



# **SURF LIFE SAVING SYDNEY NORTHERN BEACHES INC**

## **THE RULES**

**Adopted by Members on  
3<sup>rd</sup> January 2006**

# SURF LIFE SAVING SYDNEY NORTHERN BEACHES INC

## THE RULES

<i>PART 1 PRELIMINARY</i>	<i>4</i>
1. <i>NAME</i>	<i>4</i>
2. <i>OBJECTS OF SLSSNB</i>	<i>4</i>
3. <i>RIGHTS OF SLSSNB</i>	<i>5</i>
4. <i>INTERPRETATION</i>	<i>6</i>
5. <i>SLSSNB COLOURS</i>	<i>10</i>
6. <i>PATROL SEASON AND HOURS</i>	<i>10</i>
7. <i>BOUNDARIES</i>	<i>11</i>
8. <i>FORMATION OF CLUBS</i>	<i>11</i>
<i>PART 2 MEMBERSHIP</i>	<i>12</i>
9. <i>MEMBERSHIP</i>	<i>12</i>
10. <i>REGISTER OF MEMBERS</i>	<i>12</i>
11. <i>MEMBERS' LIABILITIES</i>	<i>12</i>
12. <i>BRANCH AND CLUB MEMBERSHIP</i>	<i>12</i>
13. <i>MEMBERSHIP AND ANY LEVIES AND FEES</i>	<i>13</i>
14. <i>EFFECT OF MEMBERSHIP</i>	<i>13</i>
15. <i>DISCONTINUANCE OF MEMBERSHIP</i>	<i>14</i>
16. <i>DISCIPLINE OF MEMBERS</i>	<i>15</i>
<i>PART 3 THE BOARD OF MANAGEMENT</i>	<i>16</i>
17. <i>BOARD OF MANAGEMENT OF SLSSNB</i>	<i>16</i>
18. <i>PROXIES</i>	<i>17</i>
19. <i>NOTICE OF BOARD OF MANAGEMENT MEETINGS</i>	<i>17</i>
20. <i>ELECTION MEETING OF SLSSNB BOARD OF MANAGEMENT</i>	<i>17</i>
21. <i>ANNUAL GENERAL MEETING OF SLSSNB BOARD OF MANAGEMENT</i>	<i>18</i>
22. <i>SPECIAL GENERAL MEETINGS OF SLSSNB BOARD OF MANAGEMENT</i>	<i>18</i>
23. <i>QUORUMS AT ALL SLSSNB BOARD OF MANAGEMENT MEETINGS</i>	<i>18</i>
24. <i>ATTENDANCE, DEBATING AND VOTING RIGHTS AT SLSSNB BOARD OF MANAGEMENT MEETINGS</i>	<i>18</i>
25. <i>METHOD OF VOTING AT MEETINGS</i>	<i>19</i>
26. <i>BALLOT</i>	<i>19</i>
27. <i>CHAIRMAN'S DECLARATION TO BE CONCLUSIVE</i>	<i>20</i>
28. <i>VOTING BY MAIL, FACSIMILE OR ELECTRONIC METHODS</i>	<i>20</i>
29. <i>NOTICES OF MOTION</i>	<i>20</i>

30.	<i>RESCISSION OF RESOLUTIONS</i>	21
	<i>PART 4 EXECUTIVE &amp; ADVISORS</i>	22
31.	<i>EXECUTIVE</i>	22
32.	<i>MEETINGS OF THE EXECUTIVE</i>	23
33.	<i>DIRECTORS QUALIFICATIONS AND RESPONSIBILITIES</i>	24
34.	<i>PANELS</i>	25
35.	<i>CONFLICT OF INTEREST</i>	25
36.	<i>ADVISERS</i>	26
37.	<i>DUTIES OF OFFICERS AND ADVISERS</i>	26
38.	<i>REMOVAL OF OFFICERS AND ADVISERS</i>	26
	<i>PART 5 FINANCE AND PROPERTY</i>	28
39.	<i>FINANCE</i>	28
40.	<i>FINANCIAL YEAR</i>	28
41.	<i>AUDITOR AND INSPECTION OF BOOKS</i>	28
42.	<i>ANNUAL REPORT AND AUDITED FINANCIAL STATEMENT</i>	28
43.	<i>SLSSNB PROPERTY</i>	28
	<i>PART 6 MISCELLANEOUS</i>	29
44.	<i>ADDITION, ALTERATION OR AMENDMENT TO THE RULES</i>	29
45.	<i>SLSSNB BY-LAWS</i>	29
46.	<i>DELEGATION OF AUTHORITY</i>	29
47.	<i>STANDING BOARDS AND STANDING COMMITTEES</i>	30
48.	<i>COMPETITIONS AND DISPLAYS</i>	31
49.	<i>SALARIED STAFF</i>	32
50.	<i>PUBLIC OFFICER</i>	32
51.	<i>OFFICIAL CORRESPONDENCE</i>	32
52.	<i>COPY OF THE RULES</i>	32
53.	<i>AUTHORITY TO APPOINT ADMINISTRATOR</i>	32
54.	<i>WINDING-UP PROVISIO</i>	32
55.	<i>SAVING PROVISIO</i>	32
56.	<i>INDEMNITY</i>	33
57.	<i>COMPLIANCE WITH CHARITABLE ACT 1991 and REGULATIONS of 1993</i>	33

# SURF LIFE SAVING SYDNEY NORTHERN BEACHES INC

## THE RULES

### **PART 1 PRELIMINARY**

---

#### **1. NAME**

The name of the association is Surf Life Saving Sydney Northern Beaches (SLSSNB) Incorporated.

#### **2. OBJECTS OF SLSSNB**

SLSSNB is a charitable community service based association. The objects for which the association is established are to:

- a) To promote, advance and govern the work of surf lifesaving and the resuscitation of the apparently drowned.
- b) To carry out research and experiments for the improvement of methods of life saving and resuscitation of the apparently drowned.
- c) To extend the operations and techniques of SLSSNB to all Clubs within the boundaries.
- d) To secure uniformity of surf lifesaving, resuscitation and procedures
- e) For the purpose of more effectively carrying out the aforesaid objects to develop SLSSNB into one organised institution and with these objects in view to foster, regulate, organise and manage examinations.
- f) To adjudicate on differences or disputes arising out of examinations, competitions and displays.
- g) To enforce the observance of the Laws of surf lifesaving in general and in particular of SLSSNB, to deal with any infringement thereof and to adjudicate on all disputes and difficulties between affiliated Clubs, or between individual members of any such affiliated Clubs.
- h) To obtain improved facilities for surf and beach recreation.
- i) To promote uniformity of the laws for the control and regulation of surf beach recreation, and to assist the authorities in enforcing these laws.
- j) To promote demonstrations and arrange classes of instruction in the principles of surf lifesaving and resuscitation.
- k) To advance the interests of affiliated Clubs.

- l) To enter into arrangements or contracts with any Government, Local Government or other body for any of the purposes of SLSSNB.
- m) To acquire or otherwise deal with land, buildings, leases, personal property, interests or rights with the object of furthering the interests of SLSSNB.
- n) To carry on any other activities whatsoever calculated directly or indirectly to enhance further the interests of SLSSNB.

