



**Point Leo Surf Life Saving Club Inc
Statement of Purposes and Rules**

Incorporating all amendments up to and including the
2013 Annual General Meeting

POINT LEO SURF LIFE SAVING CLUB

INCORPORATED

STATEMENT OF PURPOSES

1. To preserve and safeguard life by the study and practice of methods of lifesaving as taught by the Surf Life Saving Association of Australia; to provide, maintain and operate efficient lifesaving appliances: to render first aid on the beaches and adjacent reserves as occasion may require.
2. To arrange classes of instruction and promote demonstrations in life saving and swimming and to further generally the best interests of surf lifesaving and surf bathing.
3. To provide facilities and amenities for Association Members and to assist in life saving and safeguarding of surf bathing by acquiring, constructing and maintaining and/or improving any premises deemed necessary to the achievement of the objects of the Association.

Solely for the purpose of furthering the purposes set out above the Association shall have power:

- a) To take over the funds and other assets and the liabilities of the present unincorporated association known as Point Leo Surf Life Saving Club.
- b) To affiliate with, subscribe to, become a Member of and co-operate with any other association, Club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association (including but not limited to Surf Life Saving Australia, Surf Life Saving Victoria) provided that the Association shall not subscribe to or support with its funds any Club, association or organisation which does not prohibit the distribution of its income and property among its Members to an extent at least as great as that imposed in the Association under or by virtue of the Rules".
- c) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Association: Provided that in case the Association shall take or hold any property which may be subject to any trusts the Association shall only deal with same in such manner as is allowed by law having regard to such trusts.
- d) To enter into any arrangements with any Government or Authority that are incidental or conducive to that attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- e) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.
- f) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- g) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit.
- h) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.



- i) To lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and other wise to assist any person or body corporate.
- j) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise and to secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the Association's property or assets present or future and to purchase, redeem or pay-off any such securities.
- k) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- l) To sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association.
- m) To take or hold mortgages, liens or charges to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others.
- n) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association buy subject always to the proviso in paragraph (c).
- o) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the Funds of the Association, in the shape of donations, annual subscriptions or otherwise.
- p) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects.
- q) To amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their Members to an extent at least as great as that imposed upon the Association under or by virtue of the Rules.
- r) To make donations for patriotic, charitable or community purposes.
- s) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.



RULES OF
POINT LEO SURF LIFE SAVING CLUB
INCORPORATED

RULE 1 The name of the incorporated association is Point Leo Surf Life Saving Club Incorporated (in these rules called ‘the Association’).

- RULE 2** (1) In these Rules, unless the contrary intention appears -
- ‘Committee’ means the Committee of Management of the Association.
- ‘Financial Year’ means the year ending on April 30.
- ‘General Meeting’ means a general meeting of Members convened in accordance with Rule 11.
- ‘Member’ means a Member of the Association.
- ‘Ordinary Member of the Committee’ means a Member of the Committee who is not an officer of the Association under Rule 21.
- ‘The Act’ means the Associations Incorporation Act 1981.
- ‘The Regulations’ means Regulations under the Act.
- ‘SLSA’ means Surf Life Saving Australia.
- (2) In these Rules, a reference to the Secretary of an Association is a reference -
- (a) where a person holds office under these Rules as Secretary of the Association - to that person; and
- (b) in any other case, to the Public Officer of the Association.
- (3) Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the Act as in force from time to time.

- RULE 3** (1) Membership of the Association shall be divided into Active Membership Categories and Non-Active Membership Categories.
- (2) Active Membership of the Association shall be divided into the following categories:
- (a) *Senior Active* - Any person over the age of 18 years at October 1 who has qualified for the Bronze Medallion of the SLSA;
- (b) *Junior Active* - Any person between the ages of 15 and 18 years at October 1 who has qualified for the Bronze Medallion of the SLSA.;
- (c) *Cadet* - Any person between the ages of 13 and 15 years at October 1 who has qualified for the Surf Rescue Certificate of the SLSA;
- (d) *Active Reserve* - Any person who has completed 8 years continuous and satisfactory membership as a Senior Active Member or who, in the opinion of the Committee, is unable to reasonably carry out their patrol duties by reason of illness, place of residence or other satisfactory reason;



