

Surf Life Saving Queensland South Coast
Branch Incorporated

South Coast Branch By-Laws



Amended Nov 2014

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These By-laws do not include all SLISA, SLSQ or Branch Policies, Rules and Regulations as these are available in Association Manuals and other published forms (both in hard copy, on SLISA and SLSQ websites and on request from the Branch.

Such Policies, Rules and Regulations are created, reviewed and amended from time to time.

New or revised Policies, Rules and Regulations are communicated by Bulletin or Circular, and as stated earlier are available on SLISA or SLSQ websites or from the Branch

PART 2 - THE BY-LAWS

SECTION 1 - THE CONSTITUENTS

BY-LAW 1.1 EXECUTIVE OFFICERS (DIRECTORS)

The Councilors (Club Presidents) shall endorse, as provided for in 1/3/1.1, the following Directors:

- President
- Deputy President (Secretary)
- Director Lifesaving
- Director Surf Sports
- Director of Education
- Director Finance & Property
- Director Junior Activities
- Director Youth and Membership Development

BY-LAW 1.2 OTHER OFFICERS

The Branch may elect or appoint the following Officers who shall have no voting power on the Council:

- a) Administration & Information Technology
Immediate Past President, Patron, Vice Patrons, and the following officers - Legal, Medical, Insurance, Grievance and Volunteer Coordinator.
- b) Lifesaving
Deputy Director Lifesaving, Emergency Care, Communications, Inflatable Rescue Boat (IRB), Marine Stinger, Medical, District Supervisors, Club Supervisors, Surf Rescue Coordinator, Patrol Inspection Coordinator, Lifesaving Support Services - Jet Rescue Boat, RWC and Surf Com.
- c) Surf Sports
Deputy Director Surf Sports, Communications (Surf Sports), Surf Boat, Officials Liaison, Gear and Equipment, Inflatable Rescue Boat (IRB) and Branch Team Coach & Manager/s, Officials Training Coordinator.

BY-LAW 1.3 AUDITOR

The Auditor shall be appointed by the Branch Council on recommendation from Executive Committee at the Annual General Meeting.

BY-LAW 1.4 COUNCILORS AND DELEGATES

The limitations on the number of Councilors or Delegates representing the Clubs or Auxiliary Organisations on the Council shall be:

- Club - One (1) Councilor who shall be the Club President.
- Auxiliary Organisations may be represented at the Council's discretion by one (1) Delegate who shall be subject to the provisions contained herein relating to Delegates generally.

BY-LAW 1.5 LIFE MEMBERS

Members who have rendered special service to the Branch and who have been elected life members shall be entitled to attend Council meetings but shall have no voting rights. Life Members shall be eligible to hold office, and have voting rights attributable to the Office held.

Life Members shall receive special recognition e.g. a Life Members badge and or Certificate and be afforded special privileges to acknowledge Life Membership status.

SECTION 2 -CONDITIONS PERTAINING TO COUNCILORS, DIRECTORS, OFFICERS & DELEGATES

BY-LAW 2.1 COUNCILORS/DIRECTORS/OFFICERS

- a) Councilors/Directors/Officers of the Branch shall be members of Clubs affiliated with the Branch.
- b) Executive Officers (Directors) of the Branch shall be the President, Deputy President (Secretary), Director Lifesaving, Director Surf Sports, Director Finance and Property, Director of Education, Director Junior Activities, Director Youth and Membership Development.
- c) The President, Deputy President (Secretary) and Director of Finance and Property shall have or have held a SLSQ award and be a current member of the Branch and have undertaken SLSQ Governance Training prior to taking on their official Branch duties
- d) The Director of Lifesaving shall have or have held the SMPC/SMBBM, be nominate by the Lifesaving Committee, and endorsed by the Branch Council.
- e) The Director of Education shall be a current Assessor, be nominate by the Lifesaving Committee, and endorsed by the Branch Council.
- f) The Director of Surf Sports shall be an Accredited Official and/or Coach, be nominate by the Surf Sports Committee, and endorsed by the Branch Council.
- g) Officers as listed in By-law 1.2(a) shall require the endorsement of the Executive. Those listed in By-law 1.2(b) shall require the endorsement of the Lifesaving Committee, and those listed under By-law 1.2(c) shall require the endorsement of the Surf Sports Committee.
- h) Members of the Council and Executive shall be required to understand the needs of the Branch and their legal responsibilities as Council and Executive members. Council members owe a fiduciary duty to the Branch and shall exercise their rights and powers in good faith and for the benefit of the Branch.
Councilors and Executive Officers (Directors) shall comply with the following principle statutory and common law duties:
 - (i). to act honestly and in good faith in the interests of the Branch;
 - (ii). to exercise the degree of care, skill and diligence that a reasonable person in a like position would exercise in the Branch's circumstances;
 - (iii). to exercise powers honestly and for the purposes for which they were conferred and not for collateral purposes;
 - (iv). to avoid any actual or potential conflict between their obligations owed to the Branch and their personal interests and other duties;
 - (v). to keep confidential information obtained, and not to disclose advantage or business opportunities acquired, in the course of office;
 - (vi). to prevent insolvent trading by the Branch.
- i) Interests:
A Councilor or Executive Officer (Director) shall not hold any place of profit or position of employment in SLSQ, the Branch, or in any company or incorporated association in which the Branch is a shareholder or otherwise interested, or from contracting with the Branch either as a vendor, purchaser or otherwise except with the express resolution of approval of the Branch Council. Any such contract or arrangement entered into by or on behalf of the Branch in which a Councilor or Executive Officer is in any way interested will be voided for such reason.
- j) Disclosure of interests:
The nature and interest of a Councilor or Executive Officer (Director) must be declared by such person at the meeting at which the contract or arrangement is first taken into consideration if the interest exists or in any other case at the first meeting of the Council after the acquisition of the interest. If a Councilor or Executive Officer (Director) becomes interested in a contract or arrangement after it is made or entered into, the declaration of the interest must be made at the first meeting of the Council or Executive held after the Councilor or Executive Officer (Director) becomes so interested.
- k) General Disclosure:
A general notice that a Councilor or Executive Officer (Director) is a member of any specified firm or company and is to be regarded as interested in all transactions with that firm or company is sufficient declaration. After such general notice it is not necessary for such Councilors or Executive Officer (Director) to give a special notice relating to any particular transaction with that firm or company.
- l) Recording Disclosures:
It is the duty of the Deputy President (Secretary) to record in the Minutes any declarations made, although a minute secretary (Branch Administrator) may be used to produce the Minutes.

m) Conflicts:

A Councilor or Executive Officer (Director) notwithstanding an interest, may be counted in the quorum present at any meeting, but cannot vote in respect of any contract or arrangement in which the Councilor or Executive Officer (Director) is interested, and maybe excluded from any debate associated with that interest.

A Councilor or Executive Officer (Director) shall not sign a document where the Councilor or Executive Officer (Director) is interested in the contract or arrangement to which the document relates.

BY-LAW 2.2 COUNCILORS AND DELEGATES

- a) The Branch shall be responsible for budgeted travel and accommodation costs of Council meetings.
- b) Alternates (proxies) shall be allowed for all Councilors in all instances, and shall be preferably an Executive Officer of the Club they represent.
- c) The notification of all alternates must be given in writing by the Club concerned and lodged with the Branch prior to the relevant meeting.
- d) Auxiliary Organisation Delegates to the Branch shall be subject to the foregoing provisions provided that unless specifically determined otherwise, travel and accommodation shall be at the expense of the Delegate or Auxiliary Organisation.

SECTION 3 - MEETINGS

BY-LAW 3.1 ANNUAL GENERAL MEETING

- a) The Branch shall hold its Annual General Meeting at least one (1) month prior to the date of the State Centre Annual General Meeting. Each Club affiliated with the Branch shall hold its Annual General Meeting at least two weeks prior to the date of the Annual General Meeting of the Branch. The Branch may refuse the affiliation of any Club in the event of non-observance of this By-Law.
- b) Any member of the Branch may attend but apart from those persons specified in 1/2/3.1(a) shall have no voting rights.
- c) The Business to be conducted at the Annual General Meeting shall be:
 - (i). Affiliation of the Clubs
 - (ii). Affiliate with SLSQ and SLSA
 - (iii). Endorsement of Councilors
 - (iv). Apologies and Alternates (Proxies)
 - (v). Presentation and Adoption of Annual Report and Financial Statements
 - (vi). Election of Officers and Appointed Officers
 - (vii). Announcement of Life Membership Awards (1/C/2.5)
 - (viii). Endorsement of the Executive, the Committees of Lifesaving, Surf Sports, and Finance and Property, as well as the following Committees:- Selection, Judiciary, Meritorious Awards and Honours, Medical Advisory, Life Membership, Life Governors, Fellows and Delegates to Auxiliary Organisations.
 - (ix). Appointment of Auditor
 - (x). Alterations of the Constitution
 - (xi). Motions of which due notice has been given.

The Chairperson shall decide the order in which business shall be undertaken.

- d) The Minutes of the Annual General Meeting shall be confirmed at the subsequent Council General Meeting and copies of the Minutes shall be forwarded to Council members, Alternates, Clubs, other Branches, and State Centre.

BY-LAW 3.2 COUNCIL GENERAL MEETINGS

- a) A minimum of three (3) meetings per year shall be held at a time and venue as decided by the Council or Executive, having regard to circumstances prevailing at that time.
- b) Any member of the Branch other than Councilors may attend but shall have no voting rights.
- c) The Business of the Council General Meetings shall be:
 - (i). Apologies and Alternates;
 - (ii). Confirmation of Minutes of the previous meeting;
 - (iii). Business arising from Minutes;
 - (iv). Correspondence;
 - (v). Reports from Committees, Officers;
 - (vi). Motions of which due notice has been given;
 - (vii). Items of Business;
 - (viii). General Business.
- d) The Minutes of the Council Meeting shall be confirmed at the subsequent meeting of the Council. Business arising shall be addressed by the Executive, and copies of the Minutes shall be forwarded to Council Members, Clubs, other Branches, and State Centre.