### 3. RIGHTS OF SLSSNB

Solely for furthering the objects set out above SLSSNB has power to:

- (a) Acquire by purchase, exchange or otherwise, whether for an estate in fee simple or for any less estate, lands, tenements or hereditaments of any tenure whether subject or not to any charges or encumbrances and to erect, replace, maintain, reconstruct, adapt and furnish any offices or other buildings thereon and to sell, let, alienate, mortgage, charge or deal with all or any such lands, tenements or hereditaments or any part of them;
- (b) Purchase, take on lease or in exchange or otherwise acquire any real or personal estate which may be deemed necessary or convenient for any of the purposes of SLSSNB and to sell, manage, lease, mortgage, give in exchange, dispose of or otherwise deal with the same or any part thereof;
- (c) Construct, maintain and alter any houses, buildings or works necessary or convenient for the purposes of SLSSNB;
- (d) Borrow and raise money in such manner, as SLSSNB may think fit;
- (e) Raise or borrow money on bonds or mortgage or other security of any property held for or on behalf of SLSSNB or without any such security and upon such terms as SLSSNB Executive or Board of Management shall think fit;
- (f) Receive money on deposit with or without allowance of interest thereon;
- (g) Invest any monies of SLSSNB, not immediately required for the objects of SLSSNB, in such manner as may from time to time be determined by SLSSNB or Board of Management.;
- (h) Do all or any of the matters authorised either alone or in conjunction with any person, company or unincorporated body or by or through any factors, trustees or agents;
- (i) Take any gift of property whether subject to any special trust or not for any one or more of the objects of SLSSNB;
- (j) Take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purposes of procuring contributions to the funds of SLSSNB in the shape of donations, annual subscriptions or otherwise;

- (k) Subscribe to, become a member of or co-operate with any other organisation whether incorporated or not whose objects are similar, in whole or in part, to those of SLSSNB, so long as that other organisation prohibits the distribution of its income and property amongst its Members at least to the extent provided under this Constitution;
- (l) Print and publish any newspapers, periodicals, books or leaflets that SLSSNB may think desirable for the promotion of its objects;
- (m) Appoint, hire, employ, remove, replace or reinstate secretaries, managers, servants, employees and other persons in and for the carrying out of the objects of SLSSNB and to pay them in return for services rendered to SLSSNB, salaries, wages and gratuities;
- (n) Subscribe to any charities and to grant donations for any public purpose;
- (o) Produce, develop, create, licence and otherwise exploit, use and protect the Intellectual Property of SLSSNB;
- (p) Establish and maintain corporate entities to carry on and conduct the business affairs and undertakings, or any aspect thereof, of SLSSNB and for that purpose, utilise any of the assets of or held on behalf of SLSSNB;
- (q) Promote any other person or company for any purpose calculated to benefit SLSSNB;
- (r) Purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the companies, institutions, societies or associations whose activities or purposes are similar to those of SLSSNB or generally for any purpose calculated to benefit SLSSNB;
- (s) Take and effect insurance or seek, obtain and in its discretion, act on, any professional advice necessary or appropriate; and
- (t) Do all such acts and things as are incidental, conducive or subsidiary to all or any of the objects of SLSSNB.

#### 4. INTERPRETATION

In this Constitution unless the contrary intention appears:

***“Adviser”*** means a person appointed to one of the Adviser positions under **Rule 36 (a)** of this Constitution.

***“Annual General Meeting”*** means the annual meeting of the Members of SLSSNB held under **Rule 21**.

***“Auditor”*** means the person or organisation appointed by SLSSNB under **Rule 41** of this Constitution to audit the books of accounts and provide a report to the Members of SLSSNB on an annual basis.

***“Board of Management Meeting”*** means a meeting of the Clubs which form the membership of the Branch.

***“Current licensed Surf Sport Official”*** means a person licensed by SLSA and complying with the requirements of the Australian Sports Commission.

***“Director of Rescue Services”*** means the person elected/appointed to that role by the Branch in accordance with this constitution.

***“Director of Education and Assessment”*** means the person elected/appointed to that role by the Branch in accordance with this constitution.

***“Director of Surf Sports”*** means the person elected/appointed to that role by the Branch in accordance with this constitution.

***“Director of Youth and Membership Development”*** means the person elected/appointed to that role by the Branch in accordance with this constitution.

***“Director of Marketing and Sponsorship”*** means the person elected/appointed to that role by the Branch in accordance with this constitution.

***“Director of Finance and Administration”*** means the person elected/appointed to that role by the Branch in accordance with this constitution.

***“Executive”*** means the committee of management of the Branch elected by the Clubs, which form the membership of the Branch in accordance with this constitution.

***“President”*** means the person elected to that role by the Branch in accordance with this constitution and who will also assume the position of State Councilor on behalf of that Branch.

***“Deputy President”*** means the person elected/appointed to that role by the Branch in accordance with this constitution.

***“By-Laws”*** means any by-laws made from time to time by SLSSNB under **Rule 45**.

***“Chief Executive Officer”*** means the Chief Executive Officer of SLSSNB being recognised under this Constitution.

***“Club”*** means a surf lifesaving club, which is a member of SLSSNB under Part 2 of this Constitution.

***“Club President”*** means a person elected to such position in a Club who shall be entitled to represent that Club at Branch Board of Management or President’s Meetings.

***“Constitution”*** means these rules of SLSSNB.

***“Election Branch Meeting”*** means the meeting of the Board of Management held under **Rule 20** in which elections will be held for positions as Officers of SLSSNB.

***“Individual Member”*** means an individual who is a Member of SLSSNB and can only include junior members; cadet members; active members; reserve active members; general members; long service members; award members; associate members; honorary members; and life members of Clubs, all of which are defined in the SLSA Regulations.

***“Intellectual Property”*** means all rights subsisting in copyright, trade names, trade marks, logos, designs, equipment, images (including photographs, videos or films) or service marks relating to SLSSNB, the words “surf life saving” or any event or competition or surf life saving equipment, product, publication or activity developed, conducted or administered by SLSSNB.

***“Judiciary Committee”*** means a committee established by SLSSNB under **Rule 16** of this Constitution.

***“Law”*** means the New South Wales Associations Incorporation Act 1984 (as amended).

***“Life Member”*** means an individual appointed as a Life Member of SLSSNB in accordance with the By-laws.

***“Member”*** means a member for the time being of SLSSNB under Part 2 of this Constitution.

***“Officer”*** means a person elected as such from time to time under **Rule 31 (a)** of this Constitution.

***“Rules and Constitution Committee”*** means the sub-committee of SLSSNB appointed/elected by the Executive or Board of Management.

***“SLSA Regulations”*** means any regulations made by SLSA from time to time.

***“SLSA”*** means Surf Life Saving Australia Limited.

***“SLSNSW”*** means Surf Life Saving New South Wales Incorporated.

***“SLSSNB”*** means Surf Life Saving Sydney Northern Beaches Incorporated.

***“Special General Meeting”*** means a meeting of the Members of SLSSNB convened in accordance with **Rule 22** of this Constitution.

**“Special Resolution”** means a resolution passed at any Board of Management meeting, at which a quorum is present, and passed by at least three quarters of those members present and entitled to vote and of which not less than 21 days notice specifying the intention to propose the resolution as a special resolution was given in accordance with this Constitution.

**“Standing Boards”** and **“Standing Committees”** mean those boards and/or committees established and appointed by SLSSNB under **Rule 47** of this Constitution.