- (e) *Nipper* - Any person aged 6 years or older, up to the age of 13 years at October 1st. No person may be admitted to or may renew their membership as a Nipper unless:
 - (i) a parent, guardian or immediate family member of the Nipper is a member (other than a Nipper) of the Association and that member assists in the conduct of the Junior Surf Life Saving (Nipper) Program or is an active patroller
 - (ii) the Committee, in its discretion, considers there are reasonable grounds to grant an exemption from the requirements of paragraph (i) above. An application seeking an exemption must be made in writing and outline the grounds upon which the application is made. 6 years or older, up to the age of 13 years at October 1st;
- (f) *Probationary* - Until such time as a Member has qualified for the minimum award in the Senior Active, Junior Active or Cadet Category as applicable they shall be classed as a Probationary Member in such category. A Probationary Member must qualify for the applicable award within the time period set down by the Committee.
- (g) *Long Service Membership* - A Long Service Member may be appointed from amongst Members of the Association who have rendered long and distinguished service of at least 10 years as a senior or junior active Member or 8 years as a senior or junior active Member and 4 years as an active reserve Member. Nomination for Long Service membership will be made by written application by a Member, to the Long Service Subcommittee. The Long Service Subcommittee will be nominated annually by the committee and consist of 3 Honorary Life Members.

The Long Service Subcommittee shall review applications, nominate and present appropriate candidates to receive endorsement by the committee and be submitted to the Annual General Meeting of the Association.

- (3) All Active Members except Nipper Members shall:
 - (a) attend at the beach or elsewhere for patrol or other duties on such hours as may be specified by the Committee, in the patrol roster or at such other times as may be deemed necessary by the responsible Senior Active Officer; and
 - (b) unless exempted by the Committee, qualify in an annual proficiency test.

Nipper Members shall be subject to such rules covering training, discipline and competition as may be laid down by the Junior Activities Co-ordinator and approved by the Committee.
- (4) Non-Active Membership of the Association shall be divided into the following categories:
 - (a) *Associate* – An Associate Member shall be any person who is over the age of thirty (30) years or is a parent, guardian or spouse of a Member or in the opinion of the Committee cannot fulfill the duties of an active Member. An Associate Member shall have the rights and obligations of a Senior Active Member except they shall not be eligible to compete in competitions or be eligible for election to any official position associated with active life saving activities.
 - (b) *Honorary* - Any person admitted as such by the Committee for such period as the Committee thinks fit. An Honorary Member shall have the rights and obligations of an Associate Member.



(ba) *Temporary Social* – Any person who is not normally resident within a 5km radius of the Clubhouse at Point Leo may be admitted as a Temporary Social Member by a Member of the Committee or a person delegated in writing by the Committee. Despite any provision in these rules in the contrary, the following provisions will apply:

- (i) no joining fee will be payable.
- (ii) a membership fee as determined by the Committee will be payable.
- (iii) membership must be for a period of not more than four weeks.
- (iv) not more than three periods of Temporary Social Membership may be granted to the person in any one calendar year.
- (v) membership will only allow participation in the social activities of the Association and will only allow access to bar, meal and toilet facilities.
- (vi) Temporary Social Members will have no right or vote at any meeting of the Association.

(c) *Honorary Life Member* – Honorary Life Members may be elected, subject to the succeeding provisions of this clause 3 (4) (c), from Members of the Association who qualify under the following criteria:

(ca) *Life Members - Qualification*

(i) *Objective Provisions for Qualification*

(A) Members who have rendered service to the Association over a total period of 15 years (which need not be continuous) in one or more of the following capacities.

- exemplary patrol record over a substantial period
- as an elected officer
- as a Member of a sub-committee
- as a delegate to The Victorian State Centre

(B) If a Member serves concurrently in two or more of the capacities set out, then only one of such capacities may be counted in determining the total period of service.

(ii) *Subjective Provisions for Qualification*

(A) Subject to having service qualifying under the objective provisions, that service being considered by the Honorary Life Members of the Association to be Special Service. The standard of what is considered Special Service shall be at the discretion of the Honorary Life Members and shall not be the subject of any appeal whatsoever.

(B) Consideration may be given to a nominee who has rendered exceptional Special Service over a shorter period.

