



Constitution

WARILLA BARRACK POINT LIFE SAVING CLUB INCORPORATED REGISTRATION NO.

Y0883-18

July 2021

Record of amendments to constitution

Date Amended	Details of amendment – section, clause etc
July 2010	Add Senior Registrar to Part 4 and include section in job description
	Various typing/grammar updates to document
May 2011	Amend title of Liquor Gaming & Racing Department
	Minor typing changes
	New or amended membership classification for Warilla Oldies
	Insertion of category & function of the Warilla Oldies under membership
	Changes to details for Junior members, includes 5 & 6 year age groups
May 2013	Change to Management structure – Social Coord now part of Mgt Committee
May 2013	Revised roles and clarification of positions & reporting
May 2013	Total review of content, referred to draft SLSA Constitution developed by Lander & Rogers and updated this constitution to reflect some of the changes
May 2013	Revised duties Public Officer to reflect Dept Fair Trading guidelines
October 2013	Final review and adoption at Special General meeting
June/July 2015	Review and update grammar, terminology, banking details
June/July 2017	Review management structure and update to member classification
July 2021	Version 5 V2 update details and make changes to committee structure

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WARILLA BARRACK POINT SLSC INC

THE CONSTITUTION

PART 1 PRELIMINARY

NAME

The name of the association is WARILLA BARRACK POINT SLSC Incorporated.” The Club”)

OBJECTS OF WARILLA BARRACK POINT SLSC Inc. Refer to Draft from SLSA

The Club is a charitable community service-based institution. The objects for which the Club is established are to:

- be part of a single uniform entity through and by which surf lifesaving and the preservation of life in the aquatic environment can be conducted, encouraged, promoted, advanced and administered;
- Provide for the conduct, encouragement, promotion and administration of surf lifesaving throughout the Club
- ensure the maintenance and enhancement of the SLSNSW and surf lifesaving, its standards, quality and reputation for the benefit of the Members and surf lifesaving;
- at all times promote mutual trust and confidence between the SLSNSW and the Members in pursuit of these Objects;
- At all times act on behalf of and in the interest of the Members and surf lifesaving;
- conduct or commission research and development for improvements in methods of surf lifesaving and surf lifesaving equipment and in all ways to improve and safeguard the use of the aquatic environment
- use and protect the Intellectual Property
- apply the property and capacity of the Club towards the fulfilment and achievement of these Objects
- promote the involvement and influence of surf lifesaving standards, techniques, awards and education with bodies involved in aquatic life saving
- strive for Government, commercial and public recognition of SLSNSW as the authority on aquatic safety and management
- promulgate, and secure uniformity in such rules as may be necessary for the management and control of surf lifesaving and related activities and the preservation of life in the aquatic environment;
- further extend the operations and teachings of the SLSNSW at WBP SLSC
- further develop surf lifesaving into an organised institution and with these Objects in view, to foster volunteerism, regulate, organise and manage assessments, competitions, displays and other activities and to issue badges, medallions and certificates and award trophies to successful Members;
- review and/or determine any matters relating to surf lifesaving which may arise, or be referred to it, by any Member;
- pursue through itself or other such commercial arrangements, including sponsorship and marketing opportunities as are appropriate to further the interests of surf lifesaving in WBPSLSC
- formulate or adopt and implement appropriate policies, including in relation to sexual harassment, equal opportunity, equity, drugs in sport, health, safety, junior and senior programs, infectious diseases and such other matters as arise from time to time as issues to be addressed in surf lifesaving;
- represent the interests of its Members and of surf lifesaving generally in any appropriate forum
- have regard to the public interest in its operations;
- do all that is reasonably necessary to enable these Objects to be achieved and to enable the Members to receive the benefits which these Objects are intended to achieve;
- ensure that environmental considerations are taken into account in all surf lifesaving and related activities conducted by the Club
- promote the health and safety of Members and all other users of the aquatic environment;
- encourage Members to realise their potential and athletic abilities by extending to them the opportunity of education and participation in surf lifesaving competition and to award trophies and rewards to successful competitors;
- encourage and promote performance-enhancing drug free surf lifesaving competition;
- recommend and support awards to Members and others, in honourable public recognition of hard and meritorious rescues and actions deeds of exceptional bravery from time to time performed in the course of surf lifesaving and other distinguished services and acts;
- give, and seek where appropriate, recognition for Members to obtain awards or public recognition in fields of endeavour other than surf lifesaving;

- seek and obtain improved facilities for the enjoyment of the aquatic environment
- promote uniformity of laws for the control and regulation of the aquatic environment and to assist authorities in enforcing these laws;
- effect such purposes as may be necessary in the interests of surf lifesaving and the aquatic environment
- Affiliate and otherwise liaise with SLS South Coast Branch

Constitution

Constitution of the Club

The constituent documents of the Club will clearly reflect the objects of Surf Life Saving NSW and shall generally conform with the Surf Life Saving NSW Constitution, and at least to the extent of:

- (a) The objects of Surf Life Saving NSW;
- (b) The structure and membership categories of Surf Life Saving NSW;
- (c) Recognising SLSA as the national peak body for surf lifesaving in Australia,
- (d) Recognising Surf Life Saving NSW as the peak body for surf lifesaving in NSW
- (e) Recognising SLSA as the final arbiter on matters pertaining to surf lifesaving in Australia, including disciplinary proceedings;

Effect of Membership

The Club and the Members acknowledge and agree:

- (a) that they are bound by this Constitution and that this Constitution operates to create uniformity in the way in which the Objects and surf lifesaving are to be conducted, promoted, encouraged, advanced and administered throughout WBPSLSC;
- (b) to ensure the maintenance and enhancement of surf lifesaving, its standards, quality and reputation for the benefit of the Members and surf lifesaving;
- (c) not to do or permit to be done any act or thing which might adversely affect or derogate from the standards, quality and reputation of surf lifesaving and its maintenance and enhancement;
- (d) to promote the economic and community services success, strength and stability of each other and to act interdependently with each other in pursuit of their respective objects;
- (e) to act in the interests of surf lifesaving and the Members;
- (f) where the committee considers or is advised that a Member has allegedly:
 - (i) breached, failed, refused or neglected to comply with a provision of this Constitution, the By-Laws, or any resolution or determination of the Committee; or
 - (ii) acted in a manner prejudicial to the Objects and interests of the Association and/or surf lifesaving; or
 - (iii) brought themselves, the Association, any Surf Life Saving Club or surf lifesaving into disrepute;the Committee may after allowing the Member a reasonable opportunity to explain, adjudicate and if necessary, penalise the Member with such penalty as it thinks appropriate. (Refer to Judiciary Committee)

POWERS OF THE MANAGEMENT COMMITTEE (“The COMMITTEE”)

Solely for furthering the objects set out above, the Committee has in addition to the powers and functions under the Act, the legal capacity and powers of a company as set out under section 124 of the corporations Act to:

- (a) Construct, maintain and alter any buildings, or works necessary or convenient for the objects of the Club;
- (b) Borrow and raise money in such manner as the Committee thinks fit;
- (c) Invest any monies of the Club, not immediately required for the objects of the Club, in such manner as may from time to time be determined by the Committee;
- (d) Take any gift of property whether subject to any special trust or not for any one or more of the objects of the Club;
- (e) 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 Club in the form of donations, annual subscriptions or otherwise;

- (f) Appoint, hire, employ, remove, replace or reinstate personnel for the carrying out of the objects of the Club and when necessary to pay them in return for services rendered to the Club, salaries, wages and gratuities;
- (g) Produce, develop, create, licence and otherwise exploit, use and protect Intellectual Property;
- (h) Establish and maintain corporate entities to carry on and conduct the business affairs and undertakings, or any aspect thereof of the Club and for that purpose, to utilise any of the assets of or held on behalf of the Club;

DEFINITIONS & INTERPRETATION

In this Constitution unless the contrary intention appears:

- Constitution means the rules of Warilla Barrack Point SLSC Inc
- Regulations means any Regulations made from time to time by SLSA or SLSNSW
- Club means a surf lifesaving club (Warilla Barrack Point) which is an affiliated member of South Coast Branch SLSA
- Intellectual Property means all rights subsisting in copyright, trade names, trademarks, logos, designs, equipment, images (including photographs, videos or films) or service marks (whether registered or registrable) relating to WBPSLSC,
- Judiciary Committee means a committee appointed by the Executive committee from time to time.
- SLSA Regulations means any regulations made by SLSA from time to time.
- SLSA means Surf Life Saving Australia Limited.
- SLSNSW means the body recognised by SLSA as the body administering surf lifesaving in NSW
- Seal means the common seal of the Association
- Member means a member for the time being of the Warilla Barack Point SLSC.
- Law means the New South Wales Associations Incorporation Act (as amended).
- Words importing any gender shall include the other gender.
- Committee means management committee
- In writing means written letter or email/electronic communications

WARILLA BARRACK POINT COLOURS

The Club's colours shall be dark grey, tangerine and white.
The Club's Carnival costumes and badges shall be approved by the Committee.

AFFILIATION OF WARILLA BARRACK POINT SLSC

Subject to compliance with this Constitution, the State Centre constitution, and the SLSA constitution the Club shall continue to be recognised as a Member of South Coast Branch and shall administer surf lifesaving activities in the Warilla Barrack Point area in accordance with the Objects.

Warilla Barrack Point SLSC shall affiliate to and be a member of South Coast Branch SLSA.

BOUNDARIES

The boundaries of Warilla Barrack Point SLSC shall be Barrack Point to the south and Windang Island to the north.

SEASON

The season shall be for such period of time of the year as defined by SLSNSW and/or Surf Life Saving South Coast Branch Inc.

PART 2 - MEMBERSHIP

MEMBERSHIP

Note: LIABILITY OF MEMBERS

The liability of the Members of the Association is limited. (Corporations Act)

Categories of Membership Review in line with SLSA

- (a) Probationary Membership
- (b) Junior Activities Membership (Nipper)
- (c) Cadet Membership

- (d) Active Membership
- (e) Active Reserve Membership
- (f) Long Service Membership
- (g) Award Membership
- (h) Associate Membership
- (i) Honorary Membership
- (j) Life Membership
- (k) Social Member

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

Note: Probationary members are not Individual Members for the purposes of clauses 10 and 13 of the SLSA Constitution.

Probationary members do not have voting rights unless elsewhere stated depending on the type of membership

- b) A Junior Activity member (Nipper) shall be a person who shall be a minimum age of five (5) years up to a maximum age of thirteen (13) years and such person shall be required to gain the relevant Surf Education Certificate for that person's age group.

The key focus for five- & six-year-old Junior Activity Members will be play participation and fun. Guidelines which support this focus will include:

- Beach activities that emphasise games and group activities
- Water activities to be limited to shallow water near the water's edge and
- No competition for these age groups other than that involved in fun games

- c) A Cadet member shall be a member of the age qualification as defined in SLSA's Manuals (i.e. under 15) and, who has obtained the Surf Rescue Certificate or has passed an annual proficiency test.

Cadet members do not have voting rights

- d) An Active Member shall: -
be a Bronze Medallion holder or Surf Rescue Certificate & fulfil patrol and club obligations, as provided by SLSA and the club's constitution and/or policy.

Qualify in an annual proficiency test unless the member has obtained their Bronze Medallion in that season.

All financial active members have the right to vote at the Annual General Meeting or Special General meetings.

- e) Active Reserve membership may be granted by the committee to Active Members who have satisfactorily completed (from the gaining of the Bronze Medallion) at least ten (10) years of patrol and fulfilled club obligations.