**“State Centre”** means an independent entity (including SLSNSW) recognised by SLSA as the body administering surf life saving in its particular State.

**“State Councillor”** means a person appointed by the Branch to represent that Branch at meetings of SLSNSW.

Expressions referring to **“writing”** shall unless the contrary intention appears, be construed as including references to printing, lithography, photography and other modes of representing or reproducing words in a visible form, including messages sent by electronic mail.

A reference to a function includes a reference to a power, authority and duty.

A reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority of the performance of the duty.

Words importing the singular include the plural and vice versa.

Words importing any gender shall include the other gender.

References to persons include corporation and bodies politic..

References to a person include the legal personal representatives, successors and permitted assigns of that person.

A reference to a statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them (whether of the same or any legislative authority having jurisdiction).

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

The specification of the objects of SLSSNB in **Rule 2** and the rights set out in **Rule 3** of the Constitution, are not in any particular order and are not to be construed so as to lead to the construction that any object or power is more important than any other object or power nor that any object or power which is specified in detail is more important than any object or power which has not been specified in detail, and no particular object or power will be limited by reference to any other and the rule of construction known as the *eiusdem generis*<sup>1</sup> rule shall not apply.

Except where the contrary intention appears in this Constitution, an expression in a provision of this Constitution, which deals with a matter dealt with by a particular provision of the Law, has the same meaning as that provision of the Law.

SLSSNB is established solely for the objects set out in **Rule 2** of the Constitution.

## 5. SLSSNB COLOURS

- a) SLSSNB colours shall be red, white and blue.
- b) SLSSNB blazer shall be of a dark blue colour with the full logo of SLSSNB as the design on the pocket. The blazer may only be worn by Officers, and Life Members of SLSSNB.
- c) SLSSNB carnival costume and coat badges shall be of a design as approved by SLSSNB.
- d) SLSSNB cap shall be white in colour with one red and one blue strip each 25 millimeters from the lateral centre of the cap.
- e) Each new Club affiliated with SLSSNB shall apply to SLSSNB to register its proposed colours and badge, which colours and badge shall be subject to the approval and registration of SLSSNB..
- f) Re registration is only necessary when a change is made.

## 6. PATROL SEASON AND HOURS

- (a) The Patrol Season shall be from the first Saturday in the Spring public school holidays to the last Sunday in the Autumn public school holidays or, in special circumstances, as directed by the Executive or Board of Management on the recommendation of the Director of Rescue Services.
- (b) Applications to vary this Season by a Club/s in a Branch must first have the agreement of the Director of Rescue Services. The Director of Rescue Services will submit a recommending report to the SLSSNSW Director of Lifesaving seeking approval to vary.

---

<sup>1</sup> The rule that where particular words are followed by general words, the general words are limited to the same kind as the particular words.

- (c) Clubs shall perform rostered patrols during the Season on Saturday, Sunday and Public Holidays.
- (d) The compositions and hours of duty for beach patrols within the Branch shall be determined by the Director of Rescue Services, in consultation with club, and forwarded to the SLSNSW Director of Lifesaving for consideration, endorsement or his considered action prior to the commencement of the surfing season.
- (e) The compositions and hours of duty of beach patrols may vary from Club to Club depending on bathing population and other relevant factors to ensure proper surveillance and protection is afforded beach users.
- (f) Aerial services, offshore and inshore rescue craft and radio facilities shall be available for duty as determined from time to time by the Director of Rescue Services and shall be additional to other patrols.
- (g) For the purposes of this rule, the word "Season" shall mean from the 1st September in each year until 31st August in the following year.
- (h) So that a bona fide member shall not be prejudiced after having shown cause, the Director of Rescue Services may waive these rules in proven circumstances.

## **7. BOUNDARIES**

The boundaries of SLSSNB shall extend from Barrenjoey Headland in the North to North Head of Sydney Harbour in the South.

## **8. FORMATION OF CLUBS**

If SLSSNB become aware of a move to form or reform a Club within their boundaries, they are to immediately notify SLSNSW of such a move, so as SLSNSW may satisfy itself of the need for that Club to be formed, before the SLSSNB is permitted to grant membership. SLSSNB must ensure that all Clubs who are members of them are also Members of SLSNSW.

## **PART 2 MEMBERSHIP**

---

### **9. MEMBERSHIP**

SLSSNB shall be a member of SLSNSW, and other such organisations as may be decided upon by the Board of Management.

The membership of SLSSNB shall consist of:

- (a) The Clubs, which subject to this Constitution, shall be represented by their Club President;
- (b) The Officers of SLSSNB who are elected in accordance with **Rule 31 (a)**;
- (c) Life Members, Distinguished Services Members, Outstanding Service Members and Prominent Service Members ;
- (d) All Individual Members of Clubs;

### **10. REGISTER OF MEMBERS**

- (a) The Chief Executive Officer shall establish and maintain a Register in which shall be entered (as a minimum):
  - i. The full name, address, class of membership and date of entry of the name of each Member; and
  - ii. The full name, address and date of entry of the name of each Board of Management Member and Officer.
- (b) Clubs and Life Members shall provide notice of any change and required details to SLSSNB within 1 month of such change.
- (c) The Register of Members shall be kept at the principal place of administration of SLSSNB and shall be open for inspection, free of charge, by any Member of SLSSNB at any reasonable hour, upon reasonable notice.

### **11. MEMBERS' LIABILITIES**

The liability of a Member of SLSSNB to contribute towards the payment of the debts and liabilities of SLSSNB or the costs, charges and expenses of the winding up of SLSSNB, is limited to the amount, if any, unpaid by the Member in respect of membership of SLSSNB.

### **12. BRANCH AND CLUB MEMBERSHIP**

- (a) To be eligible for membership of SLSSNB Clubs must be incorporated.
- (b) An application for membership of SLSSNB by a Club must be:

- i. In writing on the form prescribed by SLSSNB from time to time, from the Club or its nominated representative and lodged with SLSSNB;
  - ii. Accompanied by a copy of the applicant's constitution, register of members and the appropriate fee, if any.
- (c) SLSSNB may accept or reject an application whether the applicant Club has complied with the requirements in **Rule 13 (b)** or not. Membership of SLSSNB will commence upon acceptance of the application by SLSSNB. Where SLSSNB rejects an application SLSSNB will refund any fees forwarded with the application.
- (d) Clubs must re join annually. Upon re- joining a Club must lodge with SLSSNB any amendments to its constitution or changes in its nominated representatives. Each Club will ensure that its constitution is amended in conformity with amendments made to this Constitution and the constituent documents and constitution of SLA.
- (e) Subject to this Constitution, where a Club ceases to be a Member, the Individual Members of that Club will cease to be Members of SLSSNB one (1) month after the Club's membership of SLSSNB ceases.
- (f) Individual Members of Clubs must renew their membership of their Clubs annually and where required complete other relevant forms as defined in the SLSSNB by laws.

### **13. MEMBERSHIP AND ANY LEVIES AND FEES**

- (a) The membership subscription, levies and fees payable annually by Clubs and the respective dates that such subscription, levies and fees are due shall be determined by SLSSNB and listed in SLSSNB By-Laws.
- (b) Any Club being in default in payment of any liabilities to SLSSNB, may have its membership held up, or if already a Member, may be debarred by SLSSNB from participating at any examination, competition or display held under the control of SLSSNB; and the Club President of any Club so defaulting may be debarred from speaking or voting at any meeting of SLSSNB until such liability has been paid.

