



Woden Valley Swim Club Inc. Constitution



RULES

1. Interpretation

- (a) In these Rules, unless a contrary indication appears:
 - (i) **Financial Year** means the year 1 April to 31 March;
 - (ii) **Member** means a member, however described, of the Club;
 - (iii) **Secretary** means the person, or where no such person holds that office, the Public Officer of the Club;
 - (iv) **The Act** means the Associations Incorporation Act 1991; and
 - (v) **The Regulations** means the Associations Incorporation Regulations.
- (b) The provisions of *the Interpretation Act 1967* apply to and in respect of these rules in the same manner as those provisions would apply if these rules were an instrument made under the Act.

2. Name

The Club shall be known as the Woden Valley Swim Club Incorporated (herein after called the Club).

3. Objects

The aims and objectives of the Club shall be:

- (a) To develop competence in swimming;
- (b) To provide the opportunities for club members to compete in swimming from novice to the highest levels;
- (c) To foster swimming, and public opinion, in favour of providing proper accommodation and facilities for swimming; and
- (d) To provide social activities for members.

4. Rules

- (a) These Rules are deemed to replace any prior Rules or Constitution and become the only Rules binding on members. However, any decision made by the Club in a proper manner under any properly adopted Rules (or amendments thereof) shall remain binding on the Club as far as such decisions are still valid; and
- (b) The Club shall be affiliated with the New South Wales Swimming Association Inc (NSWSA) and Australian Capital Territory Swimming Inc and such other societies with objects consistent with the objects of the Club as shall from time to time be determined by the Club.



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5. Competition

All competition shall be governed by the rules of the NSW Swimming Association Inc.

Membership

6. Membership

- (a) All persons who are interested in the furtherance of the objects of the Club shall be eligible for membership. A roll of members showing their name, address and date of acceptance shall be maintained;
- (b) No member shall be entitled to the privileges and awards of the Club unless he or she is a current financial member;
- (c) No swimmer shall be eligible for membership until a form is completed, birth certificate sighted when requested, and membership fees paid;
- (d) The Club's competing members shall comply with the eligibility to compete law of the NSWSA; and
- (e) The member's liability to contribute towards the payment of debts and liabilities of the Club or the costs, charges, and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club.

7. Life Membership

- (a) Life Membership of the Club shall only be granted to a member who has attained at least **FIVE** years continuous membership with this Club. Their contribution must be of sustained excellence to the sport of swimming;
- (b) No more than **TWO** Life Members shall be elected in any one year;
- (c) All nominations for Life Membership shall be made, in writing, to the Secretary, at least **TWENTY-EIGHT** days prior to the Annual General Meeting;
- (d) All nominations for Life Membership shall be examined by the Executive Committee who shall report and submit a recommendation to the Annual General Meeting;
- (e) Life Membership shall only be granted at the Annual General Meeting and then must be passed with a **THREE QUARTERS** majority vote; and
- (f) A Life Member shall be entitled to all privileges of the Club and shall be regarded as a financial member.

8. Family Membership

The Family Membership fee shall be invoiced each term and the amount shall be determined at the Annual General Meeting of the Club.



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9. Officials

The Honorary Office Bearers of the Club shall consist of:

President	Executive Member
Vice President	Executive Member
Secretary	Executive Member
Treasurer	Executive Member
Registrar	Committee Member
Race Secretary	Committee Member
Public Officer	Committee Member
Webmaster	Committee Member
Club Night Coordinator	Committee Member
Fundraising Coordinator	Committee Member
Delegates to ACT Swimming	Committee Member
Publicity Officer	Committee Member
Property Officer	Committee Member
Meet Director/Competitions Committee Representative	Committee Member
Awards Coordinator	Committee Member
Member Protection Information Officer	Committee Member
Masters Club Representative	Committee Member

10. Election of Office Bearers

- (a) All honorary officer bearers of the Club shall be elected at the Annual General Meeting;
- (b) Financial members only shall be eligible to hold office;
- (c) A member nominated for office, must indicate consent to such nomination;
- (d) Any vacancy in the Office Bearers of the Club shall be filled at a monthly meeting of the Club;



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- (e) Only Financial Members of the Club in attendance shall be permitted to vote. However, if a co-signed nomination form has been received by the President within the nominated timeframe, the nominator, if absent and has formally submitted an AGM attendance apology, shall have their vote recorded as one vote towards their nomination;
- (f) In the event of an equality in voting, the Returning Officer, who may be a financial member of the Club, shall determine the result by draw; and
- (g) An Office Bearer who absents themselves from **THREE** or more consecutive meetings, provided leave of absence has not been granted, may have their office declared vacant and a vacancy filled at a monthly meeting.

11. Club Captain

- (a) A male and/or a female Captain, who shall be financial members of the Club and at least **FOURTEEN** years of age, shall be elected annually;
- (b) Nominations for these positions shall be submitted to the Executive Committee by the time of the Annual General Meeting; and
- (c) An election for the position of male and/or female Captains shall be conducted within the month following the Annual General Meeting by the Secretary. All attending financial members including junior members shall be entitled to vote.

