

**FRESHWATER SURF LIFE SAVING CLUB
INCORPORATED**

CLUB CONSTITUTION

As at 28 June 2026

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

Table of Contents

<u>1.</u>	<u>Name of Club</u>
<u>2.</u>	<u>Notification of Club Rules</u>
<u>3.</u>	<u>Objectives</u>
<u>4.</u>	<u>Club Costume, Club Blazer, Colours and Emblem</u>
<u>5.</u>	<u>Definitions</u>
<u>6.</u>	<u>Membership</u>
<u>7.</u>	<u>Membership Fees</u>
<u>8.</u>	<u>Effect of Membership</u>
<u>9.</u>	<u>Register of Members</u>
<u>10.</u>	<u>Officers</u>
<u>11.</u>	<u>Election of Officers</u>
<u>12.</u>	<u>Executive Committee</u>
<u>13.</u>	<u>Responsibilities of Executive Committee Members and Officers</u>
<u>14.</u>	<u>Procedures for Meetings of Executive Committee</u>
<u>15.</u>	<u>Powers of the Executive Committee</u>
<u>16.</u>	<u>Management of the Club</u>
<u>17.</u>	<u>Meetings of Members</u>
<u>18.</u>	<u>Notice of Meetings</u>
<u>19.</u>	<u>Quorum</u>
<u>20.</u>	<u>Voting Rights at Meetings</u>
<u>21.</u>	<u>Procedures at Meetings</u>
<u>22.</u>	<u>Life Membership Panel and process for conferral of Life Membership</u>
<u>23.</u>	<u>Complaints, Grievances, Judicial and Discipline matters raised by Members</u>
<u>24.</u>	<u>Finance</u>
<u>25.</u>	<u>By-laws and Rules</u>
<u>26.</u>	<u>Common Seal</u>
<u>27.</u>	<u>Custody and Inspection of Books</u>
<u>28.</u>	<u>Amendment of Rules</u>
<u>29.</u>	<u>Service of Notices</u>
<u>30.</u>	<u>Dissolution</u>

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

Name of club

1. The Club shall be called Freshwater Surf Life Saving Club Incorporated and shall be affiliated to Surf Life Saving Australia Limited (hereinafter called "SLSA") and such other bodies as the Executive Committee may determine, consistent with the Club's Objectives.

Notification of rules

2. A copy of this Constitution is to be made available on the Club website and may be displayed on the Club noticeboard or made available to members by such other means as the Executive Committee determines.

Objectives

3. The Club is a registered charitable organisation and its object is to pursue the following charitable purposes:
 - a. Participate as a member of Surf Lifesaving Sydney Northern Beaches, Surf Lifesaving New South Wales, and Surf Life Saving Australia which are responsible for the promotion, advancement and administration of surf lifesaving;
 - b. Provide, promote and administer rescue, lifesaving and first response services and assistance to members of the community who use Freshwater Beach and its immediate environs in conjunction with, if appointed, Council lifeguards;
 - c. Conduct, promote and advance the study and training of methods of rescue, lifesaving and first response services including the training and education of members in elements of surf safety and awareness to facilitate the high-level provision of such services at Freshwater Beach and its immediate environs;
 - d. Provide appropriate lifesaving equipment and facilities for members so they may provide, promote and administer rescue, lifesaving and first response services to members of the community who use Freshwater Beach and its immediate environs;
 - e. Provide members of the Club with opportunities to improve their ability to engage in surf lifesaving competition for the purpose of enhancing their capacity to provide rescue, lifesaving and first response services at Freshwater Beach and its immediate environs;

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- f. Encourage and promote members under the age of 23 and their families to remain actively involved with the Club with a view to maintaining sufficient numbers of members appropriately trained for the provision of rescue, lifesaving and first response services at Freshwater Beach and its immediate environs;
- g. Undertake and/or do all such things or activities that are necessary, incidental or conducive to the advancement of these objectives; and
- h. Remain recognised as a charity in accordance with the [Charities Act 2013 \(Cth\)](#).

Club Costume, Club Blazer, Colours and Emblem

- 4. The Club colours shall be maroon and white.
 - a. The Club cap shall be a maroon and white quartered cap with a maroon quarter over the right eye.
 - b. The Club costume shall be maroon and white or maroon.
 - c. The Club emblem shall be as follows;



- d. The colour of the Club emblem shall be maroon and white with the colour dependent on the colour of the background upon which the components are inscribed.
- e. The Club emblem shall be worn only by members of the Club.
- f. The Club blazer shall be maroon with the Club emblem on the left breast pocket.
- g. Details about who will be entitled to wear the Club blazer and variations in its appearance shall be determined by the Executive Committee.