### **14. EFFECT OF MEMBERSHIP**

Members acknowledge and agree that:

- (a) This Constitution constitutes a contract between each of them and SLSSNB and that they are bound by this Constitution, SLSSNB By-Laws, the SLSNSW Constitution, SLSNSW By-Laws, the SLA constitution and the SLA Regulations;
- (b) They shall comply with and observe this Constitution, SLSSNB By-Laws, the SLSNSW Constitution, the SLSNSW By-Laws, the SLA constitution and the SLA Regulations and any determination or resolution, which may be made or passed by SLSSNB or any duly authorised Committee or Board;

- (c) By submitting to this Constitution, SLSSNB By-Laws, the SLSNSW Constitution, the SLSNSW By-Laws, the SLSA constitution and the SLSA Regulations they are subject to the jurisdiction of SLSSNB, SLSNSW and SLSA;
- (d) This Constitution, SLSSNB By-Laws, the SLSNSW Constitution, the SLSNSW By-Laws, the SLSA constitution and SLSA Regulations are necessary and reasonable for promoting the objects of SLSSNB and particularly the advancement and protection of Surf Life Saving as a community service; and
- (e) They are entitled to all benefits, advantages, privileges and services of SLSSNB.

## 15. DISCONTINUANCE OF MEMBERSHIP

- (a) A Member having paid all arrears of fees payable by them to SLSSNB, may withdraw from membership by giving notice in writing of such withdrawal to SLSSNB, and where an Individual Member of a Club also to their Club.
- (b) Membership of SLSSNB may be discontinued by SLSSNB upon breach of any rule of this Constitution (including, but not limited to the failure to pay any monies owed to SLSSNB), the SLSSNB By-Laws, the SLSNSW Constitution, the SLSNSW By-Laws, the SLSA constitution or SLSA Regulations or any resolutions or determinations made or passed by the Board of Management or any duly authorised Standing Committee or Standing Board.
- (c) Membership shall not be discontinued under **Rule 16 (b)** without SLSSNB first giving the accused Member the opportunity to explain the breach and/or remedy the breach.
- (d) Where a Member fails, in the view of SLSSNB, to adequately explain or remedy the breach, that Member's membership shall be discontinued under **Rule 16 (b)** by SLSSNB giving written notice of the discontinuance to the Member.
- (e) Membership, which has been discontinued under **Rule 16 (b)**, may be reinstated at the discretion of SLSSNB.
- (f) A Member who ceases to be a Member shall forfeit all right in and claim upon SLSSNB and its property, and shall not use any surf life saving equipment or any other property of SLSSNB, including Intellectual Property. Where a Club ceases to be a Member it shall also forfeit all representation rights on the Board of Management.
- (g) Membership fees or subscriptions paid by the discontinued Member for the relevant year may be refunded on a pro-rata basis to the Member upon discontinuance. The name of such Member shall be removed from the register of Members.

- (h) SLSSNB may expel or suspend a Club which has not renewed its membership with SLSSNB, or an Individual Member of a Club who has not renewed their Club membership, within 1 month of membership renewal falling due.
- (i) Where an Individual Member fails to renew their club membership within 3 months of being required to do so their membership of SLSSNB lapses.
- (j) A Member which has been expelled or suspended under **Rule 16** or whose membership has lapsed under **Rule 16 (i)** must reapply for membership in accordance with this Constitution; but may be readmitted at the discretion of the Board of Management or the Executive.

## 16. DISCIPLINE OF MEMBERS

- (a) Where SLSSNB is advised or considers that a Member has allegedly:
  - i. Breached, failed, refused or neglected to comply with a provision of this Constitution, SLSSNB By-Laws, the SLSNSW Constitution, the SLSNSW By-Laws, the SLSA constitution or SLSA Regulations or any resolution or determination of SLSSNB or any duly authorised Committee or Board; or
  - ii. Acted in a manner unbecoming of a Member, or prejudicial to the objects and interests of SLSSNB and/or surf life saving; or
  - iii. Brought SLSSNB or surf life saving into disrepute;

SLSSNB may commence or cause to be commenced, disciplinary proceedings against that Member and, that Member, will be subject to, and submits unreservedly to the jurisdiction, disciplinary procedures and penalties and the appeal mechanisms of SLSSNB as set out in the SLSA Regulations.
- (b) SLSSNB may appoint a Judiciary Committee, which need not be comprised of Members, to deal with any disciplinary matter referred to it. The Judiciary Committee shall operate under the principles expressed and in accordance with the SLSA Regulations.

## PART 3 THE BOARD OF MANAGEMENT

---

### 17. BOARD OF MANAGEMENT OF SLSSNB

- (a) The Board of Management shall consist of:
  - i. The Officers as defined in **Rule 31(a)**, and
  - ii. Two Board of Management members nominated by and representing each Club.
- (b) Subject to these rules, each Board of Management member shall hold office until the appointment of their successor provided that a Board of Management member may resign or may be removed from the office of Board of Management member by the Club that appointed them. The name and address of the Board of Management member shall be notified on the membership form or on appointment.
- (c) The Club President will be the Board of Management member representing their Club on matters requiring a ballot
- (d) The role of the Board of Management shall be to:
  - i. Elect the Officers under **Rule 31** of this Constitution, except the Chief Executive Officer;
  - ii. Approve any amendments to this Constitution in accordance with **Rule 44**;
  - iii. Inform the Executive of significant membership issues as they arise;
  - iv. determine, designs and review the organisation's strategic direction;
  - v. Discuss branch and statewide issues; and
- (e) The President shall, subject to this Constitution, preside as chairman at every Board of Management meeting except:
  - i. In relation to any election for which the President is a nominee; or
  - ii. Where a conflict of interest exists.
- (f) If the President is not present, or is unwilling or unable to preside the Deputy President shall preside as chairman for that meeting only.

**18. PROXIES**

- (a) Should a Board of Management member of a Club be unable to attend a Board of Management Meeting of SLSSNB, the Club may appoint by notice in writing to the Chief Executive Officer of SLSSNB, a member of that Club to participate and vote in his place.
- (b) Where a Club cannot be represented by one of its members and is unable to nominate a Board of Management member from another Club, the Executive shall, at the request of the Club concerned, nominate a Member to represent such Club.
- (c) No Board of Management member shall be entitled to represent more than one Club at the same time.

**19. NOTICE OF BOARD OF MANAGEMENT MEETINGS**

- (a) Written notices of all Board of Management Meetings and all business, of which notice has been received, shall be forwarded by the Chief Executive Officer to Officers, Advisers, Board of Management members and each Club. When it is proposed to pass a Special Resolution twenty-one (21) clear days notice and in any other case fourteen (14) clear days notice, specifying the place, day and time of the meeting shall be given.
- (b) In notices of meetings, the Chief Executive Officer shall include all motions of which at least twenty-eight (28) days' notice in writing has been given.