Requests for Active Reserve membership must be submitted to the committee in writing stating reason(s) for the request. Active Reserve membership shall not be automatic, but shall be granted by resolution of the committee.

Active Reserve members shall perform a minimum of six (6) patrols in each season or as otherwise determined by the committee for the respective patrol season.

Active Reserve members shall complete the annual proficiency test.

Active Reserve members have the right to vote at the Annual General Meeting or Special General meetings

- f) Long Service Membership may be granted by the committee to members who have completed ten (10) years active service or to members who have completed eight (8) years active service plus four (4) years active reserve service.

Such members may be exempted from all patrol obligations upon written request to the committee, each letter to be assessed on individual merit by the committee.

Should such members join another club the receiving club shall determine if such member's Long Service shall be recognised by that club.

- g) Award Membership may be granted by the committee to persons who hold an SLSA award of one or more of the following qualifications or as referred to in the Association's current training manual: - Surf Rescue Certificate, Radio award/s, Resuscitation Certificate, Advanced Resuscitation Certificate or First Aid Certificate (or equivalent)

Such members may be called upon to perform patrol and/or other club obligations within the ability of their qualifications.

Award financial members have the right to vote at the Annual General Meeting or Special General meetings.

- h) Associate membership may be granted by the committee to persons who may or may not hold an SLSA award.

Associate members shall be a minimum of fifteen years of age who have all rights and privileges associated with membership other than the right to compete in Club competitions, Surf Life Saving Club Carnivals or such activities that require a SLSA or Club Award.

Associate financial members have the right to vote at the Annual General Meeting or Special General meetings.

- i) Honorary membership may be granted by a club to persons who may or may not hold on SLSA award

- j) Life members may be appointed from amongst members who have rendered a minimum of ~~15~~ 20 years exceptional service to the club - refer to life membership on following page for details

Social Members may be accepted by the club on completion of a registration form and payment of the amount as set by the committee.

Social members shall be a minimum of fifteen years of age; they will not have the right to compete in Club competitions, Surf Life Saving Club Carnivals or such activities that require a Club Award.

Social members do not have voting rights.

Life Membership

All nominations for Life Membership are to be submitted in writing to the Secretary or President using the prescribed form. (Minimum 20 yrs service) Each nomination shall be signed by the Nominator and Seconder and is to include all details possible to support the nomination. (Positions held, years of patrol, outstanding contribution to the club through coaching, committee membership, general support etc) Refer to criteria on the prescribed form

The President, after receipt of the nomination, shall consult with other members of the Executive to determine if the nomination is appropriate; if so, then forward the nomination to the Life Member Sub Committee Chairman.

All nominations for Life Membership are to remain confidential until a final recommendation is determined.

When the nomination has been reviewed and if a favourable decision is determined by the Life Membership committee, the President shall be advised who will then, at the appropriate time, make the announcement.

Life Members have the full privilege of using the clubhouse at all reasonable times and can attend and are eligible to vote at any Committee, Special General or AGM meeting of the club.

Life members are exempt from paying annual membership fees

EFFECT OF MEMBERSHIP

Members acknowledge and agree that:

This Constitution constitutes a contract between each of them the members and Warilla Barrack Point SLSC and that they are bound by this Constitution, SLSNSW Regulations, the SLSA constitution and the SLSA Regulations;

They shall comply with and observe this Constitution, SLSNSW Regulations, the SLSA constitution and the SLSA Regulations and any determination or resolution, which may be made or passed by SLSNSW;

By submitting to this Constitution, SLSNSW Constitution & Regulations, the SLSA constitution and the SLSA Regulations they are subject to the jurisdiction of Warilla Barrack Point SLSC, South Coast Branch, SLSNSW and SLSA;

This Constitution, SLSNSW Constitution & Regulations, the SLSA constitution and SLSA Regulations are necessary and reasonable for promoting the objects of Warilla Barrack Point SLSC, SLSNSW and particularly the advancement and protection of Surf Life Saving as a community service; and

They are entitled to all benefits, advantages, privileges and services of Warilla Barrack Point SLSC.

Application for Membership

An application for membership by an individual (applicant) must be:

- (a) in writing on the form prescribed from time to time by SLSA, application via the SLSA Members Portal from the applicant or its nominated representative and lodged with the Club;
- (b) accompanied by the appropriate fee or evidence of the fee paid into the club's bank account, if any.

For initial membership and transfer, membership details recorded at the next committee meeting following application for membership

Discretion to Accept or Reject Application

The Committee may accept or reject an application.

- (a) The Committee may accept or reject an application whether the applicant has complied with the requirements or not, and shall not be required or compelled to provide any reason for such acceptance or rejection. In considering an application for membership the Committee must act reasonably and in good faith.
- (b) Where the Committee accepts an application, the applicant shall, subject to notification to State Centre via Surfguard, become a Member.
- (c) Membership of the Club shall be deemed to commence upon acceptance of the application by the Committee. The Register (surfguard) shall be updated accordingly as soon as practicable.
- (d) If the Committee rejects an application, it shall refund any fees forwarded with the application, and the application shall be deemed rejected by the Club. No reasons for rejection need be given.

Re-Application

Members must re-apply for membership of the Club in accordance with the procedures set down by the committee from time to time. Membership renewal is not automatic and a re-application may be accepted or rejected by the Committee in its discretion but acting reasonably and in good faith at all times. If the Club rejects a re-application, it shall refund any fees forwarded with the application, and the re-application shall be deemed rejected by the Committee. No reasons for rejection need be given.

Upon re-application a Member must provide details of any change in their personal details, and any other information reasonably required by the Club.

DISCONTINUANCE OF MEMBERSHIP

Notice of Resignation

A Member having paid all arrears of fees payable to the Club may resign or withdraw from membership of the Club by giving notice in writing or by electronic form to the Committee of resignation or withdrawal.