Definitions

5. For the purposes of this Constitution;

“the Act” means the *Associations Incorporation Act 2009 (NSW)* or any similar legislation regulating the operations of incorporated associations.

“By-law” means a by-law issued by the Executive Committee in the exercise of its authority to manage the affairs of the Club.

“Club” means Freshwater Surf Life Saving Club Incorporated.

“Executive Committee” means the committee referred to in Clause 12(a) of this Constitution.

“Junior Activities Committee” means the committee that is responsible through its Chairperson for the management and conduct of activities relevant to Junior Activities members.

“Material Personal Interest” means an interest which is real or substantive and has the capacity to influence the vote of the particular person in relation to the decision being made.

“Meetings” means, for the purposes of clauses 18, 19, 20 and 21, the Annual General Meeting, a General Meeting or a Special Meeting.

“SLSNSW ” means Surf Life Saving New South Wales Incorporated or as it may be constituted from time to time.

“Public Officer” means the person undertaking the duties of public officer as defined by the *Associations Incorporation Act 2009 (NSW)*.

“SLSA” means Surf Life Saving Australia Limited or as it may be constituted from time to time.

“SNB” means Surf Life Saving Sydney Northern Beaches Incorporated or as it may be constituted from time to time.

“Supervisory Association” means SNB and/or SLSNSW and/or SLSA.

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

Membership

6.
 - a. Any individual can apply to be a member of the Club. The Executive Committee in its absolute discretion can reject an application for membership if the application is not one lodged by a renewing member.
 - b. Membership categories (including relevant qualifications and requirements) shall be in accordance with the requirements of SLSA, as amended from time to time.
 - c. Other categories

The Executive Committee may determine other categories of membership, including relevant qualifications and requirements, provided such categories are not inconsistent with the requirements of SLSA and which will be set out in the Club By-laws.

Membership fees

7.
 - a. Members may renew their membership by payment of the fees (including any penalty fees) for the new membership year.
 - b. On the recommendation of the Executive Committee, the amount for membership fees (not including fees for Junior Activity members or fees or other levies as may be determined by the Executive Committee in accordance with clause 15(o)) shall be as determined by a two thirds (2/3) majority vote of members eligible to vote at any General Meeting or the Annual General Meeting.
 - c. The members' power to determine membership fees shall be absolute and not in any way restricted by a recommendation of the Executive Committee.
 - d. The amount payable for Junior Activity membership shall be determined by the Executive Committee upon the recommendation of the Junior Activities Committee. The Executive Committee shall not be bound to accept any such recommendation and may determine an alternate fee regime.
 - e. Fees for membership renewal (not including Junior Activity members) become due and payable from 1 July in each year and must be paid in full before 1 October in that year.

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- f. The Executive Committee may determine that –
 - i. membership fees paid within a prescribed time after 1 July may be subject to a reduction in the amount to be paid, and/or
 - ii. membership fees paid after 1 October may be subject to a penalty fee.
- g. Details of the amount payable for membership fees shall be made known to members and prospective members of the Club by such means as may be determined by the Executive Committee.
- h. Fees for Junior Activity member renewals must be paid in full on the day or days stipulated by the SNB to be registration days for Junior Activity members or at such other time as may be determined by the Junior Activities Committee.
- i. If the fee for membership renewal is not paid within any period of time stipulated by the Executive Committee, the membership will lapse.
- j. Membership fees for new members must be paid at the time when application for membership is made.
- k. A person who is known to be unfinancial with, or excluded in any way by, any other club affiliated with any body with which the Club is affiliated cannot be accepted as a member of the Club.

Effect of Membership

- 8. On becoming a member of the Club, members;
 - a. are bound by and must comply with this Constitution, Club By-laws that may be in force from time to time and, where applicable, the SNB Constitution and Regulations, the NSW Constitution and Regulations, the SLSA Constitution, Regulations and Policies and the Act;
 - b. are subject to the jurisdiction of SNB, SLSNSW and SLSA;
 - c. are subject to a limited liability in respect of their membership of the Club;
 - d. undertake to contribute to the assets of the Club in the event of it being wound up, including the costs, charges and expenses incurred in winding up the Club, such contribution not to exceed the amount of any outstanding membership fees owed by the individual member; and

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- e. are entitled to all benefits, advantages, privileges and services of Club membership.

Register of members

- 9.
 - a. The public officer of the Club must establish and maintain a register of members of the Club specifying the name and address of each person who is a member of the Club together with the date on which the person became a member.
 - b. The register of members is to be maintained in accordance with any requirements that may be stipulated by the SLSA.
 - c. The register of members must be kept at the Club house and must be available for inspection (or a copy of it), free of charge, by any member of the Club at any reasonable hour.
 - d. A member of the Club may obtain a copy of any part of the register on payment of a fee as may be determined by the Executive Committee.
 - e. Details of the register of members must not be provided to any person for use for commercial purposes.