(cb) *Life Members – Records of Service*

- (i) The Registrar's duties shall include compiling, maintaining and keeping up to date records of the service of all Members.
- (ii) The Nominations Secretary shall examine all nominations and report thereon to the meeting of Honorary Life Members, referring for consideration of the meeting only those nominations which in his or her opinion satisfies the objective and/or subjective provisions of this regulation.



(cc) *Life Members - Nomination*

- (i) The Nominations Secretary shall no later than mid-February of each year call for, or may accept unsolicited nominations for Honorary Life Membership of The Association, with a closing date for nominations no later than mid-May of each year. A notice detailing all aspects of Honorary Life Membership and calling for nominations as required shall be permanently and prominently displayed in the Club House and may be circulated to Members
- (ii) Nominations for Honorary Life Membership may be submitted in writing by the closing date in any year by any Member of the Association.
- (iii) Nominations in writing and addressed to the Nominations Secretary, shall be delivered to him or her unopened and shall provide sufficient details in support of the nomination.
- (iv) Nominations may carry forward to a subsequent year.

(cd) *Honorary Life Members Meeting*

- (i) A meeting of the Honorary Life Members shall be held within two (2) months of the closing date for nominations, to consider and recommend on the eligible nominations. This meeting shall be convened by the Secretary who shall give no less than one (1) month notice to the Honorary Life Members.
- (ii) In the event of there being no nominations an Honorary Life Members meeting may not be necessary.
- (iii) The Honorary Life Members shall meet from time to time when so requested by the Association to consider matters referred to them for their consideration.
- (iv) Any five (5) Honorary Life Members shall form a quorum of a properly convened meeting of which due notice has been given to all Honorary Life Members of the Association. Except for meetings convened to consider Honorary Life membership nominations all other meetings require fourteen (14) days notice to be given of such meetings.
- (v) The Honorary Life Members shall elect from among their Members a Chairman for that particular meeting.
- (vi) The Honorary Life Members shall elect from among their Members a Nominations Secretary for the purpose of performing the functions specified in paragraphs (c) to (cf) inclusive in this Rule 3 (4).

(ce) *Life Members – Appeals*

The Nominations Secretary shall no later than one (1) month from the closing of nominations notify in writing the nominator of any candidate whom in the opinion of the Nominations Secretary does not satisfy the Objective qualification provisions of this regulation. The nominator may, within 14 days of the date of the letter of advice, appeal prior to considering the nominations referred by the Nominations Secretary of the result of his/her appeal. If the Honorary Life Members uphold the appeal, they shall then consider that nomination together with those referred by the Nominations Secretary. The nominator appealing shall not be entitled to be heard in person or by a representative except by consent of the Chairman of the Honorary Life Members meeting.

(cf) *Life Members - Election*

- (i) The Honorary Life Members shall consider:
 - (a) All nominations referred by the Nominations Secretary and
 - (b) All nominations being the subject of a successful appeal to determine if the service of each candidate is Special Service.
- (ii) If the Honorary Life Members determine the service to be Special Service the nomination shall be recommended for Honorary Life Membership of the Association. The determination of Honorary Life Members shall be decided by secret ballot and shall require a two-thirds favorable majority of those voting. If two-thirds is not a whole number, the figure required shall be the next highest whole number.