BY-LAW 3.3 COUNCIL SPECIAL MEETINGS

- a) Special meetings of the Council may be summoned by resolution carried at a Council or Executive Meeting, or by direction of the President or a written requisition of not less than one third of the members of the Council.
- b) The nature of the business to be transacted at a Special Meeting shall be contained in the notice of such meeting and no business other than that stated on the business paper shall be taken at such meeting.
- c) The Minutes of a Special Council Meeting shall be confirmed at the subsequent meeting of the Executive or Council and copies of the Minutes shall be forwarded to Council Members, Clubs, other Branches, and State Centre.

BY-LAW 3.4 EXECUTIVE MEETINGS

- a) The Executive meeting shall be held monthly
- b) The responsibility of the Executive shall be managing the day to day business of the Branch, and the allotment of items to Committees and/or staff.
- c) Issues relating to major policies, constitutional change, incorporation responsibilities and authority, major financial borrowings and strategic issues shall be referred to the Council.
- d) Special Meetings of the Executive may be summoned by resolution of the Executive itself, the Chairperson or on the written requisition of not less than one third of the members of the Executive.
- e) The Minutes of the Executive Meetings shall be submitted for confirmation at the subsequent meeting of the Executive, and distributed to members of the Executive, the Councilors and the Clubs, provided that a summary of the Minutes shall be forwarded to other Branches, and State Centre at regular intervals.

SECTION 4 - DUTIES OF DIRECTORS, OFFICERS, COUNCILORS AND DELEGATES

BY-LAW 4.1 DIRECTORS / OFFICERS

- a) The President shall be the nominal head of the Branch and shall be a member Ex-Officio of all Committees with the exception of the Selection Committee. He shall be a Councilor on State Council.
- b) The Deputy President (Secretary) shall be an Executive Officer (Director) of the Branch and shall assist the President and shall deputise for him in his absence.. The Deputy President shall:
 - (i). be an active or past-active member of the branch
 - (ii). Oversee the receipting, dissemination for action and filing of all Branch correspondence with the Branch Administrator.
 - (iii). oversee all outgoing correspondence in conjunction with the relevant branch officer and the Branch Administrator
 - (iv). ensure, through the Branch Administrator, that Branch meetings are properly convened with Agenda developed and circulated to attendees are advised and that an accurate record of attendance and minutes are kept for all Branch meetings
 - (v). (i) Ensure that all relevant Branch information is provided to Clubs and members through available media, including emails, newsletters, and the Branch and other SLSA websites.
 - (vi). ensure Branch operational plan is administered and actioned by relevant officers
 - (vii). carry out other special assignments as directed by the President or the Executive
- c) The Director Lifesaving shall -
 - (i). be a proficient member of the Branch Lifesaving Committee and direct, through the Clubs, the activities of the Branch Lifesaving Committee and its members;
 - (ii). receive through the applicable Branch Officers, monthly reports of their activities;
 - (iii). regularly submit to the Executive reports and recommendations regarding matters within the scope of the Lifesaving Committee;
 - (iv). convene conferences and seminars dealing with practical lifesaving matters;
 - (v). In conjunction with his Officers, appoint Committee members for duties and special duties associated with Lifesaving operations and specifically related to a Branch strategic and/or management need.;
 - (vi). act as Chairperson of all meetings of the Lifesaving Committee;
 - (vii). Work in conjunction with the Branch Administrator who will attend to all minutes of meetings, routine matters and correspondence.
- d) The Director Surf Sports shall -
 - (i). be an accredited member of the Branch Surf Sports Committee and direct, through the Clubs, the activities of the Branch Surf Sports Committee and its members;
 - (ii). receive, through the applicable Branch Officers, monthly reports of their activities;
 - (iii). regularly submit to the Executive reports and recommendations within the scope of the Surf Sports Committee;
 - (iv). convene conferences, coaching seminars and clinics, officials accreditations and other programs dealing with competition;
 - (v). prepare an annual calendar of surf sports events each year based on Club submissions having due regard for SLSA, SLSQ and other considerations and to submit to the Executive and Council for ratification;
 - (vi). appoint officials from lists of accredited members of the Surf Sports Committee;
 - (vii). act as Chairperson of all meetings of the Surf Sports Committee;
 - (viii). work in conjunction with the Branch Administrator who will attend to all minutes of meetings, routine matters and correspondence;
 - (ix). investigate and report on all Special Event applications to the Executive with, if necessary, recommendations concerned with the running of the events;
 - (x). be responsible for the preparation of events for Branch programs and to conform to the requirements of the Competition Manual.
- e) The Director of Education shall:-
 - (i). be the holder of a current SLSA Assessors Certificate, and be a current proficient member of the Branch Lifesaving Committee;
 - (ii). have the necessary skills and experience in teaching activities, and be responsible for a program of activity concerned with the instruction and examination of candidates for awards and educating the members and the community at large on all matters of practical lifesaving and surf safety.

- (iii). recommend action in specific areas of concern that require the preparation and promulgation of material, and shall attend the Lifesaving Committee meetings applicable thereto;
 - (iv). initiate the conducting of conferences and assist with the preparation of agendas, supply of lecturers and set formats for other meetings where education forms a major portion of the objective;
 - (v). liaise with Officers holding similar positions at National, State or Branch levels;
 - (vi). supervise through a small committee representative of the Clubs, and other education experts the establishment and operation of the Branch and each Club's educational operations;
 - (vii). Be responsible to the Director of Lifesaving provided that reporting shall be through the Branch and re-directed to the Executive Officer concerned.
- f) The Director of Finance and Property shall ensure compliance with directions of 1/4/2, and shall:-
- (i). Collect all fees and monies due to the Branch.
 - (ii). Keep account of the finances, the books, documents and property of the Branch.
 - (iii). Present a detailed account of the finances to each Executive Meeting; prepare a Financial Statement for presentation to each Council Meeting covering the period between meetings.
 - (iv). Prepare a season budget annually for the Branch to be approved by the Council.
 - (v). Be responsible to the Executive for the overall control and operation of the Finance and Property Committee.
 - (vi). Work in conjunction with Staff, Branch Officers and Branch Administrator who shall attend to all minutes of meetings, routine matters and correspondence.
 - (vii). be the Chairperson of the Finance and Property Committee.
- g) The Director of Junior Activities shall:-
- (i). be Chairperson of the Junior Activities Committee;
 - (ii). be responsible to the Executive for the overall control and operation of the Committee;
 - (iii). attend all Executive and attend Council Meetings as requested;
 - (iv). Ensure reports and all recommendations be presented to the relevant Committees.
- h) The Director of Youth and Membership Development shall:-
- (i). Be responsible to the Executive for the overall control and operation of the Youth and Membership Development Committee.
 - (ii). Ensure emphasis is given to a broad scope of membership issues.
 - (iii). Represent the Branch on the state Youth & Membership Development Committee and attend all meetings of that Committee.
 - (iv). Liaise with both SLSQ and Branch Officers in developing policies and strategies to ensure the attainment of the objectives of Youth Development in accordance with our mission.
 - (v). Be a member of a Surf Lifesaving Club and foster and promote the important role performed by our youth at all surf lifesaving and community forums.
 - (vi). Act as Chairperson of any Committees or Committees formally established within the Branch to identify, analyse and evaluate Youth Development policies or issues and provide reports to relevant Committees.
 - (vii). In conjunction with relevant Branch Committees enhance membership recruitment and retention and transition through the various age levels and functions within the Branch.
 - (viii). In conjunction with the State Youth & Membership Development Committee assist in the development and coordination of Youth Development activities; including leadership training, and associated programs for all levels.
 - (ix). Deal with matters referred to the State Youth & Membership Development Committee through the Lifesaving Committee/Surf Sports, Council and Executive at Branch level.
 - (x). Conduct regular assemblies of members involved with Youth issues to discuss matters relevant to the betterment of Youth/leadership in conjunction with the State Youth & Membership Development Committee.

BY-LAW 4.2 OTHER OFFICERS DUTIES

- a) Patrons and Vice Patrons duties shall be limited and in most cases the appointments will be made with respect to a person holding public office or as a tribute for services to the Association.
- b) Deputies may be appointed by the Executive to assist each Executive Officer and shall deputise for him in his absence or on special assignment.
- c) The Branch Team Managers and Coaches shall:-