Officers

- 10. The Officers of the Club shall be honorary and include the members of the Executive Committee, and other positions that may be determined from time to time by the Executive Committee.

Election of Officers

- 11.
 - a. The officers of the Club shall be elected at the Annual General Meeting.
 - b. Nominations for officers' positions can be received:
 - i. in person on the day of the meeting, or
 - ii. in writing prior to the meetingand must be duly seconded.
 - c. Prior to accepting the nomination of a person who is not present at the meeting, the person being nominated must provide confirmation in writing to the meeting that he or she is willing to be nominated for the relevant position or positions.

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- d. If any officer's position cannot be filled, the voting members present at the Annual General Meeting may authorise the incoming Executive Committee to take any necessary action to fill such positions.
- e. It will be permissible for two or more people to be jointly appointed (either by election at the Annual General Meeting in accordance with 11(a) or by the Executive Committee in accordance with 11(d)) to any officer's position.
- f. Any officer who is not a member of the Executive Committee may be requested to attend any committee meeting as required by the Executive Committee.

Executive Committee

12.

- a. The Executive Committee shall be responsible for the management of the Club and shall consist of:
 - i. President/Chairperson of the Board;
 - ii. Club Captain/Director of Lifesaving;
 - iii. Executive Officer;
 - iv. Treasurer/Director of Finance;
 - v. Chief Instructor/Director of Education;
 - vi. Director of Sport
 - vii. Director of Facilities;
 - viii. Director of Sponsorship and Marketing;
 - ix. Chairperson of Junior Activities;
 - x. Director of Member Services; and
 - xi. One general committee member/Director.
- b. The Executive Officer shall also be the Public Officer of the Club.
- c. All members of the Executive Committee shall undertake their duties on a voluntary basis and shall not be paid any salary, wage or other remuneration other than out of pocket expenses.

Responsibilities of Executive Committee Members and officers

- 13. The responsibilities and duties of the Executive Committee Members and other officers shall be determined by the Executive Committee.

Procedures for Meetings of Executive Committee

14.

- a. The in-coming Executive Committee shall convene within thirty (30) days of the Annual General Meeting to resolve any official position not filled at that meeting.
- b. The members of the Executive Committee shall endeavour to meet at least once per month but no less than 10 times per year at a time to be determined by the Executive Committee.
- c. Unless otherwise determined by the Executive Committee, monthly meetings will be held in the Club house.
- d. Members with a designated area of responsibility must use their best endeavours to provide a report to the other Executive Committee members for their consideration prior to the meeting being held.
- e. The means for distribution of the reports shall be as determined by the Executive Committee.
- f. Members of the Executive Committee must use their best endeavours to be properly briefed prior to any meeting so as to ensure a smooth flow of business at the meeting.
- g. At least six (6) Executive Committee members will represent a quorum.
- h. A meeting of the Executive Committee may be held where one or more of the Executive Committee members is not physically present at the meeting, provided that all persons participating in the meeting are able to communicate with each other effectively, simultaneously and instantaneously whether by means of telephone or other form of electronic communication. The Minutes shall note if an Executive Committee member is not physically present and the arrival attendance time once the meeting has commenced.
- i. If a quorum is not present thirty (30) minutes after the time for which the Executive Committee meeting was called, the meeting shall stand adjourned for one (1) week.
- j. Any five (5) members of the Executive Committee may exercise any of the functions of the Executive Committee on urgent matters at any time and must report their action at the next meeting of the Executive Committee.

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- k. If a member of the Executive Committee is:
 - i. absent from three (3) Committee meetings during their year in office, and
 - ii. after being asked to do so, fails to satisfy the Executive Committee that there is an acceptable reason for the absence, their position may be declared a casual vacancy by a majority vote of the Executive Committee.
- l. A casual vacancy on the Executive Committee will also arise if a member:
 - i. dies;
 - ii. ceases to be a member of the Club;
 - iii. resigns office by notice in writing given to the Executive Officer;
 - iv. is removed from office pursuant to clause 14(k);,
 - v. becomes a mentally incapacitated person; or
 - vi. becomes bankrupt.
- m. If a casual vacancy occurs, the Executive Committee is to take any necessary action to fill the vacancy as quickly as possible, and any person appointed to fill the vacancy shall, subject these Rules, remain in the position until the next Annual General Meeting.
- n. The President shall be the Chairperson of Executive Committee meetings unless they delegate the role to another member of that Committee. In the absence of the President, the Chairperson shall be as determined by the members present at the meeting.
- o. In the event of a tied vote on any matter determined by the Executive Committee, the Chairperson shall have a second and casting vote.
- p. Each Executive Committee member must declare their interest in any matter in which a material personal interest arises (actual or perceived) and must absent themselves from discussions about, and shall not be entitled to vote in respect of, such matter.
- q. In the event of an uncertainty as to whether it is necessary for an Executive Committee Member to absent themselves from discussion or refrain from voting, the issue should be immediately determined by vote of the Committee.
- r. Copies of the minutes (with or without associated reports) are to be made available to club members upon written request to the Executive Officer.
- s. Any member of the Club may attend a meeting of the Executive Committee as an observer with the approval of the Committee.