Discontinuance by Breach

Membership of the Club may be discontinued by the Committee upon breach of any clause of this Constitution, including but not limited to the failure to pay any monies owed to the Club, failure to comply with the By-Laws or any resolution or determination made or passed by the Committee or any duly authorised committee.

Membership shall not be discontinued by the Committee without the Committee first giving the accused Member the opportunity to explain the breach and/or remedy the breach.

Where a Member fails, in the committee's view, to adequately explain to remedy the breach, then that Member's membership shall be discontinued by the Committee giving written notice of the discontinuance.

A Member who ceases to be a Member, for whatever reason, shall forfeit all rights in and claims upon the Club and its property and shall not use any surf lifesaving equipment or other property of the Club including Intellectual Property. Any Club documents, records or other property in the possession, custody or control of that Member shall be returned to the Club immediately

Membership fees or subscriptions paid by the discontinued Member for the relevant year may be refunded on a pro-rata basis at the discretion of committee.

Where a member fails to renew their club membership by the 31st October of each financial year a report will be presented to the committee for determination of whether their membership of the club is to continue or deemed to have lapsed.

DISCIPLINE OF MEMBERS

All Club members are responsible members of the community and are to conduct themselves in an appropriate manner whilst on Club premises, Club transport, whilst on patrol or engaged in Club activities.

Any member who breaks these rules, policies or misconducts them self in any way in a manner, which brings the Club into disrepute, shall be called upon to appear before the Executive Committee

The Executive Committee may deal with the matter directly, or appoint a Judiciary Committee to enquire into the matter. A Judiciary committee, appointed by the Executive, can be made up of any persons deemed desirable by the Executive

The Executive or the Judiciary committee can deal with the complaint as they deem expedient, though at all times they shall abide by the laws of natural justice

The Judiciary committee will report its findings and recommendations to the Executive within an agreed period, pending nature of judicial hearing

If the breach or misconduct is established then the Executive may expel, suspend or take such action against such member as it thinks fit, notwithstanding any other action or pending action taken by any other organisation be it SLSA or other.

Any member expelled shall forfeit all privileges and rights of any kind that member shall have had in the Club and shall cease to be a member thereof.

Any member suspended shall forfeit all rights and privileges in the Club for the period of the suspension.

A member who is dealt with by the Executive Committee shall have the right to Appeal in writing within fourteen (14) days to the next Committee meeting. The decision of that meeting shall be final.

Pending the outcome of the Appeal the decision of the Executive Committee shall remain in force or be stayed at the discretion of the Executive Committee.

(a) Where SLSNSW is advised or considers that a Member has allegedly:

- (i) breached, failed, refused or neglected to comply with a provision of this Constitution, the Regulations, the SLSA constitution or SLSA regulations or any resolution or determination of SLSNSW or any duly authorised Committee; or
- (ii) acted in a manner unbecoming of a Member, or prejudicial to the Objects and interests of SLSNSW and/or surf lifesaving; or
- (iii) brought SLSNSW or surf lifesaving into disrepute;

SLSNSW may, subject to Rule 17, commence or cause to be commenced, investigatory and/or disciplinary proceedings against that Member and, that Member, will be subject to, and submits unreservedly to the jurisdiction, Page 15 disciplinary procedures and penalties and the appeal mechanisms of SLSNSW as set out in the Regulations. In the absence of any such Regulation the relevant SLSA Regulations will apply.

(b) SLSNSW 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 Regulations

Register of Members (Surfguard)

The Club shall maintain a register of members through the SLSA Surfguard IT System which shall record all relevant details as per membership form and any details applicable to the Surfguard membership criteria

Members are required to advise the Secretary of any changes to personal details or address who will then update in the Surfguard system.

Alternate process is for members to access their personal details through the SLSA Member's portal and update as required.

Access to member's details

Having regard to confidentiality considerations and privacy laws, any requests for information on member's personal details will be subject to a request to a member of the Executive who will determine if the request is reasonable.

Only authorised committee members will have access to Surfguard and members' personal details in line with SLSA policy

Use of Surfguard and members personal information.

Subject to confidentiality considerations and privacy laws, information may be used by the Club to further the Objects of the Club, if the Committee considers it is appropriate.

Members acknowledge and agree that their personal information may also be used by State Centre and/or SLSA to further their respective objects subject always to confidentiality considerations and privacy laws.

Part 3 - MEETINGS

Annual General Meeting

The Annual General Meeting shall be held on a date, time and place as decided by the Committee to receive the Annual Report and Audited Financial Report, to elect committee members to the date of the next Annual General Meeting and to transact such other business as may be brought forward in accordance with these Rules

Written or Electronic notice of the Annual General meeting and calling for written nominations shall be issued by the Secretary at least fourteen (14) days prior to such meeting.

Written or electronic nominations for committee positions maybe submitted to the Secretary prior to the meeting, in the event of no written nominations being received then nominations will be accepted from the floor

Written or electronic nominations for non-management and sub committees may be submitted for consideration by the committee at the next meeting of the committee.

All persons nominating for committee positions at the Annual General Meeting must be financial.

Junior Activities Committee to be nominated and endorsed at the Annual General Meeting

Fifteen (15) active members shall form a quorum at such meeting.

There must be at least one Annual General Meeting in every Calendar Year.

SPECIAL GENERAL MEETINGS

(As a guide these meetings are usually held for constitutional changes or issues from Notices of Motion that may have a significant impact on the club)

A Special General Meeting of members shall be held when requested in writing or electronic by a member of the club or at the discretion of the committee. At least fourteen (14) days' notice shall be given to club members eligible to vote at these meetings.

The quorum for Special General meeting(s) shall be 10 members eligible to vote.

COMMITTEE MEETINGS

Committee meetings will be held on a monthly basis, date, time and location as determined by the committee.