- (iii) The names of the nominations recommended by the Honorary Life Members shall be circulated by the Nominations Secretary to all those receiving notice of the Annual General Meeting and shall be voted on at that meeting. Nominees receiving the votes of two-thirds of those present and eligible to vote shall be elected Honorary Life Members of the Association. If two-thirds is not a whole number, the figure required shall be the next highest whole number.
 - (d) *Life Patron* - The Life Patron may be appointed from amongst the Honorary Life Members of the Association. Such a position may only be filled as a result of exceptional services in the previous capacity of Honorary Life Member. Nominations for Life Patron must receive the endorsement of the Committee and be submitted to the Annual General Meeting of the Association. Such nominations must be carried by a two-thirds majority of those present and voting at the Annual General Meeting.
 - (e) *Family Membership* – Members of one family residing in the same household comprising parents or legal guardians, children under the age of eighteen (18) years on October 1 and other children who are full time students. Each person included in a Family Membership must nominate and qualify for and comply with the requirements of an appropriate category of Active or Non-Active Membership in addition to satisfying the criteria for Family Membership.
 - (f) *500 Club* - Any Member making a donation to the Association of a minimum of five hundred dollars (\$500) may be given 500 Club status by the Committee. A 500 Club Member will have life membership of the Association with the rights and obligations of an Associate Member or, subject to qualifying for and complying with the requirements of an appropriate category of Active Membership, the relevant category of Active Member. No member may be admitted as a 500 Club Member as from 21 July 2002 provided that this will not affect the rights and duties of any existing 500 Club Member.
- (5) A person who is not a Member of the Association at the time of the incorporation of the Association (or who was such a Member at that time but has ceased to be a Member) shall not be admitted to membership unless:
 - (a) they make application in writing as provided in sub-clause 6; and
 - (b) their admission as a Member is approved by the Committee.
 - (6)
 - (a) Each application for membership of the Association shall be in writing in such form as may be prescribed by SLSA from time to time.
 - (b) Either the nominator or seconder named in an application shall be a Member of the Committee personally satisfied as to the bona fide's of the applicant.
 - (c) Each application shall be accompanied by the appropriate joining fee and/or subscription fee notified to the applicant by the Association. If the application is declined the full amount paid shall be refunded.
 - (d) An applicant for membership in the category of Senior Active, Junior Active, Cadet or Probationary shall undergo such swim test as may be determined or authorised by the Committee from time to time and shall, if requested by the Committee, present themselves for personal interview by the Committee.
 - (e) A Member wishing to transfer from one category of membership to another shall submit to the Committee a written application justifying the requested transfer.
 - (7) Any application for membership may be accepted deferred or declined by the Committee in its absolute discretion without assigning any reason thereof.
 - (8) Upon acceptance by the Committee of an application the Registrar shall enter the applicant's name in the register of Members kept by them and upon the name being so entered, the applicant becomes a Member of the Association. The Registrar shall as soon as possible after acceptance of an application notify the applicant of their acceptance.
 - (9) Any person wishing to join the Association may be levied a joining fee as fixed by the Association in General Meeting.



- RULE 4**
- (1) The subscription fees for the new season shall be the same as for the previous season, unless altered at the Annual General Meeting prior to the new season.
 - (2) Membership fees fall due and season starts on the day following the Annual General Meeting each year. Financial Members only are able to vote at any Association meeting.?
 - (3) A Member being in arrears cannot renew their membership until such arrears have been paid.
 - (4) Membership shall be renewed by the payment of the required subscription for the new season within three months of the Annual General Meeting.
 - (5) Any Member who does not pay the required subscription within three months of the Annual General Meeting ceases to be a Member. If such a Member is desirous of being re-admitted they may be treated as a new Member and be required to fill in an application form for membership.

Renewal of membership may be refused by the Committee, but in such case, the Member concerned shall have the right to appeal in writing through the Secretary to the Committee.
 - (6) No person financially indebted to or under suspension of any Club affiliated with SLSA under shall knowingly be admitted to membership.
 - (7) Recommended alterations to subscription fees must receive the endorsement of the Committee and be submitted to the Annual General Meeting of the Association. Such recommendations must be carried by a two-thirds majority of these present and voting at the Annual General Meeting. Alterations to subscriptions shall come into operation for the season following the Annual General Meeting.

RULE 5 The Registrar shall keep and maintain a register of Members in which shall be entered the full name, address and date of entry of the name of each Member and register shall be available for inspection by Members at the address of the Public Officer.

- RULE 6**
- (1) A Member of the Association who has paid all moneys due and payable by them to the Association may resign from the Association by first giving one months notice in writing to the Secretary of their intention to resign and upon the expiration of that period of notice, the Member shall cease to be a Member.
 - (2) Upon the expiration of a notice given under sub-clause (1), the Secretary shall make in the register of Members an entry recording the date on which the Member by who the notice was given ceased to be a Member.