Powers of the Executive Committee

15. The Executive Committee shall have the power to:
- a. Manage and conduct the affairs of the Club in accordance with this Constitution, By-laws, any relevant policies and procedures mandated by a Supervisory Association and any relevant legislation.
 - b. Negotiate and enter into contracts, agreements, leases and other legally binding documents which it believes to be in the interests of the Club.
 - c. Expend the funds of the Club as it deems expedient in the interests of the Club.
 - d. Approve the amount and nature of any sponsorship obtained for the benefit of the Club and its members.
 - e. Determine which bank, credit union or building society account any monies received shall be deposited into on behalf of the Club.
 - f. In relation to persons engaged to undertake paid work on behalf of the Club, approve their appointment, dismissal, rates of pay and duties.
 - g. Establish or appoint special committees, sub-committees, boards, panels, individual officers and consultants not otherwise provided for by these Rules to carry out such duties and functions, and with such powers, as the Executive Committee determines. The Committee may also seek the advice or assistance of individual members on any matter it deems appropriate.
 - h. Determine the eligibility criteria or guidelines for admission as a general member or associate member of the Club and the criteria or guidelines for distinguished or special service applicable for Life Membership.
 - i. To issue, amend or rescind By-laws not inconsistent with these Rules for the management and conduct of the Club.
 - j. To take any action not otherwise inconsistent with this Constitution and which may be ratified by a majority vote of those members present at a general meeting.
 - k. To determine the protocols to be followed in relation to the conduct of any Annual General Meeting, General Meeting or Special Meeting.
 - l. To exercise such powers, functions and duties that may be provided for by this Constitution.

- m. Suspend, expel or otherwise deal with any member in accordance with any policy or requirement of a Supervising Authority, including taking such action pending the completion of any disciplinary process under Clause 23.
- n. Approval of the establishment of a Foundation, Trust or similar independent structure for the purpose of raising and utilising funds in pursuit of and in accordance with the Club's Objectives set out in clause 3, for the benefit of members.
- o. Approve the imposition of levies and fees other than membership fees, including the amount to be paid for such levies and fees, which it deems to be in the best interests of the club.

Management of the Club

- 16.
 - a. Subject to provisions elsewhere within this Constitution which provide otherwise, responsibility for all management, lifesaving, procedural, financial, competition and training operations of the Club shall vest in the Executive Committee.
 - b. In exercising their responsibilities members of the Executive Committee must have regard to the objects of the Club as outlined in Clause 3 of this Constitution.

Meetings of the Members

- 17.
 - a. Members are to be notified of the Annual General Meeting, a General Meeting or a Special General Meeting of the Club.
 - b. The Annual General Meeting of the Club shall;
 - i. occur once each calendar year at a time to be determined by the Executive Committee in accordance with any relevant legislative requirements, and
 - ii. be held to allow the members to receive the Annual Club Report and Financial Statement for the past year, to elect officers for the ensuing year and transact general business of an urgent nature.
 - c. A General Meeting of the Club shall be held in December each year.

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- d. A Special General Meeting can be called by the Executive Committee in the following circumstances;
 - i. if the Executive Committee determines that such a meeting should be held because of the need to deal with urgent business which cannot await the holding of the Annual General Meeting or a General Meeting, or
 - ii. if a request in writing signed by at least fifteen (15) financial members stating the business to be discussed is received by the Executive Officer.

Notice of Meetings

18.

- a. At least twenty-one (21) days written notice must be given to the members of the Club for the Annual, General Meeting and any Special Meeting.
- b. Notice of any meeting must be displayed on the Club noticeboard. In addition, the Executive Committee may provide written notice of any meeting to the members by such electronic or other means as deemed appropriate.
- c. Any notice of motion relating to a special resolution must set out the proposed resolution to be considered by the members.

Quorum

19.

- a. The quorum for any meeting of the members shall be twenty (20) financial members entitled to vote.
- b. If a quorum for a meeting of the members is not present thirty (30) minutes after the time for which the meeting was called, then:
 - i. in the case of the Annual General Meeting, a General Meeting or a Special General Meeting called under clause 17(d)(i), the meeting shall stand adjourned to a date to be determined at the same place and time, or
 - ii. in the case of a Special General Meeting called under clause 17(d)(ii), the meeting shall lapse.