**20. ELECTION MEETING OF SLSSNB BOARD OF MANAGEMENT**

- (a) The Election Meeting of SLSSNB Board of Management shall be convened in the period between Annual General Meetings, and preferably be held in May.
- (b) At least two (2) calendar months prior to the date of the Election Board of Management Meeting, notice calling for nominations or expressions of interest, for all Officers as provided for in **Rule 31 (a)** shall be forwarded by the Chief Executive Officer to the Members.
- (c) All nominations for Office shall be:
  - i. Signed by the member nominating and forwarded through their Club to SLSSNB
  - ii. Lodged with the Chief Executive Officer at least twenty-eight (28) days before the meeting.
  - iii. All nominations received by a Club (endorsed or otherwise) shall be forwarded to the Chief Executive Officer.
- (d) The Minutes of the Election Board of Management Meeting shall be circulated to all Officers, Advisers, Board of Management members and Clubs and confirmed at the next Board of Management Meeting.

**21. ANNUAL GENERAL MEETING OF SLSSNB BOARD OF MANAGEMENT**

- (a) The Annual General Meeting of the Board of Management shall be held each year within the period of six months after the expiration of the financial year, preferably in August, to receive the annual report and audited financial statements and to transact such other business as may be brought forward in accordance with these rules.
- (b) The Minutes of the Annual General Meeting of the Board of Management shall be duly circulated to all Officers, Advisers, Board of Management members and Clubs and confirmed at the next Board of Management Meeting.

**22. SPECIAL GENERAL MEETINGS OF SLSSNB BOARD OF MANAGEMENT**

Special General Meetings of the Board of Management of SLSSNB may be called with 21 days notice at the direction of an Executive or Board of Management meeting or on a requisition to the Chief Executive Officer by at least eleven (11) Clubs. Written notice of such meeting including the date, venue and particulars of business to be dealt with by the proposed Special General Meeting, shall be forwarded by the Chief Executive Officer to SLSSNB Officers, Advisers and Board of Management members and each Club.

**23. QUORUMS AT ALL SLSSNB BOARD OF MANAGEMENT MEETINGS**

- (a) The quorum at all Board of Management Meetings shall be at least fourteen [14] Board of Management members with voting rights.
- (b) If there is not a quorum present at a Board of Management Meeting one hour after the specified time of starting, the meeting shall be adjourned to a time and place to be decided by the Executive.

**24. ATTENDANCE, DEBATING AND VOTING RIGHTS AT SLSSNB BOARD OF MANAGEMENT MEETINGS**

**Attendance**

The following members of SLSSNB are able to attend SLSSNB Board of Management Meetings:

1. Officers of SLSSNB.
2. Life Members of SLSSNB.
3. Club Presidents representing their clubs.
4. Board of Management members representing their clubs.
5. Individual club members.

**Debating**

The following members of SLSSNB are able to debate at SLSSNB Board of Management Meetings:

1. Officers of SLSSNB.
2. Life Members of SLSSNB.
3. Club Presidents representing their clubs.
4. Board of Management members representing their clubs.

## **Voting rights**

The following members of SLSSNB have voting rights at SLSSNB Board of Management Meetings:

1. The President, the Director of Rescue Services, the Director of Education and Assessment, the Director of Surf Sports and the Director of Youth and Membership Development.
2. Club Presidents representing their clubs.
3. At Special General Meetings of the Board of Management the following shall have the right to vote – Club Presidents representing their clubs, the chair shall not have a deliberate vote but a casting vote.
4. At Election Meetings of the SLSSNB Executive the following shall have the right to vote – Club Presidents representing their clubs, the chair shall not have a deliberate vote but a casting vote.

## **25. METHOD OF VOTING AT MEETINGS**

- (a) In the election of Officers, the selection of venues for SLSSNB meetings, championship carnivals and the selection of a person or persons to act as representatives of SLSSNB, the “simple majority ballot” shall be used.
- (b) In the event of there being an equality of votes for two or more candidates or venues and there are no other candidates or venues in the ballot other than those with equal votes, the position shall be filled from them by “lot”.
- (c) For voting on any other matter, the “by a simple majority” method of voting shall be employed at all SLSSNB meetings.
- (d) In the event of there being an equality of votes by any resolution in the “by the simple majority” voting, the Chairman of the meeting shall have a casting vote.

## **26. BALLOT**

- (a) In the case of any election, if insufficient nominations are received to fill the position of an Officer further nominations shall be called.
- (b) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (c) If the number of candidates exceeds the number required to fill the vacancy or vacancies then such vacancy or vacancies shall be filled by election by secret ballot.
- (d) The Chairman shall appoint poll clerks provided that any candidate, if they so desire, may appoint one scrutineer to observe the count on their behalf.
- (e) The order in which names of the candidates shall appear on a ballot paper shall be alphabetical by surname.

- (f) Any member entitled to vote shall do so following the direction of the Chairman as to method to cast that vote and thereupon shall hand his ballot paper to a poll clerk.
- (g) At the conclusion of the counting of the ballot papers, the poll clerks shall hand to the Chairman the result of the poll and the ballot papers, whereupon the Chairman shall declare to the meeting the result of the poll. The result of the count may be disclosed on the vote of the meeting.

**27. CHAIRMAN'S DECLARATION TO BE CONCLUSIVE**

At any meeting, unless a show of hands is called for, a declaration by the Chairman that a resolution has been carried, or carried by a particular majority or lost or not carried by a particular majority shall be conclusive.

**28. VOTING BY MAIL, FACSIMILE OR ELECTRONIC METHODS**

Urgent matters arising between meetings of the Board of Management of SLSSNB may be decided by a mail, facsimile or e-mail vote, which shall be conducted in the following manner:

- (a) Upon the instructions of the President or by resolution of the Executive any matter which may be dealt with by the SLSSNB Board of Management shall be submitted to a vote by mail, facsimile or e-mail.
- (b) Where a vote by mail, facsimile or e-mail is intended to be taken, the Chief Executive Officer shall send by mail, facsimile or e-mail to each Board of Management member and Officer who is entitled to vote, a clear statement of the question to be voted upon, with a request that they return their vote thereon by mail, facsimile or e-mail to the Chief Executive Officer. Such request shall state the date upon which voting shall close.
- (c) Within seven days of the closing of vote by mail, facsimile or e-mail the Chief Executive Officer shall mail, facsimile or e-mail each Board of Management member, Officer and Club of SLSSNB, a report of the result of such voting. The report shall contain a copy of the question and the resultant decision.
- (d) All mail, facsimile or e-mail votes received by the Chief Executive Officer shall be filed with a copy of the question and a copy of the report of the result of the voting, and shall be retained in the official file of SLSSNB for a period of not less than one year.

**29. NOTICES OF MOTION**

- (a) Notice of any motion of which notice is required to be given shall be given in writing by the mover (after being duly seconded) to the Chief Executive Officer at least twenty-eight (28) days prior to the date of a meeting. Officers, Board of Management members and Clubs shall be given fourteen (14) days clear notice of such notices of motion. Any motion or resolution passed by the SLSSNB Board of Management may be rescinded or altered provided notice of rescission or alteration has been given in accordance with **Rule 30**.

- (b) All notices of motion, of which notice is required to be given in writing, shall be considered by the Rules and Constitution Committee to ensure they are in accordance with the rules.
- (c) Leave may be granted to amend such notice by resolution.
- (d) A motion of which due notice has been given, on being defeated, cannot be resubmitted nor may any other motion be moved having a similar effect within six (6) months from the date of its rejection.