- RULE 7**
- (1) Subject to these rules, the Committee may by resolution:-
 - (a) expel a Member from the Association;
 - (b) suspend a Member from membership of the Association for a specified period;
 - (c) fine a Member in accordance with the Regulations:
 if the Committee is of the opinion that the Member:-
 - (d) has refused or neglected to comply with these rules: or
 - (e) has been guilty of conduct unbecoming a Member of the Association or prejudicial to the interests of the Association.
 - (2) A resolution of the Committee under sub-clause (1):-
 - (a) does not take effect unless the Committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the Member of a notice under sub-clause (3) confirms the resolution in accordance with this clause: and



- (b) where the Member exercises a right of appeal to the Association under this clause, does not take effect unless the Association confirms the resolution in accordance with this clause.
- (3) Where the Committee passes a resolution under sub-clause (1), the Secretary shall, as soon as practicable, cause to be served on the Member a notice in writing:-
- (a) setting out the resolution of the Committee and the grounds on which it is based;
 - (b) stating that the Member may address the Committee at a meeting to be held not earlier than 14 and not later than 28 days after service of the notice;
 - (c) stating the date, place and time of that meeting;
 - (d) informing the Member that they may do one or more of the following:
 - i) Attend that meeting;
 - ii) Give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution: and
 - iii) Not later than 24 hours before the date of the meeting, lodge with the Secretary a notice to the effect that they wish to appeal to the Association in a general meeting against the Resolution.
- (4) At a meeting of the Committee held in accordance with sub-clause (2), the Committee:-
- (a) shall give to the Member an opportunity to be heard;
 - (b) shall give due consideration to any written statement submitted by the Member: and
 - (c) shall by resolution determine whether to confirm or to revoke the resolution.
- (5) Where the Secretary receives a notice under sub-clause (3), they shall notify the Committee and the Committee shall convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.
- (6) At a general meeting of the Association convened under sub-clause (5):-
- (a) no business other than the question of the appeal shall be transacted;
 - (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
 - (c) the Member shall be given an opportunity to be heard; and
 - (d) the Members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (7) If at the general meeting:-
- (a) two-thirds of the Members vote in person in favour of the confirmation of the resolution, the resolution is confirmed; and
 - (b) in any other case, the resolution is revoked.
- (8) No person financially indebted to or under suspension by or expelled from any Club affiliated with SLSA shall knowingly be nominated, seconded, elected or permitted to remain as a Member of the Association; nor shall any such person be admitted to or allowed to remain in or upon any Association premises or precincts or property whatsoever.
- (9) Damage to Association property arising from the negligence or misconduct of any Member or Members may at the discretion of the Committee be charged to the account of the Member or Members responsible.



- RULE 7 (A)**
- (1) The grievance procedure set out in this rule applies to disputes under these Rules between:
 - (a) a member and another member; or
 - (b) a member and the Association.
 - (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute with 14 days after the dispute comes to the attention of all of the parties.
 - (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
 - (4) The mediator must be:
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement:
 - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
 - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre or Victoria (Department of Justice).
 - (5) A member of the Association can be a mediator.
 - (6) The mediator cannot be a member who is a party to the dispute.
 - (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
 - (8) The mediator, in conducting the mediation, must:
 - (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to be parties to the dispute throughout the mediation process.
 - (9) The mediator must not determine the dispute.
 - (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.
- RULE 8**
- (1) The Association shall in each calendar year convene an annual general meeting of its Members.
 - (2) The annual general meeting shall be held on such day as the Committee determines.
 - (3) The annual general meeting shall be specified as such in the notice convening it.
 - (4) The ordinary business of the annual general meeting shall be:-
 - (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - (b) to receive from the Committee reports upon the transactions of the Association during the last preceding financial year;
 - (c) to elect officers of the Association and the ordinary Members of the Committee; and
 - (d) to receive and consider the statement submitted by the Association in accordance with section 30 (3) of the Act.
 - (5) The annual general meeting may transact special business of which notice is given in accordance with these rules.
 - (6) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.