12. Committees

- (a) The following Committees shall be formed:
 - (i) **The Executive Committee** which shall consist of the President, the Vice President, the Secretary, and the Treasurer; and
 - (ii) **The Management Committee** which shall consist of the President, the Vice President, the Secretary, the Treasurer, the Registrar, the Race Secretary, the Public Officer, the Webmaster, the Club Night Coordinator, the Fund Raising Coordinator, the Property Officer, the Catering Coordinator, the Publicity Officer, the Meet Director/Competitions Committee Representative, the Awards Coordinator, the Swimming ACT Delegate, the Member Protection Information Officer, and the Club Coach as an ex-officio member.
- (b) The following sub-Committees shall be elected at the Annual General Meeting:
 - (i) **The Disputes Committee** which shall consist of the President, the Vice President, the Secretary, the Treasurer, and the Member Protection Information Officer;
 - (ii) **The Competition Committee** which shall consist of the Race Secretary, the Vice President, the Club Night Coordinator, and the Meet Director. The Club Coach shall be an ex-officio member of this committee.



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Duties of Committees

13. Executive Committee

- (a) Will handle any matter which may arise, and which needs to be dealt with expediently;
- (b) Will handle any other matters that may have been referred to it by either Club Members or at the monthly management meeting; and
- (c) Is responsible to the monthly Management Committee meeting for the administration of the affairs of the Club;
- (d) Is authorised to incur necessary expenditure in connection with the maintenance of the furthering of the interests of the Club;
- (e) Is authorised to appoint the Club Coach and assistant coaches as required and to determine their conditions of appointment; and
- (f) Where meetings of the Executive Committee are held, a report, in writing, shall be made available at the next monthly Management Committee Meeting.

14. Management Committee

- (a) The Management Committee is responsible for Club administration, financial management and leadership.
- (b) The Management Committee shall meet at least monthly, in which minutes are recorded and provided at the next monthly meeting.

15. Disputes Committee

The Disputes Committee shall meet as and when required to consider any matters referred to it, in relation to internal disputes, misconduct or appeals. A written report is to be prepared by the Member Protection Information Officer regarding any disputes.

16. Competition Committee

- (a) The Competition Committee shall organise and coordinate all Club and Inter-Club competition.
- (b) The Competition Committee shall report to the monthly Management Committee meeting.

Meetings – Order of Business

17. Annual General Meeting

- (a) An Annual General Meeting shall be held, for which TWENTY-ONE day's notice shall be



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given. The club year shall commence on 1 April. Members who were financial on the 31 March shall be deemed to be financial for this meeting.

- (b) Annual General Meeting order of business will be:
- (i) Apologies;
 - (ii) The Annual Report and Financial Statements;
 - (iii) Election of Officials, Committees and Sub-Committees for the ensuing year;
 - (iv) Notices of Motion (See Section 21);
 - (v) Determination of the Annual Subscription;
 - (vi) Election of Life Members; and
 - (vii) General Business - to determine the dates and venues of the next Monthly Meeting.

18. Special General Meeting

A Special General Meeting of members may be held at not less than **FOURTEEN** days after written notification of the meeting has been provided to the voting members by either email or via publication on the Club's website. A Special General Meeting may be convened by the Executive Committee or by requisition signed by not less than **TWELVE** voting members stating the business to be considered. Only the business for which the Special General Meeting has been called shall be dealt with at the meeting.

19. Monthly Management Committee Meeting

Order of Business will be:

- (a) Minutes of Previous Monthly Meeting;
- (b) Business arising from the Minutes
- (c) Correspondence Inwards and Outwards;
- (d) Treasurer's Report;
- (e) Race Secretary's Report;
- (f) Other Reports;
- (g) Notices of Motion; and
- (h) General Business.

20. Meeting Procedures

- (a) With the exception of the following Clauses:
- (i) 7 - Life Members,



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- (ii) 21(a) - Rules, 26 - Suspension/Expulsion: and
- (iii) 30 Dissolution.

a Motion shall be deemed lost unless supported by a simple majority of those present and entitled to vote;

- (b) Normal rules of Debate will apply at all Meetings;
- (c) The President shall preside at all meetings when present;
- (d) In the absence of the President, the Vice-President shall occupy the Chair;
- (e) In the absence of both the President and the Vice-President, those present and voting shall elect an Acting Chairperson; and
- (f) The person occupying the Chair shall be entitled to a Casting Vote only.