- (i). be appointed separately by the SurfSports Committee from nominations received, for Teams representing the Branch;
- (ii). prepare and present to the Director Finance & Property, within fourteen (14) days of their appointment, a budget covering all financial matters associated with the Branch Team;
- (iii). be responsible for the outfitting and funding of the Branch Team in excess of provisions made by the Executive;
- (iv). submit progress reports to the Surf Sports Committee regularly, and a final report on team member performances and results;
- (v). be responsible for the assembly (after selection), transport, accommodation and general behaviour of the team;
- (vi). submit a report and financial statement with receipts and invoices within thirty (30) days after the competition date;
- (vii). Assist with any displays or demonstrations required during the season.
- d) The Legal Officer shall –
 - (i). be appointed by the Council from a recommendation submitted by the Branch Executive;
 - (ii). attend to all legal matters relating to the Branch as determined by the Executive or Council;
 - (iii). advise on legal right with regard to summons or complaint with regard to the Branch or its members;
 - (iv). submit opinions on constitutional items requiring legal interpretations;
 - (v). prepare legal documents, submissions etc. on the request of the Executive or Council;
 - (vi). Review documents, contracts etc. as required by the Branch.
- e) The Judiciary Officer shall –
 - (i). carry out the duties of the chairperson of the Judiciary Committee;
 - (ii). Advise the Branch as to any interpretations or amendments required to sections of the By-Laws pertaining to discipline, penalties, references and appeals.
- f) The Medical Officer shall –
 - (i). be appointed by the Council from a recommendation submitted by the Branch Executive;
 - (ii). be a member of the State Medical Advisory Committee;
 - (iii). communicate through the Branch Administrator on all matters of medical policy;
 - (iv). discuss, draft, and submit recommendations to the Director of Lifesaving and/or Director of Surf Sports and other appropriate officers regarding the teaching and application of resuscitation techniques and equipment, member's health and fitness, competition, lifesaving techniques and equipment and other medical matters;
 - (v). in conjunction with the First Aid Officer guide the Branch in First Aid treatment, equipment and facilities;
 - (vi). assist in the revision of the Resuscitation and First Aid Chapters of any Manuals and Publications and make recommendations when required by the Australian Council;
 - (vii). act as Branch Adviser for community resuscitation teaching programs;
 - (viii). advise on the teaching, training and examination of members in advanced resuscitation and first aid techniques in conjunction with the First Aid Officer and the Resuscitation Officer;
 - (ix). act as Chairperson of the Medical Advisory Committee.
- g) The Immediate Past President's duties shall be limited to assisting the President at the request of the President.
- h) The Deputy Director Life Saving amongst other things shall
 - (i). Be responsible for the preparation of material for Lifesaving Committee meetings, water safety, and the standards required for teaching surf skills relative to Junior Activities. He shall represent the Junior Activities Committee on the Lifesaving Committee and his qualifications shall include a current Surf Life Saving Australia Assessors Certificate.
 - (ii). In the absence of the Director Lifesaving act in that capacity and assume the full responsibilities and duties of that office.
 - (iii). Assist the Director Lifesaving in all matters relating to Branch Lifesaving activities.
- i) The Deputy Director Surf Sports shall amongst other things
 - (i). Be responsible for the preparation of material for Surf Sports meetings, be a member of the organising committee of Branch-run Junior Carnivals, the maintaining of training and coaching standards and the teaching of competition skills. He shall represent the Junior Activities Committee on the Surf Sports Committee and his qualifications shall include a current Officials and/or Coaching Accreditation;
 - (ii). in the absence of the Director Surf Sports act in that capacity and assume the full responsibilities and duties of that office;
 - (iii). Assist the Director Surf Sports in all matters relating to Branch Surf Sports activities.
- j) The Grievance Officer shall –
 - (i). be appointed by the Council from a recommendation submitted by the Executive;
 - (ii). attend to all matters referred to him by the Branch in accordance with SLSQ/SLSA policy and procedures;
 - (iii). determine (in consultation with SLSQ CEO or Appointee) matters relating to grievances, harassment, equity and the like;
 - (iv). as soon as practicable after receiving a reference, meet with, or discuss the issue with the aggrieved party/parties, and take whatever steps and conduct whatever investigations are necessary to

- determine if the grievance is legitimate, including a requirement of members to provide a statement or report;
- (v). Refer it to the Club/Branch President who must then action the grievance within a reasonable time but no longer than three (3) months.
- (vi). If the grievance is determined to be not legitimate, advise the aggrieved party/parties accordingly.
- (vii). If unable to resolve a grievance or the grievance is considered to be of a very serious nature, he shall report the grievance to the Branch President/Judiciary for action.
- (viii). Keep all information surrounding the circumstances of a grievance confidential, and communicate such information only to the Branch President/Judiciary and/or an appropriate enforcement body following written authority from the Branch Executive/Judiciary.

BY-LAW 4.3 GENERAL DUTIES OF ADVISORY OR SPECIALIST OFFICERS

- a) Each Officer shall -
 - (i). investigate and report on matters referred to him by the Branch and its Committees, in relation to his particular field (By-law 4.4);
 - (ii). be encouraged to attend meetings of the Council;
 - (iii). be prepared to attend the Executive meetings when requested and shall attend meetings of the Committee to which his duties shall apply;
 - (iv). submit written monthly reports to the applicable Committee Chairperson;
 - (v). Process all correspondence through the Branch Administrator.
 - (vi). provide and submit to the Branch, when requested, a brief annual summary in the form of a report on his season's activities;
 - (vii). keep records for reference purposes if applicable to his particular field, e.g. price lists, number of units in use, etc.;
 - (viii). liaise with all sections of the Branch and maintain a close relationship with the Branch Executive Officers associated with his particular activity and the Branch Administrator ;
 - (ix). co-opt any members or people outside the Association to assist him in his duties;
 - (x). Receive endorsement by club of nomination prior to election from the relevant Committee.

BY-LAW 4.4 SPECIAL DUTIES OF ADVISORY OR SPECIALIST OFFICERS

- a) The Surf Boat Officer shall -
 - (i). have a close relationship and experience within the Association in the field of surf boat use and manufacture;
 - (ii). be responsible for all boat scrutineering and officiating at Branch run carnivals and Branch championships;
 - (iii). Be responsible to the Director Surf Sports provided that reporting shall be through the Branch and re-directed to the Executive Officer concerned.
- b) Emergency Care shall (combination of previous Resuscitation + new 'Emergency Care' Officer):
 - (i). be appointed by the Branch Council on a recommendation from the Branch Lifesaving Committee;
 - (ii). be responsible to the Branch Director of Lifesaving and Director of Education;
 - (iii). attend meetings of the Branch Lifesaving Committee and Education meetings when requested;
 - (iv). hold current SLSA First Aid; Defibrillator Operator Certificate; and Advanced Resuscitation Assessor Certificates or equivalent;
 - (v). be responsible for fostering high standards of First Aid treatment within the Branch;
 - (vi). liaise with all other accredited First Aid organisations, e.g. Queensland Ambulance Service, St John Ambulance, Red Cross;
 - (vii). update medical lists and supervise, by regular or delegated inspections, Club First Aid equipment and facilities;
 - (viii). arrange where possible to hold training courses to certificate examination standards within the Branch;
 - (ix). assist the Medical Advisory Panel with any revision of the First Aid Chapter in the Manual and update the SLSQ Panel with any revision of the First Aid Chapter
 - (x). have a wide experience and up-to-date knowledge on the teaching and performance of resuscitation techniques and education programs;
 - (xi). liaise with the Australian Resuscitation Council, the Medical Advisory Panel, relevant first aid and medical organisations and government bodies associated with the setting and maintaining of appropriate resuscitation techniques and training standards;
 - (xii). arrange for investigations and meetings on all matters relating to the ongoing maintenance of Association standards and equipment in the resuscitation area;
 - (xiii). assist research in the field of resuscitation techniques and training;
 - (xiv). monitor the quality of procedures and serviceability of equipment, and be a consultant to clubs on such matters;
 - (xv). Attend to all matters referred to him/her by the Branch Director Lifesaving.

- (xvi). Have a wide experience and up-to-date knowledge on the teaching and performance of resuscitation techniques and education programs, and attend meetings of the Lifesaving Committee/Surf Sports
 - (xvii). Arrange seminars and training sessions and prepare relevant information for the guidance and instruction of members within the Branch in line with Association standards.
 - (xviii). Provide reports on any relevant matters to be considered by the Lifesaving Committee/Surf Sports, Medical Advisory Committee and any other relevant Committees.
 - (xix). Monitor the quality of procedures and serviceability of equipment, and be a consultant to clubs on such matters if required.
- c) The Communications Officer (Lifesaving) shall –
- (i). hold a current SLSA Radio Assessors Certificate and be suitably qualified as a Surfcom operator and will be responsible for fostering high operational standards of the radio communication network within the Branch and all lifesaving radio equipment owned by the Branch, and attend meetings of the Lifesaving Committee;
 - (ii). supervise the establishment and operation of each Club's activities with regard to lifesaving communications;
 - (iii). attend to appropriate licensing matters with the appropriate authorities and State Centre;
 - (iv). investigate improved communications equipment and/or systems;
 - (v). arrange seminars and training programs and prepare circulars for the guidance of Club radio communications operators;
 - (vi). co-ordinate relevant examinations in line with the Association's training manual and protocols;
 - (vii). Be responsible to the Director of Lifesaving provided that reporting shall be through the Branch and re-directed to the Executive Officer concerned.
- d) The Communications Officer (Surf Sports) shall –
- (i). hold a current Level One Officials Accreditation and be responsible for the surf sports radio equipment and standards of the Radio Communications Network at all Branch Surf Sports events and attend meetings of the Surf Sports Committee;
 - (ii). in conjunction with the Communications Officer (Lifesaving) attend to licensing and communication with the appropriate authorities;
 - (iii). Be responsible to the Director Surf Sports provided that reporting shall be through the Branch and redirected to the Executive Officer concerned.
- e) The Inflatable Rescue Boat Officer (Lifesaving) shall –
- (i). hold a current SLSA IRB Assessors Certificate;
 - (ii). supervise IRB operations, standards and training within the Branch and shall attend meetings of the Lifesaving Committee;
 - (iii). regularly visit the different Clubs to monitor patrol and serviceability techniques and advise on these matters if required;
 - (iv). co-ordinate examinations in line with the Association's training manual;
 - (v). be a consultant for Clubs on new boats, new motors and any failures in manufacture or maintenance;
 - (vi). Be responsible to the Director of Lifesaving provided that reporting shall be through the Branch and re-directed to the Executive Officer concerned.
 - (vii). Liaise with Water Safety coordinator and Carnival Referee to ensure all carnival IRB operations met and comply with SLSQ policies, e.g. Code of Conduct, IRB Safety Policy, and are responsible for allocation of all rostered crews.
 - (viii). Attend meetings of the Surf Sports Committee as requested.
- f) The Gear and Equipment Officer (Surf Sports) shall –
- (i). be appointed for Surf Sports activities;
 - (ii). be responsible for all surf sports gear and equipment belonging to the Branch and shall supervise its maintenance and prepare a register for records and loan details and shall attend meetings of the Committee;
 - (iii). supervise and coordinate the supply and return of the equipment required from Branch for any carnival, seminar, display or training activity and make a date record of same, its place of destination, date of return and any remarks required on condition of gear returned;
 - (iv). store equipment so that deterioration shall not occur and unauthorised access is not available;
 - (v). see that disposable and useable items are replenished for immediate use;
 - (vi). arrange for the purchase of gear and equipment when directed and dispatch of same upon request;
 - (vii). arrange for regular inspections and storage of mobile equipment and vehicles, and ensure only authorised persons within the Branch have access;
 - (viii). be responsible to the Director Surf Sports provided that reporting shall be through the Branch and re-directed to the Executive Officer concerned.
- g) The Club Supervisor shall –
- (i). Be a current & proficient SLSA Assessor (Bronze)
 - (ii). Be elected by the Branch LIFESAVING COMMITTEE
 - (iii). Report on club lifesaving activities to the Branch LIFESAVING COMMITTEE on a monthly basis, or as per scheduled meetings