- RULE 9** All general meetings other than the annual general meeting shall be called special general meetings.
- RULE 10**
- (1) The Committee may, whenever it thinks fit, convene a special general meeting of the Association and, where, but for this sub-clause, more than fifteen months would lapse between annual general meetings, shall convene a special general meeting before the expiration of that period.
 - (2) The Committee shall, on the requisition in writing of Members representing not less than 5 per cent of the total number of Members, convene a special general meeting of the Association.
 - (3) The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the Members making the requisitions and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the Members making the requisition.
 - (4) If the Committee does not cause a special general meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the Members making the requisition, or any of them, may convene a special general meeting to be held not later than three months after that date.
 - (5) A special general meeting convened by Members in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring the expenses.
- RULE 11**
- (1) The Secretary shall, at least 14 days before the date fixed for holding a general meeting of the Association, cause to be sent to each Member of the Association, at their address appearing in the register of Members, a notice by pre-paid post stating the place, date and time of the meeting and nature of the business to be transacted at the meeting.
 - (2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
 - (3) A Member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.
- RULE 12**
- (1) All business that is transacted at a special general meeting and all business that is transacted at the annual general meeting with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting shall be deemed to be special business.
 - (2) No item of business shall be transacted at a general meeting unless a quorum of Members entitled under these rules to vote is present during the time when the meeting is considering that item.
 - (3) Eight Members personally present (being Members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
 - (4) If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting if convened upon the requisition of Members shall be dissolved and in any other case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairman at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half an hour after the time



appointed for the commencement of the meeting, the Members present (being not less than 3) shall be a quorum.

- RULE 13**
- (1) The President, or in their absence, the Senior Vice-President or one of the Vice-Presidents (in that order), shall preside as Chairman at each general meeting of the Association.
 - (2) If the President, the Senior Vice President and all of the Vice-Presidents are absent from a general meeting, the Members present shall elect one of their number to preside as Chairman at the meeting.
- RULE 14**
- (1) The Chairman of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
 - (2) Where a meeting is adjourned for fourteen days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.
 - (3) Except as provided in sub-clauses (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
- RULE 15**
- A question arising at a general meeting of the Association shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairman that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the Minute Book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
- RULE 16**
- (1) Upon any question arising at a general meeting of the Association, a Member has one vote only provided that a Cadet Member, Nipper Member, Probationary Member, Associate Member, Temporary Social Member, Honorary Member and Life Member, not being a Member of the Committee, shall not be entitled to a vote and provided further that only Senior Active, Junior Active and Active Reserve Members and any other members being Members of the Committee may vote on matters solely concerning Active Members and election of active officers, that is, those Officers referred in Rule 21 (1) paragraph (b).
 - (2) All votes shall be given personally.
 - (3) In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a second or casting vote.
- RULE 17**
- (1) If at a meeting a poll on any question is demanded by not less than three Members, it shall be taken at that meeting in such a manner as the Chairman may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
 - (2) A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.
- RULE 18**
- Unless otherwise determined by general meeting, debate at all meetings of the Association shall be in accordance with the Rules of Debate from time to time of Surf Life Saving Australia or Surf Life Saving Victoria.
- RULE 19**
- [Intentionally left blank.]
- RULE 20**
- (1) The affairs of the Association shall be managed by a Committee of Management constituted as provided in Rule 21.
 - (2) The Committee:-



- (a) shall control and manage the business and affairs of the Association;
- (b) may, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these rules to be exercised by general meetings of the Members: and
- (c) subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.

RULE 21

- (1) The officers of the Association shall be:
 - (a) President
Senior Vice-President
Vice-President - not more than nine (9)
Clubhouse Administrator
Treasurer
Secretary
Assistant Secretary-Registrar
Social Secretary
First Aid Officer
Team Manager
Magazine Editor
 - (b) Captain
Vice-Captain
Chief Instructor
Boat Captain
Swim Captain
I.R.B. Captain
Beach Captain
Board and Ski Captain
Gear Steward
Junior Activities Co-ordinator
Cadet Co-ordinator
Radio Officer; and
 - (c) Honorary Officers such as Honorary Medical Officer,
Honorary Solicitor and Honorary Auditor.
- (2) The provisions of Rule 23 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause (1).
- (3) Each Officer of the Association specified in paragraphs (a) and (b) of sub-clause (1) except a Vice-President shall hold office until the annual general meeting next after the date of their election but is eligible for re-election. Each Vice-President shall hold office for two years. Two Vice-Presidents shall retire at each annual general meeting but shall be eligible for re-election.
- (4) In the event of a casual vacancy in any office referred to in sub-clause (1) the Committee may appoint one of its Members to the vacant office and the Member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of their appointment.