Version 6 July 2021 Adopted 24th July 21

The quorum for Committee meetings shall be five (5) members and if a quorum is not present and the meeting has not started within half an hour of stated time the meeting shall stand adjourned (until the date of the next meeting or otherwise as determined by the committee)

Only members of the Committee and Life Members are eligible to vote at these meetings.

If any member of the committee is absent for three (3) meetings without an apology, they will be requested to explain their absence, if the committee determines response is not satisfactory their position may be declared vacant. They will retain their membership of the club

METHOD OF VOTING AT MEETINGS

For voting on all matters other than the election of the Committee, the “by a simple majority” method of voting shall be employed at all club meetings. At the request of any member eligible to vote a secret ballot may be implemented, secret ballot will be by way of written response and the chairperson will nominate scrutineer(s) to tally votes. When the tally is completed, the Chairman is to be advised of the outcome the written votes are to be retained till end of meeting then destroyed.

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.

Only committee & life members shall be eligible to vote at committee meetings.

For Special General Meetings and Annual General Meeting only eligible financial members at the time of the meeting and Life Members shall have the right to vote

Proxy or Postal voting will not be accepted.

NOMINATION FOR THE ELECTION TO THE COMMITTEE

In the case of election at the AGM, if insufficient written or electronic nominations are received to fill a position on the committee further nominations shall be called by the Chairperson from members present.

If there are a number of candidates nominated for a position then the position, the Chairman will ask in reverse order if the nominated person wishes to stand, shall be filled through election by secret ballot.

The Chairman shall appoint scrutineers

The order in which names of the candidates shall appear on a ballot paper shall be alphabetical.

Any member entitled to vote shall do so following the direction of the Chairman as to how to record the vote

The method of voting shall be the “Exhaustive Ballot System”.

At the conclusion of the counting of the ballot papers, the scrutineers 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.

All ballot papers shall be destroyed at the conclusion of the meeting.

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.

NOTICES OF MOTION affecting Constitution or Rules & Policies at Monthly meetings

Notice of any motion of which notice is required to be given shall be given in writing or electronic by the mover to the Secretary (after being duly seconded) at least (14) days prior to the date of a meeting. The Committee shall be given (7) days’ notice of such notices of motion. Any motion or resolution passed by the Committee may be rescinded upon written notice to Secretary stating the reason for the motion.

All notices of motion, of which notice is required to be given in writing or electronically, shall be considered by the Secretary/Executive to ensure they are in accordance with the rules.

RESCISSION OF RESOLUTIONS

A resolution passed at a Special or Committee meeting shall not be rescinded other than at a subsequent Special General or committee meeting. Notice in writing or electronic of the intention to propose a rescission shall be given to the Secretary at least 14 days before the Meeting at which the proposal is intended to be moved and at least 7 days' notice of the motion of rescission shall be given by the Secretary to the Committee or members depending on type of meeting

PART 4 – COMMITTEES

EXECUTIVE COMMITTEE

The Executive Committee shall consist of the President, Vice President, Secretary, Treasurer, Club Captain, and Junior Activities Coordinator.

Members of the Executive Committee shall have the power to deal with all urgent matters in the control and conduct of members and the management of the Club, but shall report their action to the next meeting of the Committee for confirmation or otherwise.

A quorum for Executive Committee meetings shall be Three (3) members of the executive.

The Executive Committee shall have the power to discipline any member.

THE MANAGEMENT COMMITTEE (Committee)

The Committee will consist of the following (all with voting rights)

The President
Vice President
Secretary
Treasurer
Club Captain
Education Coordinator
Coaching & Competition Coordinator
Junior Activities Coordinator
Public Officer
WHS Officer
Life members (optional)
Volunteer Services Coordinator
Function/Bar Coordinator
Facility Coordinator

All of the above positions, excepting life members, will be declared vacant at each Annual General Meeting and will be subject to nomination and election.

Subject to the Law and this Constitution, the business of the Club shall be managed by the Committee.

The President or in that person's absence, the Vice President or a member of the Executive shall speak on behalf of the Club.

The Committee shall be elected in accordance with this Constitution, and subject to this Constitution, shall hold office from the conclusion of the Annual General Meeting at which they were elected until the commencement of the following Annual General meeting.

In the event of a vacancy occurring during the year, such vacancy may be filled at a committee meeting, after calling for nominations.

The Role of the Management Committee: (Committee)

The Committee shall be the Policy making committee of the club and shall be responsible for club policy; it has the power to make policies & procedures for the efficient running of all facets of the club.

It shall have all necessary powers as to conduct and control of members, Club activities, Club affairs and property and may deputise all or any of its duties to a Sub-Committee/s as it thinks fit.

The quorum for Committee meetings shall be five (5) members of the Committee and if a quorum is not present the meeting shall stand adjourned (until the date of the next meeting or as otherwise determined)

Monitor the performance of the club including financial requirements required by legislation or requirements by, Branch, State Centre or SLSA

Manage risk by:

Developing an understanding of the nature of risks that might prevent the organisation from achieving its objectives

Routine identification and management of risk on systematic basis

Ensure compliance with policies, laws and regulations

Consider and make appointments of parties required under the constitution including sub committees, project/working groups and specialists' advisers.

If any member of the committee is absent for three (3) meetings without an apology, they will be requested to explain their absence, if the committee determines response is not satisfactory their position may be declared vacant, they will retain their membership of the club

Only members of the Committee and Life Members are eligible to vote at committee meetings

See attachment 1 for duties of committee members

POSITIONS TO BE APPOINTED BY THE COMMITTEE FOLLOWING THE ANNUAL GENERAL MEETING. Nominations for these positions may be called from the floor at the AGM

Education Coordinator, Function/Bar Coordinator, Facility Coordinator, Promotions Coordinator, IRB Captain, Surf Boat Captain, First Aid Officer, Radio Officer, Gear Steward, Delegates to SC Branch Meetings – one of whom is to be a committee member, Member Protection Officer x 2, Child Protection Officers (2) positions – male & female. Volunteer Services Coordinator, Honorary Solicitor, and Auditors

The Committee shall meet as soon as practicable following the Annual Meeting to approve and appoint the above positions and advise members of the appointments by way of electronic newsletter, notice boards and any other suitable methods of communication.