- (iv). Liaise with the Club Captain, Club Director of Education or Chief Training Officer and/or Patrol Officers on the standard of patrol Services including, but not limited to personnel, rosters, gear & equipment etc.
 - (v). Assist the Club Captain with the annual preparation of patrol service agreements ready for presentation to the Branch LSC
 - (vi). be responsible to the Branch for high standard of competency of candidates being submitted for assessment
 - (vii). Oversee the coordination of annual skills maintenance tests & award updates
 - (viii). Oversee the coordination of new award assessments
 - (ix). Provide advice to the club management on any specific risk management and/or WH & S issues pertaining to lifesaving activities
 - (x). Be aware of all relevant SLSA & SLSQ Policies
 - (xi). Assist Club Captains to fulfill all responsibilities associated with all lifesaving reporting procedures
 - (xii). Ensure that the Club & Patrol Captains are familiar with the content of the SLSQ Patrol Operations Manual & that they have "signed off" on this as per state requirements
 - (xiii). Assist Club Captains to coordinate & conduct Patrol Captain briefings/workshops
 - (xiv). Ensure that the club complies with any requirements set down as a result of any lifesaving audits conducted
 - (xv). Assist the club to plan for future extension or expansion of lifesaving services
 - (xvi). Act as an adviser to SLSQ and/or Branch, in the event of any external assistance or support being required with lifesaving service delivery
 - (xvii). Investigate any breaches of patrol service agreements in conjunction with Branch and/or SLSQ officers
 - (xviii). Provide advice to club regarding reporting procedures in the event of any major incidents
- h) Patrol Inspector Coordinator shall
- (i). Be a current & proficient SLSA Assessor (Bronze)
 - (ii). Be elected by the Branch LIFESAVING COMMITTEE
 - (iii). Be aware of all relevant SLSA/SLSQ policies
 - (iv). Coordinate Patrol Inspectors by holding an annual meeting prior to the start of the season with the elected Patrol Inspectors to explain the purpose of the inspections (i.e. to assist the clubs in maintaining Patrol Efficiency Standards); to ensure standardised approaches to the format of the inspections including the completion of the Patrol Inspection Marking Sheets; and to explain how this information is used to reward the clubs at the end of the season.
 - (v). Receive Patrol Inspection Marking Sheets from the Patrol Inspectors on a Monthly basis to develop a report.
 - (vi). Report to the Branch Director of Lifesaving on patrol inspections on a monthly basis and discuss any issues of concern arising from the Patrol Inspectors reports.
 - (vii). Report on the status of the Patrol Inspections to the Branch Lifesaving Committee at scheduled meetings.
 - (viii). Maintain a record of the Patrol Inspection Point Score for all 12 clubs in order to ascertain and reward the overall Most Efficient Patrolling Club and Most Improved Patrolling Club at the end of the season
- i) Patrol Inspector shall
- (i). Be a current and proficient SLSA Assessor
 - (ii). Be elected by the Branch Lifesaving Committee
 - (iii). Report on Club patrol activities to the Branch Lifesaving Committee on a monthly basis, as per scheduled meetings
 - (iv). Liaise with the branch patrol inspection coordinator on the standard of patrol services including, but not limited to personnel rosters, gear and equipment etc.
 - (v). Carry out inspections in accordance with the Branch Guidelines approved by the Lifesaving Committee
 - (vi). Be aware of all relevant SLSA/SLSQ policies
 - (vii). Assist Patrol Captains fulfil responsibilities associated with all lifesaving reporting procedures
 - (viii). Ensure that all completed Patrol Inspection reports are delivered to the Branch Administrator within 7 days to enable distribution to relevant clubs and Branch Patrol Inspector Coordinator.
 - (ix). Provide assistance to Branch Patrol Inspection Coordinator where required
- j) The Branch Surf Sports Officials Training Coordinator shall -
- (i). Hold a minimum of a current Level 1 officials accreditation and be responsible for education and general welfare of Branch competition officials.
 - (ii). Be an elected member of the SURF SPORTS COMMITTEE.
 - (iii). attend to appropriate licensing matters with the appropriate authorities and State Centre;
 - (iv). arrange seminars and training programs
 - (v). co-ordinate relevant examinations in line with the Association's training manual and protocols;
 - (vi). Be responsible to the Director Surf Sports provided that reporting shall be through the Branch and re-directed to the Executive Officer concerned.
 - (vii). maintain contact with and advise club liaison officers
- k) The Coaching Officer shall -

- (i). Hold a current SLSA Surf Coaching Accreditation, and be responsible for the coaching programs initiated within the Branch and shall attend meetings of the Lifesaving Committee/Surf Sports;
- (ii). Appoint a panel of specialists drawn from members and representative of the various disciplines of competition;
- (iii). Chair regular meetings of the Branch Coaching Advisory Panel to arrange courses and programs of coaching, and update relevant resources and manuals; Organize and oversee Coaching Accreditation seminars throughout the Branch;
- (iv). Be responsible to and prepare regular reports for the Director Lifesaving/Surf Sports on activities, and prepare and submit any panel recommendations to the Surf Sports Committee provided that reporting shall be through the Branch and redirected to the Executive Officer concerned.

BY-LAW 4.5 COUNCILORS, ALTERNATES, PROXIES OR DELEGATES

a) Councilors or Alternates and Delegates to the Council shall -

- (i). attend all Council Meetings either personally or by proxy and be the elected representative on that body;
- (ii). Act as a liaison between the Branch and their Club or the body they represent and fully and regularly report to that body in writing or in person on the overall activities of the Branch.

b) Delegates from Branch to the Auxiliary Organisations shall -

- (i). either themselves or by proxies attend all General Meetings of the organisation and represent the Branch on that body;
- (ii). act as a liaison between the Branch and the organisation and fully and regularly report to the Branch in writing on the overall activities of the Auxiliary Organisation;
- (iii). Except where otherwise specifically directed by the Branch, exercise personal discretion on matters of a general nature at meetings of the Auxiliary Organisations but shall have no authority to commit the Branch to decisions of a major or policy nature without first having had the express authority of the Branch Council or Executive.

SECTION 5 - STAFF AND EMPLOYEES

BY-LAW 5.1 STAFF

The Executive pursuant to 1/4/4/1 may appoint a Branch Administrator who shall, subject to the provisions of this Constitution and By-laws and to the directions from time to time of the Branch Council and Executive:-

- a) carry out and implement all decisions of the Council and the Executive and within the scope of such decisions, use their best endeavour to further the policies of the Branch and the advancement of Surf Lifesaving;
- b) attend meetings and act as Minute Secretary for all Council and Executive Meetings and in addition, where possible, attend the meetings of other Committees;
- c) shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Executive Meeting and General Meeting to be entered in a book to be open for inspection at all reasonable times by any member who previously applies to the Branch Administrator (if appointed) for that inspection.

For the purposes of ensuring the accuracy of the recording of such Minutes, the Minutes of every Executive Meeting shall be signed by the Chairperson of that Meeting or the Chairperson of the next succeeding Executive Meeting verifying their accuracy

Similarly, the Minutes of every General Meeting shall be signed by the Chairperson of that Meeting or the Chairperson of the next succeeding General Meeting provided that the Minutes of any Annual General Meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding General Meeting or Annual General Meeting;

- d) control the activities and working of the Branch Headquarters and staff;
- e) refer to the President and/or Directors, as the case may require, every matter arising for consideration which does not come within the policy or directions previously decided on by the Branch;
- f) be available at all reasonable times to members for consultation with and assistance in matters which are within the jurisdiction of the Branch;
- g) develop and implement, in conjunction with the appropriate Officer or Officers, plans and proposals for the continued progress of Surf Lifesaving, including approaches at levels of Local Government and in both the public and private sectors;
- h) maintain close contact with Clubs, including regular visits, and be available to offer advice and guidance, provided that he shall inform the President in advance of all proposed visits;
- i) cultivate and maintain close liaison with State Centre, its Officers and staff, and expedite matters held to be important by that body;
- j) approach and develop donors and sponsors with the assistance of the Directors;
- k) conduct the correspondence of the Branch and at all times, make available to the President and Officers, either by submission of the office copy, or by supplying copies of all such correspondence, so as to keep those members fully aware of all activities;
- l) in all aspects of his activities, be responsible to the Council and Executive and consult the President between meetings on matters of policy, and report to each meeting of the Executive and Council on the activities within the Branch;
- m) in all aspects of his activities, observe and comply with existing procedures as regards correspondence and communications with the various sections of the Association;
- n) prepare and issue the notices for all meetings;
- o) attend to the preparation and presentation of the Annual Report, Official Championship Program and booklets and special handbooks that may be issued from time to time;
- p) keep up to date stock lists on goods and stationery and an inventory of all gear and equipment on loan or held by the Branch;
- q) maintain credit and debit ledger on behalf of the affiliated bodies (By-law 7.7(b), and be a member and attend meetings of the Finance and Property Committee;
- r) be responsible for the availability and distribution of all trophies associated with the Branch championships;
- s) Attend to all appropriate insurance and security on Branch property.