- RULE 22**
- (1) Subject to Section 23 of the Act, the Committee shall consist of:
 - (a) the officers of the Association specified in paragraphs (a) and (b) of sub-clause (1); and
 - (b) Two ordinary Members.
 - (2) Each ordinary Member of the Committee shall, subject to these rules, hold office until the annual general meeting next after the date of their election but shall be eligible for re-election.
 - (3) In the event of a casual vacancy occurring in the office of an ordinary Member of the Committee, the Committee may appoint a Member to fill the vacancy and the Member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of their appointment.

- RULE 23**
- (1) Nominations of candidates for election as officers of the Association specified in paragraphs (a) and (b) of Rule 21 (1):
 - (a) shall be made in writing, signed by two Members and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
 - (b) shall be delivered to the Secretary not less than seven days before the date fixed for the holding of the annual general meeting.
 - (2) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
 - (3) 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.
 - (4) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
 - (5) The ballot for the election of officers and ordinary Members of the Committee shall be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.
 - (6) A Probationary Member shall not be nominated for any office of the Association.
 - (7) Only Life Patron, Honorary Life, Senior Active, Junior Active, Active Reserve, Long Service, Non-active Associate, 500 Club and Family Members over the age of 18 years. may vote in any election of Officers specified in Paragraph (a) and (b) of Rule 21 (1).
 - (8) Honorary Officers may be appointed by the Committee and shall be subject to re-appointment from year to year.
 - (9) If and so long as the number of Members entitled to vote for the election of the Committee is below 60% of the total membership of the Association (excluding temporary or honorary Members and persons who are Members by reason only of reciprocal arrangements with another club and persons whose rights as Members are limited to rights as social, gaming or neighborhood Members, hereafter called "the excluded Members", then all Members (excluding the excluded Members) shall be entitled to vote on the election of officers specified in paragraph (a) and (b) of rule 21 (1).

RULE 24 For the purposes of these rules, the office of an officer of the Association or of an ordinary Member of the Committee becomes vacant if the officer or Member:-

- (a) ceases to be a Member of the Association;
- (b) becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
- (c) resigns their office by notice in writing given to the Secretary.



- RULE 25**
- (1) The Committee shall meet at least once in every 2 months at such place and such times as the Committee may determine.
 - (2) Special meetings of the Committee may be convened by the President or by any four of the Members of the Committee.
 - (3) Notice shall be given to Members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
 - (4) Any seven Members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
 - (5) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.
 - (6) At meetings of the Committee:-
 - (a) the President or in their absence the Senior Vice-President or one of the Vice-Presidents (in that order) shall preside; or
 - (b) if the President and the Senior Vice-President and all of the Vice-Presidents are absent, such one of the remaining Members of the Committee as may be chosen by the Members present shall preside.
 - (7) Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined on a show of hands or, if demanded by a Member, by a poll taken in such manner as the person presiding at the meeting may determine.
 - (8) Each Member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
 - (9) Written notice of each committee meeting shall be given to each Member at least 14 days before the date of the meeting.
 - (10) Subject to sub-clause (4) the Committee may act notwithstanding any vacancy on the Committee.

RULE 26 The Secretary of the Association shall keep minutes of the resolutions and proceedings of each general meeting and each committee meeting in books provided for that purpose together with a record of the names of persons present at committee meetings.

- RULE 27**
- (1) The Treasurer of the Association:-
 - (a) shall collect and receive all moneys due to the Association and make all payments authorised by the Association; and
 - (b) shall keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
 - (2) The accounts and books referred to in sub-clause (1) shall be available for inspection by Members.

- RULE 28**
- (1) The Association in general meeting may by resolution remove any Member of the Committee before the expiration of their term of office and appoint another Member in their stead to hold office until the expiration of the term of the first mentioned Member.
 - (2) Where the Member to whom a proposed resolution referred to in sub-clause (1) makes representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and requests that they be notified to the Members of the Association, the Secretary or the President may send a copy of the representations



to each Member of the Association or, if they are not so sent, the Member may require that they be read out at the meeting.

RULE 29 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two of the following: Treasurer, Secretary, President or any other person appointed by the Committee for the purpose.