Voting Rights at Meetings

20.

- a. Voting rights at meetings of the Club are limited to financial Active (18 years or older), Reserve Active, Long Service, Life Members and any Past Active Members who have been given approval to vote by the

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

Executive Committee and any Associate member holding a position on the Executive Committee.

- b. Voting by proxy or postal ballot is not allowed at any meeting of the Club.

Procedures at Meetings

21.

- a. The President shall preside as Chairperson at every meeting of the Club except:
 - i. in relation to any election for which the President is a nominee; or
 - ii. where the President has a material personal interest in the election; or
 - iii. when the President delegates the role to another member of the Executive Committee.
- b. If the President is unable to act as Chairperson, the members shall appoint one of their number or such other person the members may approve to preside as Chairperson for that or any part of that meeting only.
- c. All members present at a meeting are entitled to engage in any debate but shall not be allowed to vote unless authorised by virtue of clause 20.
- d. Members shall be entitled to submit notices of motion for inclusion as special business at meetings of Club members. All notices of motion proposed by members must be submitted in writing to the Executive Officer who must ensure they are then made available to the members not less than twenty one (21) days prior to the meeting.
- e. At any meeting a resolution put to the vote of the meeting shall be decided by a majority vote and on a show of hands unless:
 - i. a poll is (before or on the declaration of the result of the show of hands) demanded by the Chairperson or a majority of the members present; or
 - ii. this Constitution provide otherwise.
- f. Where the result of a vote is equal the Chairperson may exercise a second and casting vote.
- g. A motion pursuant to clause 21(d) of which due notice has been given, if unsuccessful, cannot be resubmitted, nor may any other motion having a similar effect be moved at a subsequent general meeting for a period of twelve (12) months.
- h. The Chairperson may, with the consent of a majority of the Members present at the meeting at which a quorum is present, and must, if so

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

directed by the meeting, adjourn the meeting to another time and place and:

- i. no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place; and
- ii. if a meeting is adjourned for 30 days or more, notice of the adjourned meeting must be given as in the case of an original meeting.

Life Membership Panel and process for conferral of Life Membership

22.

- a. Nominations for life membership must be submitted to the President in writing, duly proposed and seconded by financial members of the Club by the end of January. Nominations received after that date will be held over for consideration until the following season.
- b. The President shall refer any nomination to the Chairperson of the Life Membership Panel within 14 days of receipt. The Chairperson shall be a Life Member elected to the position each year at the Annual General Meeting. The Chairperson shall be an officer of the Club.
- c. The Life Membership Panel will be responsible for reviewing nominations for life membership to consider whether the nomination warrants being referred to the general membership for its determination, through a recommendation to the Executive Committee.
- d. The Chairperson in consultation with the President shall select the Life Membership Panel to conduct a review of the nomination/s. All Life Members of the club are eligible for selection on the Life Membership Panel unless the Life Member:
 - i. is already a member of the Executive Committee; or
 - ii. is the nominator or seconder of the nomination; or
 - iii. in the opinion of the President and Chairperson, otherwise has a material personal interest in the matter.
- e. The Chairperson shall be a member of the Life Membership Panel unless ineligible for a reason outlined in clause 22(d). The Panel will also include at least 2 other Life Members. The number of Life Members selected for the Panel shall be as agreed by the President and Chairperson. Failing agreement, the decision shall be at the discretion of the Chairperson.
- f. The Chairperson, in consultation with the President, shall nominate a Life Member to act as the Chairperson in the event the elected

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

Chairperson is unavailable to participate as a member of the Life Membership Panel.

- g. In undertaking its review, the Life Membership Panel can seek further information from:
 - i. the Executive Officer;
 - ii. the members proposing and seconding the nomination;
 - iii. with the approval of the President, any member who is likely to have access to official Club records for the purpose of clarifying any information outlined in the nomination.
- h. The Life Membership Panel must also take into account the provisions of any Club By-law relating to the determination of life membership nominations.
- i. The President shall provide to the Life Member Panel details of any adverse action found by a Judiciary or other formal process of Supervisory Association to have been committed, or admitted, by the nominee within the 5 years immediately preceding the date of the nomination. For the purpose of this clause, adverse action includes any formal disciplinary action taken against the nominee. Any material provided relating to adverse conduct shall as far as practicable maintain the confidentiality of any other person involved in or subject to the conduct.
- j. The Life Membership Panel must provide its recommendation to the President as soon as possible but by no later than the end of April. Any recommendation of the Life Membership Panel must be in writing and must include a majority decision and reasons for the decision. If the panel has received information in accordance with paragraph (i), the decision must include details of how that information was taken into account in arriving at the recommendation.
- k. The President shall arrange for the recommendation to be provided to members of the Executive Committee prior to the next scheduled Executive Committee meeting.
- l. The Executive Committee shall consider the recommendation made and determine if it supports the recommendation. All members of the Executive Committee must vote on the recommendation unless unable to do so by reason of:
 - i. incapacity;
 - ii. having a material personal interest in the matter; or
 - iii. other exceptional circumstances.