BY-LAW 5.2 EMPLOYEES

The Executive, in pursuance of 1/D/4, and in conjunction with the Branch Administrator (if appointed), shall monitor and endorse the employment or dismissal of full-time or casual employees or other paid assistance e.g.: consultants.

SECTION 6 – COMMITTEES

BY-LAW 6.1 GENERAL

- a) Composition and membership of Branch Committees shall be as prescribed in the respective By-laws.
- b) Membership may be drawn from Council members and/or other members of the Branch.
- c) A member appointed to a Committee shall retain his appointment only whilst he retains his membership of the Council or Branch: provided that the Council may, at its discretion, remove any member from membership of a Committee.
- d) In the event of the absence of the Chairperson from any meeting the meeting shall appoint one of its members to act during such absence.
- e) It shall be the duty of the Branch Administrator to refer for consideration and recommendation all matters as properly relate to the jurisdiction of each Committee.
- f) In the event of any matter coming within the jurisdiction of two or more Committees, the President may direct such Committees to jointly consider and report and/or recommend to the Executive thereon.
- g) A Committee may, in its discretion, co-opt the services of any member of the Branch or other person to assist in its deliberations, but such co-opted member or person shall have no voting rights, except as may be determined by the Committee.
- h) Reports and recommendations of the Committees shall be presented in writing to the Executive or appointing body.
- i) Expressions of interest may be called from members interested in being appointed to panels, committees, task forces as and when required.

BY-LAW 6.2 LIFESAVING COMMITTEE

- a) The Council, at its Annual General Meeting, shall appoint a Lifesaving Committee, the members of which shall be the holders of a current proficient Assessors Certificate and be current members of an affiliated Club to have voting rights.
- b) The Committee shall be comprised of:-
 - (i). Director of Lifesaving (Chairperson) as provided for in By-law 1.1;
 - (ii). Deputy Director Lifesaving as provided for in By-law 1/1.2(b);
 - (iii). 24 Club Representatives (must be either the Club Captain, Chief Training Officer/Club Director of Education, Club Director of Lifesaving, Club Supervisor), 3 Assessors (to be elected at Branch AGM), Branch IRB Officer, Branch Communications (lifesaving) Officer, Director of Education, Branch Emergency Care Officer and South Coast Development Officer (non-voting); Patrol Inspection Coordinator
 - (iv). Members who are qualified shall make application on the applicable Form to join the Committee annually;
 - (v). All Assessors and Probationary members who are candidates in training for any SLSA Assessor Certificate are invited to attend but only those listed at 6.2 (b) (iii) above will be known as Committee Members and have voting rights.
- c) Continued membership of the Committee shall depend on the following conditions and shall be subject to the Committee's or Director of Lifesaving's recommendations:
 - (i). Satisfactory attendance at meetings and functions arranged by the Committee;
 - (ii). Performance of duties required by the Committee or its Officers;
 - (iii). Acceptance of appointments to Committees/Sub-Committees or groups detailed for specific tasks on behalf of the Committee or Branch.
- d) Meetings of the Committee shall be held as follows:-
 - (i). General meetings shall be held a minimum of every two months.
 - (ii). A general meeting shall be held immediately preceding the Branch Annual General Meeting.
 - (iii). Conferences shall be held on a regular basis on dates as determined by the Committee or the Chairperson and approved by the Executive.

Note:- Provided that the predetermined dates of meetings may be altered to meet emergent situations by resolution at any meeting of the Committee or its Executive.
- e) Powers and duties of the Committee shall be:
 - (i). to disseminate lifesaving information and instruction to unify and advance methods of lifesaving throughout the Branch, such instruction and methods shall be set out in the Manuals of the Association and bulletins distributed by the Australian Council and/or the State Centre/Branch;

- (ii). to conduct schools of instruction, conferences and seminars at which all specified members of the Committee shall be required to attend and of which due notice shall be given;
- (iii). to control the practical side of lifesaving and through the Committee submit written recommendations to the Branch for the compilation and/or alteration of such issues;
- (iv). to deal with any other matter referred to it from time to time by the Council or Executive;
- (v). to allocate Committee membership into active Sub-Committees under the control of the appointed Sub-Committee Chairperson;
- (vi). at its General Meeting, decide the nominations for the Office of Director of Lifesaving and the relevant Advisory and Specialist Officers to be appointed or elected by the Council at its Annual General Meeting;
- (vii). The duties of the Director of Lifesaving shall be as specified in By-law 4.1(c).
- (viii). To deal with any other matters referred to it from time to time by the Branch Council or the Branch Executive.
- (ix). To report and make recommendations on policy matters to the Branch Executive.
- (x). To develop, coordinate and implement activities and programs related to lifesaving and specifically relevant priorities in the Branch Strategic Plan.

BY-LAW 6.3 SURF SPORTS COMMITTEE

- a) The Council, at its Annual General Meeting, shall appoint a Surf Sports Committee
- b) The Committee shall be comprised of:
 - (i). Director (Chairperson) as provided for in By-law 1.1 or his proxy;
 - (ii). Deputy Director Surf Sports as provided for in By-law 1.2(c) or his proxy;
 - (iii). Two Coaches; One Male and One Female athlete; Two (2) Club Senior Team Managers; Two (2) Club Junior Team Managers; Branch Officials Liaison Officer; Branch Gear & Equipment Officer and Branch IRB Officer (Surf Sports) from nominations endorsed by clubs and one representative from each club being the Surf Sports Director or coach as appointed by the club.
 - (iv). accredited Members who are licensed shall make application on the applicable Form to join the Committee annually.
 - (v). All Licensed Officials/Coaches and Probationary members who are candidates in training for the SLSA Officials and/or Coaches Accreditation Certificate are invited to attend but only those listed at 6.3 (b) - (i, ii, iii, iv) above will be known as „Committee Members“ and have voting rights.
- c) Membership provisos shall be determined as follows:
 - (i). (i) Director and Committee members shall be nominated by the Committee and elected by the Council at its Annual General Meeting;
 - (ii). Deputy Director Surf Sports who shall be the holder of a current Level 1 Competition Officials and/or Coaching Certificate, be endorsed by the Junior Activities Committee elected by the Council at its Annual General Meeting and shall have the right to appoint a proxy in his absence and shall be officially recognised as Deputy Director Surf Sports ;
 - (iii). Members of Clubs who apply for membership of the Committee shall hold a current Competition Officials Certificate and/or a Level of Coaching Accreditation;
- d) Continued membership of the Committee shall depend on the following points and shall be subject to the Committee's or Director's recommendations:
 - (i). Satisfactory attendance at meetings and functions arranged by the Committee;
 - (ii). performance of the duties required by the Committee or Director Surf Sports;
 - (iii). Acceptance of appointment to Committees/Sub-Committees or groups detailed for specific tasks on behalf of the Committee or Branch.
- e) Meetings of the Committee shall be held as follows:
 - (i). General meetings shall be held every two months on even numbered months.
 - (ii). A General Meeting shall be held immediately preceding the Branch Annual General Meeting.
 - (iii). Conferences shall be held on a regular basis on dates as determined by the Committee or the Chairperson and approved by the Executive.

Note:- Provided that the predetermined dates of the meetings may be altered to meet emergent situations by resolution of any meeting of the Committee or its Executive.
- f) Powers and duties of the Committee shall be:
 - (i). to disseminate surf sports information and to unify and advance surf sports procedures throughout the Branch as set out in the Association's Competition Manual and relevant Bulletins issued from time to time;

- (ii). to conduct schools of instruction, conferences and seminars for accredited members of the Committee to maintain the standards of the Carnival Officials;
 - (iii). to conduct officials accreditation courses and competitor's clinics as required or requested;
 - (iv). to deal with all matters referred to the Committee through the Branch Council or the Branch Executive;
 - (v). to investigate and make recommendations, via the Branch, to State Centre on all applications for Special Events and sporting events outside the Competition Manual;
 - (vi). to establish a coordinating group to recommend to the Council, a surf sports program each year, based on Club submissions and to better serve the total membership;
 - (vii). to establish a balance of competition and ability as it effects members of different age, gender and membership category;
 - (viii). to review regularly the types of competition events for juniors including "fun activities" as an important part of Junior Activities;
 - (ix). to allocate Committee membership into active Sub-Committees under the control of the Committee Chairperson;
 - (x). to make recommendations to the Branch Executive and Branch Council on the venue, dates, and events for Branch Championship Carnivals, three (3) years in advance;
 - (xi). to control all competition through the Committee and submit written recommendations to the Branch for the compilation and/or alteration of such issues;
 - (xii). to appoint accredited Officials for all Branch controlled Carnivals, competitions or special events;
 - (xiii). to endorse the nominations for Director and Committee members at the Committee's Annual General Meeting;
 - (xiv). On a regular basis to critically analyse competition policies and procedures generally to improve the management and conduct of competitions.
 - (xv). To develop, coordinate and implement activities and programs related to surf sports and specifically relevant priorities in the Branch Strategic Plan.
- g) Reports and recommendations shall be presented in writing to the Executive.
- h) The duties of the Director shall be as specified in By-law 4.1(d).

BY-LAW 6.4 FINANCE AND PROPERTY COMMITTEE

- a) The Council at its Annual General Meeting may appoint a Finance and Property Committee from a recommendation endorsed by the Executive.
- b) The Committee shall be comprised of -
 - (i). The Director Finance and Property who shall be the Chairperson;
 - (ii). Branch President
 - (iii). Three Club representatives (to be elected at the AGM);
 - (iv). Branch Administrator or nominee (non-voting) who shall act as Minute Secretary;
 - (v). Other members or staff co-opted by the Committee or Chairperson from time to time for specific purposes or projects or advice;
- c) Continued membership of the Committee shall depend on the following points, and shall be subject to the Committee's or Chairperson's recommendation –
 - (i). satisfactory attendance at meetings or functions arranged by the Committee; (ii) performance of the duties required by the Committee or its Chairperson;
 - (ii). Acceptance of appointment to Committees/Sub-Committees or groups detailed for specific tasks on behalf of the Committee or the Executive.
- d) Meetings of the Committee shall be held as follows -
 - (i). Meetings shall be held at least three times each year.
 - (ii). An Annual Meeting shall be held preceding the Council Annual General Meeting.