Rule 29(A) Gift Fund

- (1) The Association has deductible gift recipient status from the Australian Taxation Office. It will maintain for the principal purpose of the Association a fund, called the Gift Fund, to which gifts of money or property for that purpose will be made and to which any money received by the Association because of such gifts is to be credited and the Gift Fund will not receive any other money or property.
- (2) The Gift Fund will comprise a general gift fund and one or more sub-gift funds, including the Gary Tierney Foundation Fund.
- (3) The Association will use gifts made to the Gift Fund (including any sub-funds of the Gift Fund) and any money received because of such gifts for the principal purpose of the Association only.
- (4) At the first occurrence of either the winding up of the Gift Fund or the revocation of the Association's endorsement under Sub-division 30-BA of the *Income Tax Assessment Act 1997*, the Association will transfer any surplus assets of the Gift Fund to such fund, authority or institution to which gifts can be deducted under Division 30 of the *Income Tax Assessment Act 1997* as is nominated by the Committee.
- (5) Any other provisions which from time to time are required in order to maintain the status of the Association as an entity in respect of which gifts can be deducted under the *Income Tax Assessment Act 1997* are deemed to form part of these Rules.

Rule 29(B) Advisory Boards

- (1) The Committee may establish one or more advisory boards (including an advisory board for the Gary Tierney Foundation Fund) and appoint and remove, or make provision for the appointment and removal of, members of advisory boards.
- (2) The Committee:
 - (a) must decide the composition and functions of each advisory board;
 - (b) may specify the manner in which the proceedings of each advisory board are to be conducted, the matters which an advisory board must consider and any other matters concerning an advisory board or its operations; and
 - (c) the Chairperson of any advisory board will be appointed by the Committee and must be an officer of the Association.

RULE 30 (1) The common seal of the Association shall be kept in the custody of the Secretary.

- (2) The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures of any two of the following: Treasurer, Secretary, President or any other person appointed by the Committee for the purpose.

RULE 31 These rules and the statement of purposes of the Association shall not be altered except in accordance with the Act.

RULE 32 (1) A notice may be served by or on behalf of the Association upon any Member either personally or by sending it by post to the Member at their address shown in the Register of Members.

- (2) Where a document is properly addressed prepaid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

RULE 33 (1) The income and property of the Association shall be used and applied solely in promotion of its purposes and the exercise of its powers as set out herein and no proportion thereof shall be distributed paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the Members of the Association provided that nothing herein contained shall prevent the payment in good



faith of interest to any such Member in respect of moneys advanced by him to the Association or otherwise owing by the Association to him or of remuneration to any officers or servants of the Association or to any Member of the Association or other person in return for any services actually rendered to the Association provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any Member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Association or reasonable and proper rent for premises demised or let to the Association or the provision of services to a Member to which they would be entitled in accordance with the purposes if they were not a Member.

- (2) If the Association shall be wound up in accordance with the provisions of the Associations Incorporation Act 1981, and there remains, after satisfaction of all its debts and liabilities, any property, whatsoever, the same shall be given or transferred to Surf Life Saving Victoria.

RULE 34 Except as otherwise provided in these Rules, the Secretary shall keep in their custody or under their control all books, documents and securities of the Association.

RULE 35 The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines.

RULE 36 The Committee may from time to time give such directions (not being inconsistent with these Rules) relating to the conduct and regulation of Members as it thinks fit. Directions so given shall be binding on Members unless disallowed by a majority of not less than two thirds of the Members voting at a general meeting of the Association.

RULE 37 The first Public Officer of the Association shall be Oliver Curl of 50 Charles Street, Kew, Victoria, student.

RULE 38 A Restricted Club Licence may be operated from the premises of Point Leo Surf Life Saving Club Incorporated, Western Parade, Point Leo, Victoria.

RULE 39 That no payment of any amount to an officer or servant of the Club by way of commission or allowance from the receipts of the Club for the sale and disposal of liquor.

RULE 40 A visitor to the Club must not be supplied with liquor in the Club premises unless the visitor is:-

- (i) a guest in the company of a Member of the Club; or
- (ii) an authorised gaming visitor admitted in accordance with the rules of the Club.

RULE 41 A register is to be maintained at the entrance to the Clubhouse for the purposes of keeping records of guests.