JUNIOR ACTIVITIES COMMITTEE

The Junior Activities Committee will comprise following:

Junior Activities Coordinator (Chairperson)

Junior Activities Secretary

Junior Activities Registrar

Age Group Managers

Junior Coaching Coordinator(s)

Junior Activities committee are responsible for ensuring junior activities are conducted in accordance with SLSNSW and WBPSLSC rules and guidelines and are accountable to the Committee

Junior Activities Coordinator shall be a member of the Executive and Committee and will provide reports to the Committee on issues that may involve the Club.

SUB COMMITTEES

To improve the overall efficiency of the club, sub committees chaired by committee members will be established following the Annual General Meeting, the Management committee will be responsible for the establishment and review of the subcommittee function and performance.

Chairpersons of the sub committees are to convene meetings as required and provide a report on relevant issues at each management committee meeting.

Refer to attachment No 3 for details of the structure of the subcommittees – may vary from year to year depending on management committee determination

LIFE MEMBERSHIP SUB-COMMITTEE

The Life Member Committee Chairman, as appointed by the Committee shall be responsible for the selection of the Life Membership Committee.

Details of the composition of Life Membership committee shall be provided to the Committee.

The Life Member Committee shall consist of five (5) members comprising the following: -
Two (2) life members, one of whom shall be the Life Member Sub Committee Chairman

The life membership subcommittee will have a quorum of four (4) members

The Life Member Sub Committee shall meet as required and shall receive all nominations for Life Membership from the Secretary/President) and upon an application being received shall approve or reject the nomination

The notification of the outcome of the nomination for Life Membership shall be made to the President as soon as practicable and a report submitted to the Committee by the Life Membership Sub Committee Chairman for recording in the minutes.

The President will determine the appropriate time & process for presenting the life membership award to the member.

JUDICIARY COMMITTEE

For disciplinary matters the Executive Committee may deal with the matter directly or appoint a Judiciary Committee to enquire into the matter. A Judiciary committee, appointed by the Executive, can be made up of any persons deemed desirable by the Executive

The Executive shall appoint a chairperson of the Judiciary Committee who may or may not be a member of the club.

The Judiciary committee shall deal with the complaint as they deem expedient, though at all times they shall abide by the laws of natural justice.

The Judiciary committee will report its findings and recommendations to the Executive within an agreed timeframe pending the nature of the judicial hearing.

If the breach or misconduct is established then the Executive may expel, suspend or take such action against such member as it thinks fit, notwithstanding any other action or pending action taken by any other organisation be it SLSNSW, SLSA or other.

CONFLICT OF INTEREST BY MEMBERS

A member shall declare their interest in any contractual, selection, disciplinary or other matter in which a conflict of interest arises or may arise, and shall absent them self from discussions of such matter and shall not be entitled to vote in respect of such matter. In the event of an uncertainty as to whether it is necessary for a member to absent them self from discussion or refrain from voting, the issue should be immediately determined by vote of the committee, or if this is not possible, the matter shall be adjourned or deferred.

All disclosed interests must be submitted to the Annual General meeting in accordance with the Act

REMOVAL OF COMMITTEE MEMBERS

The position of a committee member becomes vacant if the member:

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;

Resigns their office in writing to the club;

If any member of the committee is absent for three (3) meetings without an apology, they will be requested to explain their absence, if the committee determines response is not satisfactory their position will be declared vacant, they will retain their membership of the club

Is removed by Special Resolution;

Has been expelled or suspended from membership;

PART 5 - FINANCE AND PROPERTY

SUBSCRIPTIONS AND FEES

The annual membership fees payable by Members to the Club shall be due on the date of the annual general meeting.

Version 6 July 2021 Adopted 24th July 21

Membership fees shall cover the period from annual general meeting to annual general meeting the following year. (Fees must be paid by 31st October of each year for members renewing subscription)

Subscription fees will be as determined by the committee from time to time.

MEMBER'S CONTRIBUTIONS

Every Member of the Association undertakes to contribute to the assets of the Association in the event of it being wound up while the Member, or within one year after ceasing to be a Member for payment of the debts and liabilities of the Association contracted before the time at which it ceases to be a Member and the costs, charges and expenses of winding up the Association, such an amount not exceeding one dollar (\$1.00)

FINANCE

APPLICATION OF INCOME

- (a) The income and property of the Club shall be applied solely towards the promotion of the Objects.
- (b) Except as prescribed in this Constitution:
 - (i) no portion of the income or property of the Club shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise to any Member; and
 - (ii) no remuneration or other benefit in money or money's worth shall be paid or given by the Club to any Member who holds any office of the Club.
- (c) Nothing contained in clauses (a) or (b) shall prevent payment in good faith or to any Member for:
 - (i) any services actually rendered to the Club whether as an employee or otherwise;
 - (ii) goods supplied to the Club in the ordinary and usual course of operation;
 - (iii) interest on money borrowed from any Member;
 - (iv) rent for premises demised or let by any Member to the Club;
 - (v) any out-of-pocket expenses incurred by the Member on behalf of the Club:provided that any such payment shall not exceed the amount ordinarily payable between ordinary commercial parties dealing at arm's length in a similar transaction.

The funds of the club shall be used in pursuance of the objects and powers of the club

No portion of the income or property of the club shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise to any Member, but this shall not preclude payment to a Member in good faith for expenses incurred or services rendered.

CLUB FUNDS

The funds of the Club shall be under the direct control of the Committee. The signatures of any two (2) Executive - President, Vice President, Secretary or Treasurer shall be handed to the Bank and the Treasurer and one other shall be empowered to raise and approve payment via electronic transfer of funds.