Note: - The predetermined dates of meetings may be altered to meet emergent situations by resolution of any meeting of the Committee or the Executive.
- e) Powers and duties of the Committee shall be -
 - (i). to deal with matters relating to finance, property and the assets of Branch, as well as other items of similar nature referred to the Committee by the Executive;
 - (ii). to maintain direct and/or develop an income earning ability with adequate capacity to service the operational planning and administration resources of the Branch;
 - (iii). to develop a Branch Policy for the appropriation of Government subsidies and grants in accordance with the State Government's guidelines on accountability;
 - (iv). to review regularly current financial programs and management accounting systems;

- (v). to develop and maintain a policy, in conjunction with State Centre, relating to the financial borrowing of Clubs;
 - (vi). to develop a three (3) to five (5) year investment Plan for the Branch;
 - (vii). to prepare Annual Budgets of income and expenditure with recommendations for submission to the Council and the Executive;
 - (viii). to assist Club Treasurers by providing guidelines for efficient and proper accounting methods and systems;
 - (ix). to provide income and expenditure cash flow reports of the Branch through monthly financial statements tabled at the Committee's meetings;
 - (x). to keep Minutes of meetings for record purposes and prepare written reports and recommendations for submission to the Executive;
 - (xi). To report and to make recommendations on policy matters to the Executive.
 - (xii). assist in the preparation of submissions to Government for projected funding
 - (xiii). Requirements and assistance.
- f) The Duties of the Director of Finance & Property shall be as specified in By-law 4.1/ (F).

BY-LAW 6.5 YOUTH MEMBERSHIP DEVELOPMENT COMMITTEE

- a) The Council at its Annual General Meeting shall appoint a Youth and Membership Development Committee.
- b) The Committee shall be comprised of –
 - (i). The Director Youth and Membership Development who shall be Chairperson.
 - (ii). The Deputy Director Lifesaving
 - (iii). The Deputy Director Surf Sports
 - (iv). Club Youth Development Officers or Cadet Officers (as the case may be) and (7) seven Club Junior Activities Chairperson (to be elected at AGM) or their proxies, who shall hold membership of a Surf Life Saving Club and have an interest in Youth/Leadership development activities.
 - (v). Branch Specialist Officers e.g. Director of Education First Aid Officer, Resuscitation Officer, IRB Officer, Communications Officer and others co-opted from time to time for specific projects as required.
 - (vi). All other SLSA members who have an interest in Junior and Youth/leadership development activities are welcome and encouraged to attend. But only those listed in (i) to (iv) above will be known as “Committee Members” and have voting rights.
- c) Continued membership of the Committee shall depend on the following points and shall be subject to the Committee or Chairperson’s recommendations –
 - (i). Satisfactory attendance at meetings or functions arranged by the Committee.
 - (ii). Performance of the duties as required by the Committee or its Chairperson.
 - (iii). Acceptance of appointment to sub-committees or groups detailed for specific tasks on behalf of the Committee or the Executive.
- d) Meetings of the Committee shall be held as follows:-
 - (i). General meetings /forums may be held as deemed necessary by the Committee or the Chairperson and approved by the Executive.

Note: The dates of meetings/forums may be altered to meet emergent situations by resolution of any meeting of the Council or the Executive.
- e) Powers and duties of the Committee shall be –
 - (i). To enhance membership recruitment and retention and transition through the age levels of U14 to Under 19 and functions within Surf Lifesaving.
 - (ii). To develop, coordinate and implement activities and programs related to youth and membership development and specifically relevant priorities in the Branch Strategic Plan.
 - (iii). To develop, conduct and co-ordinate personal developmental activities including leadership training and associated programs, policies, resources etc. for membership levels 14 to 17 inclusive.
 - (iv). To pursue issues and activities of benefit to youth within Surf Lifesaving.
 - (v). To foster recognition of the important role youth plays within Surf Lifesaving and the community generally.
 - (vi). On a regular basis, critically analyze youth/leadership development policies and programs and membership levels and trends.
 - (vii). To deal with matters referred to the Committee through LIFESAVING COMMITTEE, SURF SPORTS COMMITTEE, Branch Council and Branch Executive.
 - (viii). To conduct regular assemblies of members involved in youth development programs to discuss matters relevant to the betterment of youth/leadership development.

- (ix). To consult with the Director Lifesaving on lifesaving matters and with the Director Surf Sports on competition matters.
- (x). To consult with the Branch Executive and Marketing Officer, other Officers or staff on sponsorship, marketing or funding.
- (xi). To establish sub-committees, if required, to carry out special tasks or projects from time to time.
- (xii). To report and make recommendations on policy matters to the Branch Executive.
- (xiii).
- (xiv). To deal with matters referred to the Committee by the Council or Executive.

BY-LAW 6.5A JUNIOR ACTIVITIES COMMITTEE

- a) The Council at its Annual General Meeting shall appoint a Junior Activities Committee.
- b) The Committee shall be comprised of –
 - (i). The Director Junior Activities who shall be Chairperson.
 - (ii). Club Junior Activities Director or Officers (12) (to be elected at club AGM) or their proxies, who shall hold membership of a Surf Life Saving Club.
 - (iii). All other SLSA members who have an interest in Junior activities are welcome and encouraged to attend. But only those listed in (i) to (ii) above will be known as “Committee Members” and have voting rights.
- c) Continued membership of the Committee shall depend on the following points and shall be subject to the Committee or Chairperson’s recommendations –
 - (i). Satisfactory attendance at meetings or functions arranged by the Committee.
 - (ii). Performance of the duties as required by the Committee or its Chairperson.
 - (iii). Acceptance of appointment to sub-committees or groups detailed for specific tasks on behalf of the Committee or the Executive.
- d) Meetings of the Committee shall be held as follows:-
 - (ii). General meetings /forums may be held as deemed necessary by the Committee or the Chairperson and approved by the Executive.

Note: The dates of meetings/forums may be altered to meet emergent situations by resolution of any meeting of the Council or the Executive.
- e) Powers and duties of the Committee shall be –
 - (i). responsible for the conduct and co-ordination of all matters relating to Junior Activities in Association policy;
 - (ii). to provide for an educational experience in a wide range of subjects and skills within the aquatic/marine environment;
 - (iii). to prepare members for their eventual transition to the marine and patrol environment of Surf Lifesaving Australia Limited;
 - (iv). to provide for the instruction and the conduct of examinations of members;
 - (v). to organise, in conjunction with the Lifesaving Committee, the instruction and/or examination of members willing to gain the Resuscitation Certificate and/or the Surf Rescue Certificate of the Association;
 - (vi). to provide rules and regulations for the conduct of junior Activities for members who have attained the age of five (5) years but who have not attained the age of fourteen (14) years;
 - (vii). to ensure that the age classification shall be five (5) to thirteen (13) years, and shall be the members age as at the 30th September in the ensuing Season, and a member who turns 14 years of age in the then current Season shall be permitted to continue for the remainder of the Season in Junior Activities;
 - (viii). To deal with matters referred to the Committee by the Council or Executive.

BY-LAW 6.6 COMMITTEES

The following Committees shall be appointed by the Council and results of their proceedings either as Minutes, recommendations or decisions as the case may be shall be submitted to the Executive for processing and/or endorsement. Committees shall meet as required by the Council or the Executive, or by request of the Committee Chairperson.

- a) The Surf Sports Selection Committee shall -
 - (i). comprise the Director plus four (4) members from different Clubs, two of whom shall be currently involved in Junior Activities (and who shall only be involved in the selection of Junior Team /s) endorsed by the Surf Sports Committee, elected by the Council from Club nominations;

- (ii). Select individuals for events and/or teams as required by the Executive; (iii) not require approval of its selections as they shall be final and binding.
- b) Judiciary Committees shall -
 - (i). be appointed, as required, by the Council at a General Meeting following a recommendation of personnel submitted by the Executive;
 - (ii). comprise a Chairperson; who may be legally qualified to be admitted as a barrister or solicitor, the Branch Administrator (non-voting), who shall act as minute secretary, and at least four (4) others who may or may not be members of a Club;
 - (iii). function in accordance with the Rules of Procedure of a Judiciary Committee, attached to this Constitution as Appendix "A";
 - (iv). Process matters referred to it under By-laws 12.2, 12.3 and 12.4.
- c) The Meritorious Awards and Lifesaving Selection Committee shall -
 - (i). be appointed by the Council at a General Meeting following a recommendation of personnel submitted by the Executive;
 - (ii). comprise a Chairperson (Director of Lifesaving), Secretary, and five (5) members who shall be limited to Club Presidents and/or Club Captains/Training Officers;
 - (iii). select individuals, lifesavers and/or groups for meritorious awards and inquire into and report on all submissions for recognition occurring within the Branch and in so doing comply with the Association guidelines or conditions governing the issue of Meritorious Awards; select individual lifesavers and/or groups for other Honours or awards of recognition for members, and educational tours;
 - (iv). Submit its recommendations to the Executive for its endorsement and on forwarding to the State Centre.
- d) Gear Inspection Committee shall -
 - (i). be appointed by the Council at a General Meeting following a recommendation of personnel submitted by the Executive;
 - (ii). comprise a Chairperson (Director of Lifesaving), Director Surf Sports or their deputies, Gear and Equipment Officer, Research and Development Officer and one other Branch Officer;
 - (iii). Inspect Clubs' gear prior to and during the season and deficiencies shall be reported to the Club and Branch for subsequent action.
- e) The Life Members and Honours Committee shall -
 - (i). be appointed by the Council at a General Meeting following a recommendation of personnel submitted by the Executive;
 - (ii). Comprise of the Branch President (Chairperson) and 4 Branch Life Members and/or club presidents.
 - (iii). Be responsible for the selection of Life Members and Fellows.