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- m. A member of the Life Member Panel may, at the request of the President, be present at the Executive Committee meeting to answer any questions the Executive Committee may have prior to its consideration and voting on the recommendation.
- n. If all members of the Executive Committee are voting, any final decision on the recommendation must be supported by at least 7 members. In any other case support must be on the following basis: 7 out of 10, 6 out of 9, and 5 out of 8 or less. The Executive Committee may reach its determination by secret ballot if considered appropriate.
- o. If the Executive Committee considers the nomination warrants being placed before the general membership for its determination, the Executive Officer must arrange for the nomination to be submitted at the next Annual General Meeting of the members.
- p. The President shall advise the nominator and seconder of the outcome of the nomination.
- q. At the Annual General Meeting, the nomination must be duly proposed and seconded and be approved by a two-thirds (2/3) majority vote of the members present and entitled to vote. Voting for life membership at the Annual General Meeting shall be by secret ballot. A copy of the nomination & details of the nominee's service history shall be made available to the membership prior to the meeting. If present, the nominee shall leave the meeting prior to any discussion about the nomination and until the result of the ballot is known.
- r. If the President is unable to exercise their powers for any reason, their powers shall be exercised by the Executive Officer or other member of the Executive Committee as determined by the President.
- s. If a nomination is unsuccessful, a further nomination cannot be lodged until the expiration of two (2) years from the date of the original nomination.

Complaints, Grievances, Judicial and Discipline matters raised by Members

- 23. The Club adopts the complaints, judicial and discipline processes mandated by a Supervisory Association as amended from time to time.

Finance

- 24.
 - a. The revenue of the Club will be derived from;
 - i. membership subscriptions;
 - ii. donations and sponsorships;

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- iii. facilities hire or rental;
 - iv. the annual Freshwater surf carnival and other surf lifesaving, special events and associated activities organised and managed by the Club;
 - v. fund raising activities approved by the Executive Committee;
 - vi. fund raising activities approved by the Junior Activities Committee and endorsed by the Executive Committee; and
 - vii. by any other means as may be approved by the members at a general meeting following a recommendation made by the Executive Committee.
- b. All funds received by the Club are to be deposited to the Club's bank account or processed at the bank as soon as practicable and without the deduction of any amounts.
- c. All funds received by the Club must be deposited into a bank that is regulated by the Australian Prudential Regulation Authority in accordance with the *Banking Act 1959* (Cth) or any other relevant legislation that may be in force from time to time.
- d. Any Club bank accounts or investment accounts must be with a bank that is regulated by the Australian Prudential Regulation Authority in accordance with the *Banking Act 1959* (Cth) or any other relevant legislation that may be in force from time to time.
- e. The Club must, as soon as practicable after receiving any cash, cheques or credit card remittances, issue an appropriate receipt or tax invoice.
- f. Club funds are to be used in pursuance of the objectives of the Club in such manner as the Executive Committee may authorise.
- g. All cheques, electronic funds transfers and other negotiable financial instruments must only be signed by authorised members of the Executive Committee.
- h. The Executive Committee is to ensure that appropriate levels of internal controls are implemented and documented to facilitate the safe and appropriate management of Club funds.
- i. The Junior Activities Committee may be authorised to operate a separate bank account for the receipt and expenditure of funds for the purposes of junior activities.
- j. Any bank account operated by the Junior Activities Committee is to be at the same bank used by the Club and be in accordance with clause 24(d).

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- k. All funds received for or as a result of junior activities shall at all times be regarded as funds of the Club and shall not be expended, allocated or otherwise committed without the prior consent of the Executive Committee.
- l. The Chairperson of the Junior Activities Committee is to ensure that prior to September each year a budget is provided to the Executive Committee for its approval.
- m. If the Junior Activities Committee wishes to expend, allocate or otherwise commit funds in excess of the budget approved by the Executive Committee under clause 24(l), prior approval must be sought from the Executive Committee.
- n. Any sponsorship, marketing or other commercial arrangements entered into or agreed to by the Junior Activities Committee must not in any material way conflict or potentially conflict with any sponsorship, marketing or commercial arrangements entered into or agreed to by the Club unless otherwise authorised by the Executive Committee.
- o. A financial report is to be prepared annually for inclusion in the Club's annual report and is to provide details of:
 - i. The Club's income and expenditure for the past year;
 - ii. Comparative figures of the income and expenditure for the previous year; and
 - iii. The assets and liabilities of the Club as may apply at the end of the Club's financial year.
- p. The Club's financial year shall be from 1 May to 30 April each year.