**30. RESCISSION OF RESOLUTIONS**

- (a) A resolution passed at a Board of Management Meeting shall not be rescinded other than at a subsequent Board of Management Meeting. Notice in writing of the intention to propose a rescission shall be given to the Chief Executive Officer at least 28 days before the Board of Management Meeting at which the proposal is intended to be moved and at least 14 days notice of the motion of rescission shall be given by the Chief Executive Officer to Officers, Board of Management members and each Club.

## PART 4 EXECUTIVE & ADVISORS

---

### 31. EXECUTIVE

- (a) The Executive shall consist of the Officers of SLSSNB who shall be elected at the Election Board of Management Meeting and shall be:
- i. President
  - ii. Deputy President
  - iii. Director of Finance and Administration
  - iv. Director of Education and Assessment
  - v. Director of Surf Sports
  - vi. Director of Youth and Membership Development
  - vii. Director of Rescue Services
  - viii. Director of Marketing and Sponsorship
  - ix. Chief Executive Officer (non voting)

All the foregoing Officers shall be members of a Club, except the Chief Executive Officer who need not be a member of a club, and must meet the qualifications as prescribed from time to time by the Executive.

- (b) The Chief Executive Officer shall attend all meetings of the Executive but shall not be a voting member of the Executive.
- (c) Subject to the Law and this Constitution, the business of SLSSNB shall be managed, and the powers of SLSSNB shall be exercised, by the Executive. In particular, the Executive as the authority for surf lifesaving in Sydney Northern Beaches shall be responsible for acting on local issues in accordance with the objects of SLSSNB and shall operate for the benefit of the Members and the community throughout Sydney Northern Beaches and shall assist member Clubs to govern surf lifesaving in Sydney Northern Beaches in accordance with the objects set out in this Constitution.
- (d) The Executive shall authorise persons to speak on behalf of SLSSNB.
- (e) The Officers of SLSSNB shall be elected in accordance with this Constitution, and subject to this Constitution, shall hold office from the conclusion of the Election Council Meeting at which they were elected until the conclusion of the second following Election Council Meeting. Officers may be re-elected.
- (f) The President, Director of Surf Sports, Director of Education and Assessment and the Director of Youth and Membership Development shall be elected in each year of even number and the Deputy President, the Director of Rescue Services, Director of Finance and Administration and the Director of Marketing and Sponsorship shall be elected in the each year of odd number.

- (g) In the event of a vacancy occurring during the year, such vacancy may be filled at a Board of Management Meeting, after calling for nominations or by vote by mail, facsimile or e-mail conducted in accordance with a resolution of the Executive.
- (h) The President of SLSSNB shall be the State Councilor to represent SLSSNB at meetings of SLSSNB, provided however in the event of an absence of the President the SLSSNB Executive may appoint a proxy State Councilor.

## **32. MEETINGS OF THE EXECUTIVE**

- (a) The Executive shall meet as often as is deemed necessary in every calendar year for the dispatch of business (and shall be at least as often as is required under the Law) and subject to this Constitution may adjourn and otherwise regulate its meetings as it thinks fit. Three Officers may at any time, and the Chief Executive Officer shall on the requisition of three Officers, convene a meeting of the Executive within reasonable time.
- (b) Subject to this Constitution, questions arising at any meeting of the Executive shall be decided by a majority of votes and a determination of a majority of Officers shall for all purposes be deemed a determination of the Executive. All Officers shall have one vote on any question. The President shall have an additional casting vote where voting is equal.
- (c) A resolution in writing, signed or assented to by facsimile, e-mail or other form of visible or other electronic communication by all the Officers for the time being present in Australia shall be as valid and effectual as if it had been passed at a meeting of the Executive duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more of the Officers.
- (d) Without limiting the power of the Executive to regulate their meetings as they think fit, a meeting of the Executive may be held where one or more of the Officers is not physically present at the meeting, provided that:
  - i. All persons participating in the meeting are able to communicate with each other effectively simultaneously and instantaneously whether by means of telephone or other form of communication;
  - ii. Notice of the meeting is given to all the Officers entitled to notice in accordance with the usual procedures agreed upon or laid down from time to time by the Executive or this Constitution and such notice specifies that Officers are not required to be present in person;

- iii. In the event that a failure in communications prevents **Rule 23(a)** from being satisfied by that number of Officers which constitutes a quorum, and none of such Officers are present at the place where the meeting is deemed by virtue of the further provisions of this rule to be held then the meeting shall be suspended until **Rule 23(a)** is satisfied again. If such condition is not satisfied within fifteen minutes from the interruption the meeting shall be deemed to have terminated or adjourned; and
  - iv. Any meeting held where one or more of the Officers is not physically present shall be deemed to be held at the place specified in the notice of meeting provided an Officer is there present and if no Officer is there present the meeting shall be deemed to be held at the place where the Chairman of the meeting is located.
- (e) At meetings of the Executive the number of Officers whose presence is required to constitute a quorum is five.
  - (f) The Minutes of the Meetings of the Executive shall be circulated to all Officers, Board of Management members and Clubs and confirmed at the next Executive Meeting.

### **33. DIRECTORS QUALIFICATIONS AND RESPONSIBILITIES**

#### **The Director of Surf Sports**

1. The Director of Surf Sports shall be a currently licensed Surf Sport Official.
2. The Director of Surf Sports shall be responsible for all surf sports events conducted by SLSSNB.
3. The Director of Surf Sports shall be assisted and provided input by the Board of Surf Sports in the conduct of surf sports events in by SLSSNB.
4. The Director of Surf Sports shall represent SLSSNB at a State level in all surf sport matters.

#### **The Director of Rescue Services**

1. The Director of Rescue Services must be a holder of the Bronze Medallion and an accredited Examiner/Assessor in the Bronze Medallion award.
2. The Director of Rescue Services must be an accredited Examiner/Assessor in the Patrol Captains award.
3. The Director of Rescue Services shall be responsible for lifesaving in the Sydney Northern Beaches area.
4. The Director of Rescue Services shall be assisted by the Board of Rescue Services in the conduct of lifesaving in the Sydney Northern Beaches area.

5. The Director of Rescue Services shall represent SLSSNB at a State level in all lifesaving matters.

#### **The Director of Education and Assessment**

1. The Director of Education and Assessment must be a holder of the Bronze Medallion and an accredited Examiner/Assessor in the Bronze Medallion award.
2. The Director of Education and Assessment shall be responsible for all education and assessment in the Sydney Northern Beaches area.
3. The Director of Education and Assessment shall be assisted by the Board of Education and Assessment in conducting education and assessment in the Sydney Northern Beaches area.
4. The Director of Education and Assessment shall represent SLSSNB at a State level in all education and assessment matters.

#### **The Director of Youth and Membership Development**

1. The Director of Youth and Membership Development shall be responsible for the development of all members in SLSSNB.
2. The Director of Youth and Membership Development shall be assisted by the Board of Youth and Membership Development in all development matters in SLSSNB.
3. The Director of Youth and Membership Development shall represent SLSSNB at a State level in all development matters.

### **34. PANELS**

1. Any of the standing Boards of SLSSNB shall form panels as and when required.
2. A Panels terms of reference shall be determined by the relevant standing Board.
3. The composition of a Panel is open to any member of SLSNB with an interest in the terms of reference of that Panel.
4. The purpose of the Panels is to create a forum for the fostering of ideas and communications between the clubs and members.