BY-LAW 6.7 SUB-COMMITTEES

- a) It shall be competent for the Executive and the Committees to appoint Sub-Committees, panels groups etc. to process particular items or projects.
- b) The composition of the Sub-Committees shall be detailed by the appointing body.
- c) Detailed terms of reference of their duties shall be supplied by the appointing body to the Executive.
- d) Minutes shall be kept of their proceedings and reports and recommendations shall be submitted through the appointing body.

SECTION 7 - PROCEDURES AND RULES

BY-LAW 7.1 BRANCH, SLSQ & SLSA POLICIES, RULES AND REGULATIONS

- a) The Branch, through the Branch Administrator shall maintain a register of all Branch, SLSQ, and SLSA Policies, Rules and Regulations as amended from time to time;
- b) Branch, State Centre and SLSA Policies, Rules and Regulations as issued from time to time are accepted as By-Laws of the Branch;
- c) Without limiting the current and future scope of Branch, SLSQ and SLSA Policies Rules and Regulations, the Branch acknowledges and accepts the following Policies, Rules and Regulations:
 - (i). Surf Lifesaving Training Manual
 - (ii). Surf Sports Manual
 - (iii). Capital Expenditure
 - (iv). Business Development/Venture
 - (v). Member Protection
 - (vi). Competitive Rights, Obligations and Qualifications
 - (vii). Trophies, Prizes and Eligibility
 - (viii). Team Management
 - (ix). Membership Categories and Restrictions
 - (x). Membership Clearances
 - (xi). Competitive Rights and Transfers
 - (xii). Intellectual Property
 - (xiii). Sponsorship
 - (xiv). Visits and Tours.

BY-LAW 7.2 AUXILIARY ORGANISATIONS

- a) The Branch may authorise the formation and affiliation of auxiliary organisations, e.g. Past Members Club with the approval of the State Centre.
- b) Each organisation's objects and functions shall be reviewed annually and shall be compatible with the Branch's objects as detailed in 1/ 1/3.
- c) The Constitution of any such organisation and any amendments there to, shall at all times be subject to the endorsement of the Council.
- d) The Branch may be represented on any such organisation by an Officer or member or staff of the Branch appointed annually for the purpose; and such organisation may, by special invitation, likewise attend meetings of the Branch;
- e) Such organisations shall be registered incorporated bodies subject to 1/ 2/2.5.

BY-LAW 7.3 CORRESPONDENCE

- a) Upon receipt of any correspondence from a Club which is required to be transmitted through a Branch, the State shall, at their discretion, either forward such letter to the Branch concerned for appropriate action or return it to the Club concerned for transmission through the Branch Administrator

BY-LAW 7.4 COLLECTION SANCTION

- a) The Branch and every affiliated body shall comply with the provisions of the relevant Government Acts and any subsequent amendments gazette from time to time.

Audits

- a) The books and accounts of the Branch shall be audited at such intervals as may be required by law and/or the appropriate State Government Department. Such audits shall be carried out by an Auditor approved to operate in the State of Queensland.
- b) Auditors shall be appointed annually.
- c) The Auditor must meet the requirements of the *Incorporations Act*

BY-LAW 7.5 FUNDRAISING

- a) The Branch and every affiliated Club or Auxiliary Organisation shall comply with the provisions of the relevant Government Acts or any subsequent amendments gazetted from time to time.
- b) Fundraising authority is vested in the Executive which may allocate portions of its responsibilities pertaining to specific major projects to the Finance and Property Committee to maintain, direct and/or develop major projects.
- c) The Branch is authorised to solicit monetary donations, sell art union tickets by door to door, canvass to any company, firm, newspaper or other business operation or trading or any person within the area of the Branch. Similar fund raising shall be permitted outside these areas after prior negotiation and with approval of the State Centre Chief Executive Officer or his nominee(s);
- d) Upon the granting of affiliation to a Club, the Branch shall define the area of such Club for the purpose whereupon the provisions of the By-law shall apply to such Club;
- e) The Branch's fundraising area is defined as -
 - (i). South Coast- The areas of the Cities of the Gold Coast lying north of Tallebudgera Creek to Coombabah Creek and Shire of Redland – North Stradbroke and Stradbroke Island and Coochiemudlo Island.

General -

- a) In the case of any approval granted under the foregoing provisions, the Branch may, at its discretion, impose such conditions and/or restrictions as it deems necessary and desirable in the best interests of the Association generally.
- b) In the event of any breach of the foregoing provisions of this By-Law it shall be a condition of continuance of affiliation and/or membership that the Club, member or group of members concerned shall forthwith surrender to the Branch such monies, and their right thereto, obtained as a result of such breach and the Branch shall thereupon, in its discretion, determine how and in what proportions (if any) such monies shall be applied; provided that the Club, member or group of members concerned may appeal to the State Centre against the determination; and provided further, that any cancellation or suspension of affiliation or membership (as the case may be) under this By-Law shall be subject to the provisions of the State Centre's Constitution and By-Laws relating to judicial action.

BY-LAW 7.6 INSURANCE

a) General

It is mandatory that the Branch and Auxiliary Organisations hold insurances required by the State Centre. In cases where the State Centre has appointed one or more Insurance Brokers, and the Branch does not insure through such Brokers the Branch shall submit such policies to the State Centre for approval.

BY-LAW 7.7 FEES AND CHARGES

- a) Affiliation fees as referred to in 1/ 2/2.1 of the Constitution shall be included in the annual credit contribution that accompanies the Application for Affiliation Form. This contribution shall be determined by the Branch from time to time.
- b) Examination, Registration, Carnival Entry Fees and other general and lifesaving costs for each affiliated Club or organisation as the case might be shall be debited to each Club or organization as the case might be. Invoices shall be issued on a monthly basis and it is a requirement that Clubs shall pay outstanding monies within thirty (30) days of the date of the invoice.

BY-LAW 7.8 AFFILIATION

- a) The Branch and its affiliates agree:
 - (i). That they are bound by this Constitution and By-Laws and that this Constitution and By-Laws operate to create a single, uniform entity through and by which the objects of the Branch and surf lifesaving are to be conducted, promoted and administered.
 - (ii). In all other respects the provisions of the Branch Constitution Part A Section 1/2/2.1 to 2.13 shall apply.
- b) That should a Branch/Club be having administrative, operational or financial difficulties, including but not limited to where a Branch/Club:
 - (i). takes or has taken or has instituted against it any action or proceeding, whether voluntary or compulsory, having as its object the winding up of the Branch/Club, or

- (ii). enters into a composition or arrangement with its creditors, other than a voluntary winding up by members for the purpose of reconstruction or amalgamation, or
- (iii). A mortgagee or other creditor takes possession of any of its assets.

SLSQ/Branch may act to assist that Branch/Club in whatever manner it considers appropriate, including, but not limited to the appointment of an administrator.

- c) Where the SLSQ/Branch considers or is advised that a Branch/Club has allegedly:
 - (i). breached, failed, refused or neglected to comply with a provision of this Constitution and By-Laws or any resolution or determination of the SLSQ/Branch, or
 - (ii). acted in a manner prejudicial to the objects and interests of SLSQ/Branch and /or surf lifesaving, or
 - (iii). brought SLSQ/Branch, any other Branch/Club or surf lifesaving into disrepute;

The SLSQ/Branch may, after allowing the Branch/Club the opportunity to explain, adjudicate and if necessary penalize that Branch/Club with such penalty as it thinks appropriate.

BY-LAW 7.9 HONORARIUM

Honorariums may be granted to Officer/s on the decision of the Executive. Such Honorariums paid would be subject to Income Tax.

BY-LAW 7.10 DISSOLUTION OF AFFILIATED BODIES

- a) The Constitution of every affiliated body shall contain a dissolution clause similar to that set out herein and should any affiliated body fail to make any such specific provision, the specific dissolution provision of this Constitution is deemed to be included in the Constitution of such affiliated body.
- b) (b) In the event of any affiliated body becoming inactive, going into recess or having its affiliation as a Surf Lifesaving affiliated body terminated, the State Centre is empowered to require such body to implement the requirements of 1/E.13 regarding dissolution. Should there be no remaining responsible Officers of such affiliated body capable of carrying out the required procedures for dissolution; the State Centre is empowered by its Constitution to take any necessary action in this regard.
- c) (c) Upon the dissolution of an affiliated body in terms of the preceding Clauses, the books, accounts and assets of the affiliated body shall be transferred over to or taken possession of by the State Centre to deal with as it may, in its absolute discretion, set fit.