By-laws and Rules

25.

- a. The Executive Committee is able to issue By-laws in respect of any matter authorised by this Constitution or not otherwise dealt by the Constitution.
- b. A By-law issued by the Executive Committee shall not be inconsistent with this Constitution and in the event of any inconsistency, this Constitution shall prevail.
- c. After the Annual General Meeting and before the commencement of the patrol season, the Executive Committee shall review all By-laws then in force to determine whether they shall remain in effect or be rescinded or amended.

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- d. The Executive Officer shall keep a record of all By-laws issued.
- e. The details of By-laws shall be made known to the members of the Club by such means as the Executive Committee may determine.
- f. The Executive Committee shall ensure this Constitution is reviewed at least once every 10 years to ensure it remains appropriate for the operation and objectives of the Club

Common seal

26.

- a. If the Club adopts a common seal, it must be kept in the custody of the Public Officer.
- b. The common seal must not be affixed to any instrument except by the authority of the Executive Committee.
- c. The affixing of the common seal must be attested by the signatures of two members of the Executive Committee.

Custody and Inspection of books

27.

- a. Except as otherwise provided by this Constitution, the Public Officer must keep in their custody or under their control all records, books and other documents relating to the Club.
- b. The records, books and other documents of the Club must be open to inspection and free of charge.

Amendment of this Constitution

- 28. This Constitution may be amended by a special resolution passed by a three quarters (3/4) majority of members present and entitled to vote at a General Meeting or at a Special General Meeting called for that purpose.

Service of notices

29.

- a. Notices may be given to any person entitled under this Constitution to receive any notice by sending the notice by post or by electronic mail, to the member's registered address or electronic mail address. Notices may also be posted on the Club's website.

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- b. Where a notice is sent by post, service of the notice shall be deemed to be effected at the time the letter would have been delivered in the ordinary course of post.
- c. Where a notice is sent by electronic mail, service of the notice shall be deemed to be effected upon receipt of a confirmation report confirming the electronic mail message was received at the electronic mail address to which it was sent.
- d. Where a notice is sent by posting on the Club's website service of the notice shall be deemed to be effected one (1) day after it was posted.
- e. Any notice, report or other document required to be provided to the Executive Committee can be given to the Executive Officer. The Executive Officer must then ensure any such notice, report or document is made available to the Executive Committee on or before the next Executive Committee meeting.

Dissolution

30.

- a. The Club shall only be dissolved with the consent of three quarters (3/4) of the financial members present and eligible to vote at a Special General Meeting called for that purpose.
- b. In addition to notice of the Special General Meeting being given in accordance with this Constitution, details of the proposal to dissolve the Club must be promoted using media sources at least once in each of the two (2) consecutive weeks immediately preceding the meeting.
- c. If the resolution to dissolve the Club is passed, all assets and funds of the Club available after the payment of all expenses and liabilities must be given or transferred to a registered or exempt charity which has objects similar to those of the Club.
- d. The charity to which the assets and funds are given or transferred is to be decided by the members at or before the Special General Meeting called for the purpose of dissolving the Club.

HISTORY OF AMENDMENTS

Special Meeting 23 Aug 2009 – Constitution approved

Sept 2010 – Reference to Directives amended to By-laws on commencement of Associations Incorporation Act 2009 per resolution passed at Special meeting held 23 Aug 2009

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

General Meeting 13 Dec 2015 –

- Clause 2 – minor amendment
- Clause 3 - Inclusion of Mission statement
- Clause 4 - New objectives
- Clause 5 – Definition of formal dispute added, other minor amendments
- Clause 7 – Power of Executive Committee to reject new membership applications
- Clause 9 - Minor amendment to sub-clause (b) & (c)
- Clause 14 – Removal of reference to delegate from sub-clause (ix) as alternate member of Executive Committee
- Clause 16 – Monthly meetings held min.10 times per year, quorum reduced from 7 to 6, position may be declared vacant after 3 missed meetings, minor amendment sub-clause (d)
- Clause 17- Inclusion of suspension powers of Executive Committee
- Clause 18 – Inclusion of lifesaving, minor amendment to sub-clause (b)
- Clause 20 – Notice requirement 21 days
- Clause 21 – Minor amendment sub-clause (b)(i)
- Clause 22 – Inclusion of Association members on Executive Committee
- Clause 25 – Chairperson selected by Executive Committee, inclusion of sub-clause (o)
- Clause 26 – Chairperson selected by Executive Committee, inclusion of sub-clause (m)
- Clause 27 – Members of Committee to be general members, minor amendments to sub-clauses (f) & (g)
- Clause 28 – Financial year, minor amendments to sub-clauses (a)(iv), (i) & (l)
- Clause 29 – Inclusion of provisions regarding review of Constitution.

