities must obtain the prior approval of the Executive Committee before any action, commitment or expense is initiated.

The member in charge and responsible for conducting the fundraising activity (the Member in Charge) must submit a proposal for approval to conduct fundraising activities to the relevant Manager for presentation at the next Executive Committee meeting. The proposal must include the following details:

- Names of those who will be conducting the fundraising activities
- Indication of those who are interested in participating
- The intended use/allocation of the funds
- What club facilities/equipment/resources are intended to be used in performing the fundraising activities.

If permission is granted by the Executive Committee to conduct or perform a fundraising activity and on terms prescribed by that Committee, the Member in Charge must place a written notice on the Club Noticeboard calling for participants in the fundraising activity and providing his/her name as a point of contact at least ten (10) days prior to the day of commencement of the proposed fundraising activity.

Any member, or members, who wish to be involved in any fundraising activity which has been notified as above, must contact the Member in Charge to register their interest within ten (10) days of the posting of the notice.

The Member in Charge must provide a written Report on the activity, its outcomes, expenses incurred and on all funds raised from any fundraising activity to the General Manager, Support Services, or Manager Marketing within seven (7) days of the end of the fundraising activity. The Report should also include information on any opportunities for improvement or issues that may

have arisen.

The Club must clearly identify the above funds in accordance with good financial accounting practice, and provide details to the Board or Executive Committee.

The Member in Charge must provide a written list of all participants in the fundraising activity, including details of the extent of each participant's contribution, to the General Manager, Support Services or Manager Marketing within seven (7) days of the end of the fundraising activity.

The General Manager: Support Services or Manager Marketing must detail how, and for whose benefit, the funds should be distributed, when called upon by the Executive Committee.

## **18 CLUB LOGO AND BRAND**

The Mullaloo Surf Life Saving Club brand includes the logo and associated unique identifiers. Use of any of these devices is to be controlled to protect the identity and intellectual property of the club. Such use is under the direction of the Board, who will provide advice to the executive management team. Executive Managers will be responsible for ensuring compliance.

### **18.1 Use of Club Logo for Clothes**

Use of Club Logo or facsimiles is restricted to items sold by the club, as determined by the Manager Membership and approved by the Board.

Clothing to be used for Club activities must not make use of the Club Logo or facsimile without permission of the Manager Membership.

### **18.2 Use of Club Logo for Club Equipment**

Use of Club Logo or facsimiles on club equipment must have the approval of the relevant Manager with responsibility for the equipment.

### **18.3 Use of Club Logo for other Items**

Use of Club Logo or facsimiles on other items external to the club must have the approval of the Board.

## **19 LIFE MEMBERSHIP**

### **19.1 Committee [RRC9]**

The Honours and Awards Committee will be appointed by the Board in accordance with clause 6.2.1 of the Association's By Laws. Part of the Honours and Awards Committees responsibilities will be to provide an independent evaluation panel to receive, assess, evaluate and recommend nominations for Life Membership of the Association.

The specific construct of the Honours and Awards Committee will be as provided in the Terms of Reference established by the Board.

When nominations are called for all suitable candidates (or a sponsor) may submit a resume of relevant experience. In addition to the relevant experience or service with the club outlined in clause 19.2 the application should detail the following items:

- a) List of relevant SLSA awards
- b) List of relevant Association awards
- c) Outstanding achievements with the Association

The Honours and Awards Committee will, by majority vote, recommend to the Board any member(s) worthy of consideration of Life Membership.

The Board will review the recommendation(s) with a view to progressing the nominations in accordance with the provisions of Rule 11 of the Association's Constitution.

## **19.2 Life Membership Qualifications**

In accordance with rule 11 of the Constitution, a member who has rendered distinguished or special service to the Association may be recommended for appointment as a Life Member of the Association.

The nominee must be able to establish:

- a) years continuous service, or aggregated 18 years of broken service to the Association as a Full member; or
- b) 20 years continuous service, or aggregated 23 years of broken service to the Association as a Social member; and
- c) The member should have served the Association in a position on the Board, Executive Committee, Management Committee or other Board appointed Committee for the Association; or
- d) The member should have represented the Association in the fields of Lifesaving or Education or Competition, including Competition Official.

## **20 LIQUOR LICENSE**

### **20.1 Restricted Club License [RRC10]**

The Association has been granted a club restricted licence under provisions of section 48 of the Liquor Control Act 1988 (the Act). The provisions of the Associations Incorporation Act 1987 make the Board accountable for the conduct of the club restricted licence.

To mitigate the risk to the Board and the Association the license must be operated in accordance with state and local government by laws, in particular the Liquor Control Act 1988 and related Liquor Control Regulations.