21. Notices of Motion

- (a) Rules:
 - (i) All notices of Motion for alteration to these Rules shall only be dealt with at the Annual General Meeting;
 - (ii) Notices of Motion are to be submitted, in writing, to be received by the Secretary at least **TWENTY-EIGHT** days prior to the Annual General Meeting;
 - (iii) A copy of the notices of Motion shall be displayed on the Club Notice Board at least **FOURTEEN** days prior to the Annual General Meeting; and
 - (iv) The Motion shall be deemed lost unless supported by not less than **THREE QUARTERS** majority of those present and entitled to vote.
- (b) Operating Procedures of the Club:
 - (i) All notices of Motion for alteration to the Operating Procedures of the Club shall only be dealt with at Monthly Meetings or at a Special General Meeting convened for that purpose;
 - (ii) Notices of motion are to be submitted, in writing, to the Secretary;
 - (iii) The notice of Motion shall be displayed on the Club Notice Board at least **FOURTEEN** days prior to the Monthly Meeting or the Special General Meeting; and
 - (iv) The motion shall be deemed lost unless supported by a simple majority of those present and entitled to vote.
- (c) Rescission:
 - (1) No resolution of the Club shall be rescinded or altered, except where a Notice of Motion to Rescind has been given to the Secretary, in writing, and displayed on the Club Notice Board at least **FOURTEEN** days prior to the Meeting at which the



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Notice to Rescind is to be decided; and

- (2) the Rescission Motion shall require the same nominated majority for rescission as for when the resolution was originally passed.

(d) General Meeting Resolutions:

- (1) Any notices are to be submitted to the Secretary, in writing, and shall be dealt with at the next Monthly Meeting convened, after the Notice of Motion has been displayed on the Club Notice Board for at least **SEVEN** Days; and
- (2) Notice of Rescission in relation to the Minutes can be given orally at a Monthly Meeting, provided that such notice is confirmed, in writing, to the Secretary.

22. Voting

- (a) All financial members, except Junior Members, shall be entitled to vote;
- (b) Junior Members are those members under **SIXTEEN** years of age.

23. Quorums

- (a) For the Annual General Meeting, a Quorum shall be **SEVEN** members.
- (b) For a Special General Meeting, a Quorum shall be **SEVEN** members;
- (c) For an Executive Committee Meeting, a Quorum shall be **THREE** members;
- (d) For Management Committee Meetings, a Quorum shall be **FIVE** members; and
- (e) **THREE** Executive members shall be deemed to be a Quorum.

24. Finance

- (a) Funds of the Club shall come from membership subscriptions, donations and, subject to any resolution by a Club Meeting, such other sources as the Committee determines, and shall be held in an approved financial institution, in the name of the Club;
- (b) The principal accounts are to be operated upon by any **TWO** of the President, the Vice President, the Secretary, or the Treasurer, and an account of such expenditure ratified by the Monthly Meeting;
- (c) Club accounts and balance sheets shall be reconciled and provided at the Annual General Meeting.

25. Misconduct

- (a) Any member misconducting themselves, or acting to the detriment of the Club, shall be liable to be dealt with by the Disputes Committee. Any member desirous of citing any other members must notify the Member Protection Information Officer in writing. Any such notification shall not be read to any meeting unless the member cited has been



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notified to be in attendance. Should that person fail to attend after having received **SEVEN** day's notice to do so, the members present and voting on such resolution shall decide what course of action shall be taken, provided always that any member reported for misconduct shall receive every consideration to protect their interests and shall be given an opportunity to answer any charges made.

- (b) Any member to appear before the Disputes Committee will always have the right of appeal against any decision reached by the Committee, to be made to the Executive Committee (excluding the Vice President). Notification of the appeal must be given within **SEVEN** days of receiving the decision of the Disputes Committee. Thereafter the member, on leave of a General Meeting may appeal to the NSWASA.

26. Penalties: Suspension/Expulsion

- (a) As determined by the Disputes Committee. In the case of suspension/expulsion, the Disputes Committee must recommend to the Executive Committee, who will call for a Special General Meeting;
- (b) The member may be expelled/suspended by the votes of **THREE QUARTERS** of the members present at a Special General Meeting of the Club, which has been called for the purpose and of which due notice has been sent to the member;
- (c) A member thus expelled/suspended in accordance with these rules is to forfeit all claims to the property of the Club and is to cease to be a Member; and
- (d) A member so expelled or suspended shall have the right of appeal to the NSWASA.

27. Alteration of the Objects and Rules

The Objects and Rules of the Club shall only be altered in accordance with the Act.

28. Common Seal

- (a) The Common Seal of the Club shall be kept in the custody of the Secretary; and
- (b) The Common Seal shall not be affixed to any instrument except by the authority of the Committee, and the affixing of the Common Seal shall be attested by the signatures of two members of the Committee.

29. Inspection of Books

Subject to the Act, the Regulations and these Rules, the books and other documents of the Club shall be open to inspection by a member of the Club at the Office of the Club, or any other agreed place in the Australian Capital Territory at any reasonable hour.

30. Dissolution

- (a) The Club shall be dissolved in the event of the membership being less than **TWENTY**



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persons or upon the vote of a **THREE QUARTERS** majority of the members at a Special General Meeting convened to consider such a question; and

- (b) On dissolution, assets, and funds in hand after payment of all expenses and liabilities shall be distributed to an allied sporting organisation as deemed by the members in attendance.

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