General Meeting 18 December 2016 –

- Clause 24 – New provisions relating to constitution of panel (from 5 to all life members), voting numbers by Executive Committee, arrangements if panel Chairperson not available, attendance at Executive Committee meeting by Chairperson, timeframe for lodging nominations, role of Executive Officer in providing information, process for dealing with conflicts of interest

NOTE: Constitution to be reviewed no later than 13 December 2025

Summary of the review process leading to the revised Constitution dated 28 June 2026:

- 1) Members of the Season 2025/26 Governance Panel completed an initial review of the Constitution in October 2025.
- 2) The proposed updates were provided to the membership in a draft document for comment and feedback in March 2026). A summary of these March 2026 updates;
 - Broadly across the document, inclusion of reference to SLSC requirements and process rather than having unique Club ones. Inclusion of references to Charity Legislation. Replacement of “Rules” with “Constitution”. Reviewing the formatting of the document for consistency.
 - Clause numbering was “linked” electronically;
 - Clause 3 – Deleted, removal of Mission Statement;
 - Clause 4 - Re-wording and review of objectives. New objective for encouragement of 15 to 23 year old members and families.
 - Clause 6 – Definitions, removal of Formal Dispute and Rules, addition of Material Personal Interest (to be used in place of Conflict of Interest), other minor amendments;
 - Clause 8 – Removal of Membership categories definition and replaced by reference to SLSC requirements;
 - Clause 9 - Minor amendment to sub-clause (a) and new sub-clause (c) for clarity;

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- Clause 17- Inclusion of reference to supervisory associations policies and procedures. Addition of sub-clause (n) for establishment of Foundation, Trust or similar;
- Clause 22 – Clarification that voting rights are to those over 18 years old;
- Clause 24 – Life membership – extensive review of wording to clarify the process;
- Clause 25 – Removal of detailed process and replaced by reference to the process mandated by a supervisory association;
- Clause 26 – Deleted, heading included under clause 25;
- Clause 27 – Deleted, provisions of Junior Activities Committee removed as covered in By-Laws. In 2016 the juniors were in effect operating as separate club within the club. This is not the case in 2026;
- Clause 33 – Additional wording for the Service of Notices.

Dec 2016 Clause numbers	Heading	New March 2026 Clause number
1	Name of Club	1
2	Notification of Rules	2
3	Mission Statement	Deleted
4	Objectives	3
5	Club Costume, Club Blazer, Colours and Emblem	4
6	Definitions	5
7-8	Membership	6
9	Membership fees	7
10	Effect of Membership	8
11	Register of members	9
12	Officers	10
13	Election of Officers	11
14	Executive Committee	12
15	Responsibilities of Executive Committee Members and officers	13
16	Procedures for Meetings of Executive Committee	14
17	Powers of the Executive Committee	15
18	Management of the Club	16
19	Meetings of the Members	17
20	Notice of Meetings	18
21	Quorum	19
22	Voting Rights at Meetings	20
23	Procedures at Meetings	21
24	Life Membership Panel and process for conferral of Life Membership	22
25	Complaints, Grievances, Judicial and Discipline Matters raised by Members	23
26	Judiciary Panel and Breach of Discipline Process	Deleted
27	Junior Activities Committee	Deleted
28	Finance	24
29	By-Laws and Rules	25
30	Common Seal	26
31	Custody and Inspection of books	27
32	Amendment of the Rules	28
33	Service of notices	29
34	Dissolution	30

FRESHWATER SURF LIFE SAVING CLUB INCORPORATED

- 3) Proposed updates following member feedback on the draft (March 2026) and further review by members of the Governance Panel;
- Further updates to the formatting of the document for consistency and alignment of clause linkages.
 - Clause 3 (Objectives) – reviewed to align with charitable purposes;
 - Clause 4 (Club Costume, Club Blazer, Colours and Emblem) – emblem is now in a digitised format;
 - Clause 5 (Definitions) – amended definition of “Junior Activities Committee” with the deletion of the previous Clause 27;
 - Clause 7 (Membership fees) – clarify in sub-clause (b) that the Executive Committee to determine levies and fees other than the traditional membership fee;
 - Clause 14 (Procedures for Meetings of Executive Committee) - Updates to sub-clause (h) – addition of attendance detail to Minutes and sub-clause (r) – copies of minutes are available upon request to the Executive Officer;
 - Clause 15 (Powers of the Executive Committee) – addition of sub-clause (o) regarding levies and fees other than the traditional membership fee;
 - Clause 17 (Powers of the Executive Committee) – addition to reference to the Club Objectives in sub-clause (n).