To the extent permissible in law the nominated Approved Manager is delegated the responsibility to supervise and manage the conduct of business at licensed premises in a proper manner, including but not limited to;

- a) Complying with conditions of operation for the type of license in operation at the time of service;
- b) Complying with hours of operation for bar service or event duration;
- c) Complying with the Association and community expectations regarding the code of behaviour.

The General Manager, Support Services shall be responsible for the following:

- a) Maintain a register of persons registered by the Director of Racing, Gaming and Liquor (the Director) as Approved Managers for the Mullaloo Surf Life Saving Club liquor licence;
- b) Maintain a register of persons who hold the Responsible Service of Alcohol (RSA) certificate, or other approved qualification;
- c) Ensure an up to date register of members, in respect of each class of membership, be continually available for inspection at the Association premises.

### **20.2 Responsible Service of Alcohol**

To abide by the conditions contained in the Act for a club restricted licence Members should be aware of the following:

- 1) No liquor shall be sold or supplied for consumption elsewhere than on the Association's licensed premises;
- 2) No payment or part payment to any Board Member, General Manager, Manager or other Officer or servant of the Association shall be made by way of commission or allowance from or upon the receipts of the Association for liquor;

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- 3) No liquor shall be sold or supplied to any juvenile (i.e. any person under the age of 18);
- 4) No liquor shall be sold or provided to any person who, in the opinion of the person serving, is intoxicated;
- 5) No liquor shall be sold or disposed of on Christmas Day, Good Friday or before noon on Anzac Day except as permitted under the provisions of the Act.[RRC11]
- 6) Non-members shall not be permitted to access the Association's licensed area except as a bona fide guest of a member;
- 7) No member or other person shall admit any person to the Association's licensed area unless that person can establish their bona fides as a member or guest;
- 8) Temporary membership of the Mullaloo Surf Life Saving Club (host club) may be accorded to a person who is on any day visiting the club as a member or an official of another club;
  - a) to engage in a pre-arranged event with the host club conducted for the purposes of one of the host club's principal objects; or
  - b) to hold a pre-arranged function at the host club involving the use of the host club's sporting facilities;
- 9) Members may introduce guests to the Club at any time provided the maximum number of guests per member per day is five (5)[RRC12];
- 10) A guest shall not be supplied with liquor on the Association's premises, except on the invitation and in the company of that member;
- 11) The member introducing the guest shall be responsible for the proper conduct of that guest whilst the guest is on the Association premises.
- 12) A member may, at their expense, and with the approval of the Board or delegated officer, supply liquor to the member and their guests, without limitation of number, at a function held by, or on behalf of, that member, on the Association's licensed premises.
- 13) Any person who has been refused membership of the Association, or who is under suspension or expulsion from the Association, shall not be admitted as a guest by any member of the Association.
- 14) Any incident or occurrence relating to the operation of the Association's liquor license must be reported to the Approved Manager and documented in an Incident Report as soon as practicable after the occurrence;
- 15) All persons serving liquor must have received appropriate training and hold the Responsible Service of Alcohol (RSA) certificate, or other approved qualification.
- 16) All persons on duty as the Approved Manager must have received the appropriate training, and hold a current certificate of registration issued by the Director. The name of the On-Duty Approved Manager is to be appropriately displayed whenever the Association's Bar is operating.

**BY-LAWS END**

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### 21 SCHEDULE 1 – Table of Amendments

<b>Revision Date</b>	<b>Version No</b>	<b>Approved By</b>	<b>Nature of Amendment</b>
Sept 2012	8.4	Board	By – Laws reviewed to align with new Corporate style Constitution.
June 2015	9.0	Board - April 2014	Inclusion of new Membership types.
		Board – Aug 2015	Inserted hierarchy of precedence for determination of priorities of Rules, By-Laws and Regulations within Mullaloo SLSC
		Board – Aug 2015	Inserted Document control methodology for the management of Mullaloo SLSC Association documents
		Board – Aug 2015	Updated Organisational structures to reflect inclusion of Marketing as General Manager and restructure of Portfolios.
		Board – April 2014	Updated Committee definitions as outlined in MSLSC Briefing Note -Amendment of By Laws regarding Committees and Liquor Licensing 201400408
		Board – Aug 2015	Updated Membership Admission, As required by Dept. RGL to comply with section 49(3)(c ) of the Liquor Control Act.
		Board – Aug 2015	Update of Responsible Service of Alcohol to align with Dept. of Racing Gaming & Liquor requirements
			Update Grievance Procedures to reflect alignment with Section 7 of the SLSWA Regulations 2009
		Board – Sep 2015	Updated to reflect Dept. of Racing Gaming & Liquor request for additional paragraph.