For electronic payment of accounts, the President, and Treasurer with the option of the Vice President and/or Secretary shall be authorised to submit and approve electronic payments through the Club's current bank.

The Treasurer shall provide a record of the previous monthly transactions by preparing a report for the committee meetings.

The report will consist of bank reconciliation statements and list of all transaction conducted for the specified period.

The report will also provide a summary by the Treasurer on the current financial status of the club and any recommendations on the management of club finances.

All monies received by the Treasurer must have a receipt with details of amount, date and purpose for money i.e. raffle, donations, fees etc

~~OFFICE~~ of LIQUOR GAMING NSW ACNC Dept Fair Trading

The Club shall comply with all financial, legal & reporting requirements issued by-Liquor Gaming NSW, Dept Fair Trading and ACNC (Aust Charities and not-for-profit Commission)

Specific areas include compliance with the Liquor Licence laws and requirements under the Charities Act for itemised details of fundraising activities and method of collection of monies and issuing of receipts.

Reference is made to the Best Practice Guidelines for Charitable Organisations and also Charitable Fundraising Act 1991 and Charitable Fundraising Regulations 2015; these are administered by Liquor, Gaming NSW

Copies of these documents shall be retained by the Treasurer and made available on request to the Committee or members.

The Treasurer shall be responsible for the administration of the requirements of the Office of Liquor Gaming & Racing; the Committee shall be accountable for ensuring compliance.

FINANCIAL YEAR

The financial year shall be from the 1st of May to the 30th of April in the next year.

AUDITOR AND INSPECTION OF BOOKS

A properly qualified Auditor shall be appointed by the committee following the Annual General meeting each year.

The Auditor shall conduct an audit of the books of accounts of the club at the end of each financial year in accordance with the Act. The Auditor shall also certify to the correctness of the income and expenditure account and to the correctness of the balance sheet for submission to the Annual General Meeting and shall verify the existence of all club monies and securities.

The Auditor shall have right of access at all reasonable times to the books, accounts, vouchers and bank statements of the club and shall be entitled to acquire from the members all such information and explanation as may be necessary for the performance of his duties.

The Treasurer shall submit an auditor's report to the Annual General Meeting of the club on the accounts examined by him and shall state:

Whether in his opinion the accounts presented to the meeting have been properly drawn up so as to exhibit a true and correct view of the state of club affairs according to the best of his information and explanations given to him and as shown by the books of the club

Whether or not he has obtained all the information and explanations he has required.

The Financial records, books and other documents of the club shall be open for inspection by any member of the club at any reasonable hour and upon reasonable notice to the committee.

ANNUAL REPORT AND AUDITED FINANCIAL STATEMENT

The Secretary shall cause to be prepared prior to the Annual General Meeting:

A report submitted by committee members of the activities of the club during the season.

Audited financial statements for the financial year last ended, duly certified by the Auditor.

CLUB PROPERTY

No person shall remove any property from the club premises, or any place wheresoever any property belonging to the club is kept, without first receiving permission of a member of the Executive or Committee. 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.

Should the Club cease to function as a surf lifesaving Club, the Branch to which the Club is affiliated, shall stand possessed as trustee of all real and personal property of the Club. If failing to reform within a period of three (3) years, the Club shall be treated as defunct, and its property both real and personal shall vest in the Branch absolutely.

PART 6 - MISCELLANEOUS

ADDITION, ALTERATION OR AMENDMENT TO THE RULES

No addition, alteration or amendment shall be made to this Constitution unless the same has been approved by a Special Resolution at a Special General Meeting or at an Annual General Meeting of which fourteen (14) days' notice shall be given by the Secretary to the Committee and members. Such notice shall state the exact nature of the proposed addition, alteration or amendment and shall be lodged with the Secretary at least fourteen (14) days before the meeting.

COPY OF THE CONSTITUTION

A copy of the Constitution, Rules and Policies will be available on the club Web Site and available at the clubhouse or on request to a committee member

CLUB RULES & POLICIES (By-Laws)

The Committee may formulate, issue, adopt, interpret and amend such By-Laws or policies for the proper advancement, management and administration of the Club, Such Policies or By-Laws must be consistent with the Constitution, the State Centre constitution, the SLSA constitution and any regulations or by-laws made by State Centre or SLSA. If any Policies or By-Laws are inconsistent with the State Centre or SLSA constitution and regulations the By-Laws shall be null and void and will be inapplicable.

Policies or By-Laws Binding

All Policies or By-Laws made under this clause shall be binding on the Club and Members of the Club.

Policies or By-Laws Deemed Applicable

All clauses, rules, by-laws and regulations of the Club in force at the date of the approval of this Constitution insofar as such clauses, rules, by-laws and regulations are not inconsistent with, or have been replaced by this Constitution, shall be deemed to be Policy or By-Laws under this clause.

PUBLIC OFFICER/

The public officer is responsible for:

- notifying NSW Fair Trading of any change in the Club's official address within 28 days
- collecting all association documents from former committee members and delivering the documents to the new committee member
- returning all club documents to a committee member within 14 days, upon vacating office
- lodging an annual summary of financial affairs, with the prescribed fee, within 1 month of the club's annual general meeting
- acting as the official contact for the club, including taking delivery of documents served on the club and bringing them to the attention of the committee as soon as possible,
- custody of any documents as required by the constitution.

OFFICIAL CORRESPONDENCE

All official correspondence, hard and soft copies to and from the Club must be forwarded through the Secretary.

WINDING-UP PROVISIO

DISSOLUTION

The club shall be dissolved in the event of membership less than 12 active members or upon the vote of the 75% majority of members eligible to vote and present at a Special General Meeting convened to consider such question.

Upon a resolution being passed in accordance with the above paragraph, all assets and funds of the Club shall after the payment of all expenses and liabilities be handed over to the South Coast Branch of the Surf Life Saving Association of Australia.