### **35. CONFLICT OF INTEREST**

An Officer shall declare his interest in any contractual, selection, disciplinary or other matter in which a conflict of interest arises or may arise, and shall absent himself from discussions of such matters and shall not be permitted to vote in respect of such matter. In the event of an uncertainty as to whether it is necessary for an Officer to absent himself from discussion or refrain from voting, the issue should be immediately determined by vote of the Executive, or if this is not possible, the matter shall be adjourned or deferred.

## 36. ADVISERS

- (a) As soon as practical after the Election Board of Management Meeting, the SLSSNB Executive may appoint and have endorsed by the Board of Management the following advisers:  
2 Competitors (1 Female and 1 Male), 2 Officials, 1 Coach, 2 Junior Sports Advisers, 1 Surf Boat Adviser, 1 IRB Adviser, 1 Youth Sports Adviser, 7 Duty Officers, 1 Powered Rescue Craft Adviser, 1 Radio Adviser, 1 Patrol Assessment Coordinator, 1 Emergency Services Adviser, 1 Junior Lifesaving Adviser, 1 Advanced Life Support Adviser, 1 Bronze Medallion and Gold Medallion Adviser, 1 Surf Rescue Certificate Adviser, 1 Course Facilitators Coordinator, 1 Junior Education Adviser, 1 Education Adviser, 1 Rookies (13/15) Adviser, 1 Youth (16/19) Adviser, 1 Age Managers Adviser, 1 Under 8 Age Group Adviser, 1 Under 10 Age Group Adviser, 1 Under 12 Age Group Adviser, 1 Under 14 Age Group Adviser and 1 Members Development Adviser.
- (b) The SLSSNB Executive may introduce such procedures for appointing or calling for nominations to fill Adviser positions as it deems fit from time to time.
- (c) Advisers appointed as set out in **Rule 36(a)** may be required to attend Board of Management Meetings without the right to vote.
- (d) Advisers may be invited to attend Executive meetings for specific discussions.
- (e) Patron and Vice-Patrons (unlimited in number) who need not be members of a Club shall be elected at the Election Board of Management Meeting.

## 37. DUTIES OF OFFICERS AND ADVISERS

SLSSNB requires the various Officers and Advisers that are elected or appointed to perform such duties and undertake such responsibility as specified from time to time by the Executive or as set out in the SLSSNB Regulations.

## 38. REMOVAL OF OFFICERS AND ADVISERS

In addition to the circumstances in which the office of an Officer or Adviser becomes vacant by virtue of the Law, the office of an Officer or Adviser becomes vacant if the Officer or Adviser:

- i. Dies;
- ii. Becomes bankrupt or makes any arrangement or composition with his creditors generally;
- iii. Becomes of unsound mind or a person whose person or estate is liable to be dealt with in anyway under the law relating to mental health;

- iv. Resigns his office in writing to SLSSNB;
- v. Is absent without the consent of the Executive from three consecutive meetings of the Executive without valid excuse;
- vi. Is directly or indirectly interested in any contract or proposed contract with SLSSNB and fails to declare the nature of his interest;
- vii. Is removed by Special Resolution;
- viii. Has been expelled or suspended from membership;
- ix. In the case of an Adviser, if in the opinion of the Executive, that Adviser is not fulfilling their role at SLSSNB; or
- x. On the recommendation of a SLSSNB Judiciary Committee.

## **PART 5 FINANCE AND PROPERTY**

---

### **39. FINANCE**

- (a) The funds of SLSSNB shall be used in pursuance of the objects and powers of SLSSNB subject to any resolution passed by the Board of Management or Executive.

### **40. FINANCIAL YEAR**

The financial year shall be from 01 April to 31 March in the next year

### **41. AUDITOR AND INSPECTION OF BOOKS**

- (a) The Auditor shall be appointed at the Election Board of Management Meeting to hold office until the next Election Board of Management Meeting. In the event of the position of Auditor becoming vacant between Election Board of Management or not being filled at the Election Board of Management Meeting, SLSSNB may appoint an Auditor to fill such vacancy until the next Election Board of Management Meeting.
- (b) SLSSNB employees, Officers, Board of Management member or Advisers are not eligible for election as Auditor.
- (c) The records, books and other documents of SLSSNB shall be open for inspection, free of charge, by a member of SLSSNB at any reasonable hour and upon reasonable notice.

### **42. ANNUAL REPORT AND AUDITED FINANCIAL STATEMENT**

The Chief Executive Officer shall cause to be prepared prior to the Annual General Meeting:

- (a) A report of the activities of SLSSNB during the closing season.
- (b) Audited, financial statements for the financial year last ended, duly certified by the Auditor or Auditors and signed by the Director of Administration and Finance.
- (c) All Clubs shall submit to the Chief Executive Officer at the close of each season and not later than May 31st, statistics of their respective Clubs on the official form provided for the compilation of the SLSSNB annual report.

### **43. SLSSNB PROPERTY**

No person shall remove any property from SLSSNB premises, or any place wheresoever any property belonging to SLSSNB is kept, without first receiving written permission of the Chief Executive Officer. Persons receiving such permission shall be held responsible for the full value of such property until same is returned in similar condition as when removed.

## **PART 6 MISCELLANEOUS**

---

### **44. ADDITION, ALTERATION OR AMENDMENT TO THE RULES**

- (a) No addition, alteration or amendment shall be made to this Constitution unless the same has been approved by a Special Resolution at a Board of Management Meeting of which twenty-one (21) days notice shall be given by the Chief Executive Officer to SLSSNB Officers, Advisers, Board of Management members, each Club and the convener of the Rules and Constitution Committee. Such notice shall state the exact nature of the proposed addition, alteration or amendment and shall be lodged with the Chief Executive Officer at least forty-two (42) days before the meeting.
- (b) Provided that the relevant Minister for the time being administering the Associations Incorporation Act 1984 shall be notified of the amendment and such amendment shall not be effective unless it has been lodged with the relevant Minister.
- (c) The Public Officer shall within one month after the passing of a special resolution relating to the addition, alteration or amendment of this Constitution, lodge with the Department of Fair Trading notice of the change in the prescribed form.

### **45. SLSSNB BY-LAWS**

- (a) The Executive may formulate, issue, adopt, interpret and amend such SLSSNB By-Laws for the proper advancement, encouragement, management and administration of SLSSNB, the advancement of the objects of SLSSNB and surf life saving, as it thinks necessary or desirable. Such SLSSNB By-Laws must be consistent with the Constitution and any policy directives of the SLSSNB Board of Management.
- (b) All SLSSNB By-Laws made under this rule shall be binding on all Members of SLSSNB.
- (c) Amendments, alterations, interpretations or other changes to SLSSNB By-Laws shall be advised to Clubs by SLSSNB circulars.

### **46. DELEGATION OF AUTHORITY**

- (a) The Executive may by instrument in writing create or establish or appoint from among its own Members or from other selected personnel as occasion may require, special committees, sub-committees, boards or individual officers and consultants to carry out such duties and functions and with such powers as the Executive determines.
- (b) The Executive may in the establishing instrument delegate such functions as are specified in the instrument, other than:

- i. This power of delegation; and
  - ii. A function imposed on the Executive or the Chief Executive Officer by the Law, or any other law, or this Constitution or by resolution of the Board of Management in General Meeting.
- (c) A function, the exercise of which has been delegated under this rule, may whilst the delegation remains unrevoked, be exercised from time to time in accordance with the terms of the delegation.
- (d) A delegation under this rule may be made subject to such conditions or limitations as to the exercise of any function or at the time or circumstances as may be specified in the delegation.
- (e) The Executive may by instrument in writing, revoke wholly or in party any delegation made under this rule.

#### **47. STANDING BOARDS AND STANDING COMMITTEES**

The Standing Boards, of SLSSNB shall be:

- i. Board of Rescue Services who shall be the Director of Rescue Services, 7 Duty Officers, 1 Powered Rescue Craft Adviser, 1 Radio Adviser, 21 Club Captains, 1 Patrol Assessment Coordinator, 1 Emergency Services Adviser and 1 Junior Lifesaving Adviser. The Director of Rescue Services to be the Chairperson at all meetings of the Board of Rescue Services.
- ii. Board of Education and Assessment who shall be the Director of Education and Assessment, 1 Advanced Life Support Adviser, 1 Bronze Medallion and Gold Medallion Adviser, 1 Powered Rescue Craft Adviser, 1 Surf Rescue Certificate Adviser, 1 Junior Education Adviser, 1 Course Facilitator Coordinator and a Secretary (non voting). The Director of Education and Assessment to be the Chairperson at all meetings of the Board of Education and Assessment..
- iii. Board of Surf Sports who shall be the Director of Surf Sports, 2 Competitors (1 Female and 1 Male), 2 Officials, 1 Coach, 2 Junior Sports Advisers, 1 Surf Boat Adviser, 1 IRB Adviser, 1 Youth Sports Adviser and a Secretary (non voting). The Director of Surf Sports to be the Chairperson at all meetings of the Board of Surf Sports.
- iv. Board of Youth and Membership Development who shall be the Director of Youth and Membership Development, 1 Education Adviser, 1 Rookie (13/15) Adviser, 1 Youth (16/19) Adviser, 1 Surf Sports Adviser, 1 Age Managers Adviser, 1 Under 8 Age Group Adviser, 1 Under 10 Age Group Adviser, 1 Under 12 Age Group Adviser, 1 Under 14 Age Group Adviser and a Secretary (non voting). The Director of Youth and Membership Development to be the Chairperson at all meetings of the Board of Youth and Membership Development.

Which shall be appointed or elected each year in accordance with the qualifications stated in the SLSSNB By-Laws. The SLSSNB Executive may introduce such procedures for appointing or calling for nominations to fill Adviser positions as it deems fit from time to time.

- (b) The Standing Committees of SLSSNB shall be:
- i. Life Membership and Honors Committee
  - ii. The Rules and Constitution Committee
  - iii. Meritorious Awards Committee
  - iv. Selection Committee
  - v. Most Outstanding Club Committee
  - vi. Judiciary Committee
  - vii. Finance Committee

Which shall be appointed or elected each year in accordance with the qualifications stated in the SLSSNB By-Laws. The Board of Management shall determine the composition of each Standing Committee from time to time. The SLSSNB Executive may introduce such procedures for appointing or calling for nominations to fill Adviser positions as it deems fit from time to time.

#### **48. COMPETITIONS AND DISPLAYS**

- (a) SLSSNB shall have power to regulate all assessments, carnivals, competitions and displays within the boundaries provided by this Constitution provided that in all Club and inter-Club competitions the rules of SLSA and general rules for competition as set out in the SLSA competition manuals are complied with.
- (b) SLSSNB shall have power to allocate any carnival, competition or display under its control to any Club and to appoint officials to control such carnival, competition or display.
- (c) SLSSNB may appoint referees, judges and other officials.
- (d) SLSSNB may appoint as an official (other than examiner/assessor, referee or judge) any person (whether a member of any Club, Branch or SLNSW, or not) provided that it is satisfied that they have special knowledge qualifying them for such position. Any such person so appointed shall thereupon become and be a member of SLSSNB for the time they occupy such position.
- (e) An examiner/assessor (or similar), referee or judge in any assessment, carnival, competition or display held within the boundaries of SLSSNB must be a duly qualified examiner/assessor or a currently licensed official.
- (f) No Club shall participate in any carnival, competition, procession or display conducted by any outside person or organisation unless such Club has first obtained the written permission of the Board of Management, or the Executive.

- (g) In relation to trophies, prizes (cash or kind) and eligibility of member/s representing a section of SLSA to compete for or accept such trophies or prizes, the SLSA Regulations shall apply.

**49. SALARIED STAFF**

The President, representing SLSSNB and the Chief Executive Officer shall have the power to appoint, dismiss, define the duties of and fix the rate of pay of any salaried employees of SLSSNB.

**50. PUBLIC OFFICER**

For the purpose of the Law, the Chief Executive Officer shall be appointed as the Public Officer.

**51. OFFICIAL CORRESPONDENCE**

All official correspondence to and from SLSSNB, except from a Judiciary Committee, must be forwarded through the Chief Executive Officer.

**52. COPY OF THE RULES**

Each Club shall be supplied with copies of the Constitution, and one shall always be made available for perusal on request to the Chief Executive Officer. A copy of the Constitution shall be available in the SLSSNB head office.

**53. AUTHORITY TO APPOINT ADMINISTRATOR**

- (a) Should the Board of Management or the Executive consider that a situation has developed within a Club, which gives them extreme concern and is detrimental to the image of surf life saving, it shall have the authority to initiate discussion and investigate the operations of such Club with a view to assisting the club to maintain Surf Rescue Operations

**54. WINDING-UP PROVISO**

- (a) The action of winding up and distribution of surplus property shall be subject to decision by Special Resolution.
- (b) If on a winding up or dissolution of SLSSNB there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the members of SLSSNB but shall be given or transferred to some other body that is a registered or exempt charity having objects similar to the objects of SLSSNB and which shall prohibit the distribution of its or their income and property amongst its members.

**55. SAVING PROVISO**

In the event of any question arising which is not specifically provided for in the SLSA Constitution, the SLSA Regulations and the SLSA Manuals or the Rules and By-Laws of SLSNSW, or the Rules or By-Laws of SLSSNB it shall be competent for SLSSNB to temporarily legislate therefore, pending due alterations to the rules by Special Resolution.

**56. INDEMNITY**

- (a) Every Officer, Advisor, Board of Management member, auditor, manager, employee or agent of SLSSNB shall be indemnified out of the property or assets of SLSSNB against any liability incurred by them in their capacity as an Officer, Advisor, Board of Management member, auditor, manager, employee or agent in defending any proceedings, whether civil or criminal, in which judgement is given in their favour or in which they are acquitted or in connection with any application in relation to any such proceedings in which relief is, under the Law, granted to them by the court.
  
- (b) SLSSNB shall indemnify its Officers, Advisors, Board of Management member, managers and employees against all damages and costs (including legal costs) for which any such Officer, Advisor, Board of Management member, manager or employee may be or become liable to any third party in consequence of any act or omission except wilful misconduct:
  - (i) In the case of an Officer, Advisor or Board of Management member, performed or made whilst acting on behalf of and with the authority, express or implied of SLSSNB; and
  
  - (i) In the case of an employee, performed or made in the course of, and within the scope of his employment by SLSSNB.

**57. COMPLIANCE WITH CHARITABLE ACT 1991 and REGULATIONS of 1993**

SNB shall comply with such of the provisions of the Charitable Fundraising Act 1991 and the Charitable Fundraising Regulations 1993 as amended.