SAVING PROVISIO

In the event of any matter arising not already provided for under these Rules and policies, the Rules or Ruling of the SLSNSW or SLSA or its President shall prevail.

ATTACHMENT 2

Order of Business for meetings

Order of business for Committee Meetings shall be:-

- (a) Acceptance of previous minutes
- (b) Business arising out of Minutes.
- (c) Apologies.
- (d) Correspondance.
- (e) Finance.
- (f) Co-ordinator's and Delegates Reports.
- (g) Motions of which due notice has been given.
- (h) General Business.

Order of business for Annual General Meetings shall be:

- (a) Acceptance of previous Minutes.
- (b) Business arising out of Minutes.
- (c) Apologies.
- (d) Correspondence.
- (e) Presentation of Annual Report and audited Financial Report.
- (f) Notices of motions to amend constitution or where due notice has been given
- (g) Election of new Committee members.
- (h) General Business.

RULES OF DEBATE

- (i) Any member desiring to speak shall indicate or stand up and shall address the Chairman respectfully
- (j) A member who formally seconds a motion or amendment may address the meeting in support at a subsequent stage of the debate.
- (k) No member shall use offensive or unbecoming words.
- (l) The mover of a motion shall not occupy more than five minutes, nor any other speaker more than three minutes. The meeting may by resolution, without debate, grant extension of time to any speaker.
- (m) No speaker shall digress from the subject under discussion and impute improper motives and all personal reflections on members shall be deemed disorderly.
- (n) No member shall interrupt another while speaking except on a point of order.
- (o) Any member during the debate may raise the point of order, when the member then speaking shall refrain from speaking until the point of order has been decided. The member raising to the point of order shall state concisely the point and the Chairman, without further discussion, shall give a ruling.
- (p) It shall be competent for any member to move a motion of dissent from the Chairman's ruling. The mover of the motion of dissent shall concisely state their point. The Secunder and the Chairman only may speak on the motion.
- (q) A member may move the adjournment of the debate. If the motion be resolved in the negative, the mover shall not be allowed to again speak on the question under debate. If the motion be resolved in the affirmative, the mover shall have the right of resuming the debate
- (r) at the ensuing meeting. No member shall move the adjournment at the end of their speech.
- (s) At any time during the debate, any member may without notice move "that the question be now put" and such motion, being duly seconded,
- (t) shall then be put without debate. If carried, the question shall be put to the vote, if lost, the debate shall proceed.
- (u) An amendment may be moved on any original motion. The Chairman shall first put the amendment to the meeting and, if carried, it shall be declared to embody the decision of the meeting superseding the motion. When an amendment has been decided, a further amendment may be moved which, if carried, shall in turn supersede the motion. If there be no amendment, the original motion shall be put after the mover has replied.
- (v) The Chairman shall refuse to receive any amendments, which are a direct negative.
- (w) The Chairman shall have only a casting vote at any meeting.
- (x) In the event of any matter being brought before any General or Management Committee Meeting which affects the Chairman of the meeting, or in which they may be interested, the chair shall be vacated and the meeting shall elect a Chairman "Pro Tem" until such matter has been decided.
- (y) Voting shall be by the voices or show of hands at the request of any member.
- (z) The Chairman may appoint members to assist in counting a vote by show of hands or division or at a secret ballot.
- (aa) The mover of an original motion must obtain the permission of the Secunder and the approval of the meeting before making any alteration to the wording of the motion.

- (bb) An amendment having been moved, it shall not be competent to move any further amendment, but notice may be given of intention to move such further amendment when the previous amendment has been disposed of. Only one amendment can be considered at the same time.
- (cc) In the absence of the President or Vice President the next senior Executive member shall become Chairman of any meetings

Date of last review July 2021

Adopted at AGM held 24th July 2021

WBPSLSC Management Structure & Function Chart (Optional as determined by the committee if required)
EXECUTIVE

President, Vice-President, Club Captain, Treasurer, Secretary, ~~Education Coordinator~~, Junior Activities Co-Ordinator ~~Coaching Competition Coordinator~~

MANAGEMENT COMMITTEE

Executive, Rescue Services Co-ordinator, **Education Coordinator**, Coaching and Competition Co-ordinator, WHS Officer ~~Social Coordinator~~, Public Officer, **Volunteer Coordinator**

APPOINTED POSITIONS

Function & Bar **Manager** ~~Coordinator~~, ~~Building Coordinator~~ **Facility Manager**, Promotions Coordinator, IRB Captain, Surf Boat Captain, ~~Beach Captain~~, ~~March Past & R&R Captain~~, ~~Swimming Captain~~, ~~Craft Captain~~, First Aid Officer, Radio Officer, Gear Steward, Delegates to ~~Senior SC Branch~~ – one of whom is to be a committee member, WHS Officer, Member Protection Officer(s), Child Protection Officers (2) positions – male & female. ~~Life Member Committee Chairperson~~, Honorary Solicitor, and Auditors

SUB-COMMITTEES -see guide for possible subcommittee structure below

Competition Coaching, Co-Coordinator	Social/Functions Bar/Function Manager	Rescue Services & Training Club Captain	Facilities Manager & Assets Coordinator President	Junior Activities Junior activities Co-ordinator	Administration Secretary	Finance & Admin Treasurer VP
Selection Committee Club & asst Coach Boat Captain Craft Captain Beach Coach Swim Captain March & RR Coach Age Group Coaches	Promotions Web social media Bar Coordinator Fundraising Hire bookings	Rescue Services Coordinator Rescue Craft Coordinator Education Coordinator (all awards) Gear Steward Radio Officer First Aid Officer	Nominated members	Jnr Registrar Age Group Managers Water Safety Child protection (2)	Public Officer Member Protection Child Protection WHS Officer History Officer Web/Surfguard Officer Life Members Committee Grants Officer	Budgets Purchasing Uniforms Canteen