SECTION 8 – Development and Intellectual Property

BY-LAW 8.1

CAPITAL EXPENDITURE, BUSINESS DEVELOPMENT/ VENTURE

- a) The Branch and its affiliated Clubs shall notify SLSQ of any proposed capital expenditure over \$100,000.00.
- b) Capital expenditure includes alterations, additions or improvements to existing facilities, acquisition of any land, buildings or other property, the building of any new facilities, the building or refurbishment of any other facilities either singularly or in partnership.
- c) Capital expenditure also includes capital expenditure to purchase or invest in any business Venture, community project, or other project using Club (including affiliated Supporters Club) funds or borrowings. Examples of such developments or ventures where SLSQ needs to be consulted include:
 - (i). major development or re-development of a clubhouse;
 - (ii). development or re-development of any property;
 - (iii). land and/or property acquisition (Freehold or lease)
 - (iv). negotiation and/or renewal of leases;
 - (v). A commercial or non-commercial venture either on-site (e.g. at the clubhouse) or off-site, either singularly or in partnership.
- d) Such notification is to include –
 - (i). a brief outline of the proposed expenditure clearly stating the intended purpose;
 - (ii). details of architectural plans (where necessary);
 - (iii). cost estimates with recommendation and justification (3 quotes);
 - (iv). details of recommendation of the above proposal in General Meeting minutes;
 - (v). latest financial information (Profit and Loss & Balance Sheet) prepared in accordance with accrual accounting requirements; and
 - (vi). Any other information considered relevant.
- e) Where financing is required to support the capital expenditure, the Club must provide details of the proposed financing arrangements, and appropriate financial data supporting the capacity to service the proposed debt.
- f) In the situation where future anticipated income (e.g. future distributions from Supporters Clubs including gaming, meals and bar revenue) is being relied upon to service the debt, an independent professionally prepared financial analysis will also be required, including the following –
 - (i). a detailed business plan;
 - (ii). cash flow projections for at least five years;
 - (iii). market survey/sensitivity analysis confirming the feasibility of the proposal
 - (iv). Funding arrangements.
- g) Such proposals shall be dealt with in the following manner –
 - (i). Proposals shall be assessed by the SLSQ Finance and Property Committee upon receipt of all relevant information. The Committee may seek external advice.
 - (ii). After assessing the proposal, SLSQ may issue no objection. Any such approval (which may be granted or withheld conditionally or unconditionally at SLSQ's discretion) forms part of SLSQ's policy of encouraging responsible financial and asset management, but should not be construed as express or implied advice, or any guarantee, that the proposal is technically, financially or otherwise feasible or responsible.
 - (iii). If SLSQ issues an objection it may give reasons for doing so. However, in determining whether to take further action which might result in a subsequent approval by SLSQ (for example by following SLSQ's recommendations or conditions of approval), the applicant must undertake any such further action based on independent financial and other relevant professional advice. Should the applicant proceed with the expenditure based on any recommendations or conditions made by SLSQ, the risk that this might not be appropriate for your circumstances is accepted by the applicant.

BY-LAW 8.2

INTELLECTUAL PROPERTY

- a) The Policy and Procedures for the use of "red and yellow" Surf Lifesaving imagery and property shall be as determined by SLSA.
- b) No one shall be permitted to inappropriately exploit Surf Lifesaving imagery such as the red and yellow cap, flags, patrol uniforms, logos/trademarks etc.
- c) The following procedures shall apply where a Club or Branch wishes to use "red and yellow" imagery/property:
 - (i). A Club/Branch must obtain SLSQ's approval to use, or allow someone else to use images or pictures of lifesavers wearing red and yellow patrol caps, or patrol uniforms, or patrol flags;

- (ii). SLSQ has the authority to approve the use of such red and yellow imagery if the promotion is restricted to the Club's/Branch's local area;
- (iii). SLSQ has the authority to approve the use of the red and yellow imagery in advertisements/promotions that go beyond a Club's/Branch's area if the use of the imagery is in good taste, not conflicting with a State or National sponsor. There may be a license fee attached.
- (iv). SLSQ cannot approve the use of red and yellow imagery if it goes (or has the potential to be seen) in other State Centre's territories. SLISA approval is required in such cases.
- (v). The Club/Branch has every right to use its own Club caps, uniforms and imagery in Queensland.

SECTION 9 - MEMBERSHIP

BY-LAW 9.1 MEMBER PROTECTION

- a) The Branch is committed to the health, safety and wellbeing of all members, and shall use their best endeavours to ensure a safe environment exists for all members participating surf lifesaving activities.
- b) The Branch shall not condone any form of discrimination, harassment or abuse of, or by, members.
- c) All members shall abide by the relevant SLSQ/SLSA policies with respect to Member Protection, Equity and Harassment, and the Codes of Conduct as determined from time to time.
- d) All members involved, either directly or indirectly in leading, chaperoning, coaching, instructing, examining, or supervising (or the like) youth members shall be screened in accordance with legislative and Association requirements as determined from time to time.
- e) All members shall immediately report any suspected breaches of the SLSA Member Protection or Equity policies or Codes of Conduct to the appropriate authority or SLSQ's Chief Executive Officer (or his nominee). The Chief Executive Officer shall, in accordance with Association policies and procedures, determine the most appropriate method of dealing with such reports.

BY-LAW 9.2 CODES OF CONDUCT

All members, officers and staff shall comply with the Association's Codes of Conduct.

BY-LAW 9.3 RESTRICTION

- a) All applications for membership of the Association shall be made on the appropriate Form, and shall be available to males and females provided that active membership shall be limited to holders of the Bronze Medallion, and subject to an annual skills maintenance test.
- b) A member of a Lifesaving Organisation affiliated with International Life Saving may be accepted as a member of an affiliated Club provided that the member complies with all the conditions for membership of this Association and its Manuals.
- c) An un-financial, suspended or expelled member of a Club shall not knowingly apply to join another Club, nor shall a Club knowingly admit to membership nor retain in membership any part or present member of any Club who is financially indebted to or has been suspended or expelled from such Club.
- d) Clubs shall immediately notify their respective Branches and SLSQ, the names and addresses of members whose membership is cancelled or suspended. Such names shall be recorded in the official Minutes of the Executive meetings.
- e) Should a bona fide member of more than one Club be suspended or expelled by an affiliated club he shall not be allowed to complete in any competitions conducted by any Club of which he is a member or by the Association.
- f) In cases of dispute, an appeal may be lodged with the Branch or SLSQ as the case may be.

BY-LAW 9.4 CATEGORY POLICY

In relation to membership categories, each Club shall provide for the following types of membership and the following minimum qualifications shall be adhered to, provided the procedure for granting Club membership should be detailed in the Club Constitutions or By-Laws.

- a) Probationary Member shall be the designation of any person for the time period between applying for membership and the gaining of an award and/or the granting of a formal category membership by the appropriate Club committee.
- b) Junior Activity Member (Nipper) shall be a minimum age of 5 years up to a maximum age of 13 years on a seasonal basis (age for a season is determined as at midnight on the 30 September at the commencement of that season), and such person shall be required to gain the relevant Junior Activity Certificate for that person's age group.
- c) Cadet Members shall be subject to the age qualification as defined in the Association's Manuals and have obtained the Surf Life Saving Australia Surf Rescue Certificate in that season or passed an annual skills maintenance test.
- d) Active Members shall be Bronze Medallion holders and shall fulfill the full patrol and Club obligations, as provided by the Association and the Club Constitution and By-Laws, and shall qualify in an annual skills maintenance test each season, unless the member has obtained his Bronze Medallion in that Season.
- e) Reserve Active Membership:
 - (i). May be granted by a Club to Active Members who have satisfactorily completed (from the gaining of the Bronze Medallion) at least eight years of patrol and Club obligations as provided by the Association and Club Constitution and By-Laws. Reserve Active Membership shall not be automatic, but shall be granted by resolution of the appropriate Club Body;

- (ii). members shall perform a minimum of patrols in each club where they hold Reserve Active membership; as required by SLSA and further patrol duties at the discretion of the Club management
- (iii). Members shall complete the Annual Skills maintenance Test.

Note: notwithstanding (i) above Reserve Active Membership may be granted under exceptional circumstances to Active Members irrespective of years of service.

f) Long Service Membership:

- (i). May be granted by a Club 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 reserve active service.
- (ii). members shall be exempted from all patrol obligations and may be granted other special privileges of membership as provided in the Club Constitutions and By-Laws
- (iii). Should such members join another affiliated club the receiving club shall determine if such member's Long Service shall be recognized by that club.

g) Award Membership:

- (i). may be granted by a Club to Members who are the holders of an Association Award of one or more of the following designations – Radio Award/s, Resuscitation Certificate, Advanced Resuscitation Certificate or First Aid Award/s (or equivalent)
- (ii). Members may be called upon to perform patrols and/or other club obligations commensurate with their qualifications, and provided they so do, shall then be eligible for voting rights as approved by the Club.

h) Associate Membership:

- (i). May be granted by a Club to persons who may or may not be a holder of an Association Award.
- (ii). Does not entitle such member to voting rights unless elected to office or a position which is provided with voting rights by the Club constitution or By-Laws
- (iii). Have a joining and/or annual membership fee substantially greater than fees for other categories of Club membership.

i) Past Active Membership:

- (i). may be granted by a Club to persons who have held a SLSA Bronze Medallion, and been an active patrol member for a minimum of 3 years; Surf Life Saving Queensland - *The By-Laws SLSQ By-Laws May 2011 Page 61 of 85*
- (ii). may have Club voting rights at the discretion of the affiliated Club
- (iii). any voting rights afforded to any Past Active members must be recorded in the Club's Minutes.

j) Honorary Membership may be granted by a club to persons who may or may not hold an SLSA award.

k) Life Membership may be granted by Clubs and/or Branches to members who have rendered distinguished or special service and as provided for in the Club/Branch Constitution or By-Laws, and is relevant to that Club/Branch only.

BY-LAW 9.5 DUAL MEMBERSHIP

In relation to dual or multi Club membership the following shall apply:

- a) Any member of a Club may be admitted as a member of another Club or Clubs, providing such member has a "clearance" as provided for in Membership Clearances/Transfers (By-Law 9.6).
- b) Any competing member shall not participate in any Inter-Club competition as a representative of more than one club during any one competition season unless and until their "competitive rights" have been transferred as provided for in "Competitive Rights Transfer" (By-Law 9.7).
- c) Any competing member who is a member of more than one club shall be entitled to compete in club events of all such clubs.

BY-LAW 9.6 MEMBERSHIP CLEARANCES / TRANSFERS

Refer to SCB Council agenda Oct 2014

- a) Any member who desires to join another Club or transfer competitive rights and retain membership of their existing Club(s), and any person who has ceased to be a member of any Affiliated Club and desires to join another club shall first obtain from his present Affiliated club (s) or from the Club of which he was last a member, a Clearance/Transfer Certificate in the prescribed form which shall clearly indicate:
 - (i). Any awards that may be held by such person
 - (ii). That such person is not indebted in any way to such Affiliated Club
 - (iii). That such person is not expelled or under suspension from such Affiliated Club
 - (iv). The destination of such person's competition rights.

- b) The member desiring the clearance shall obtain the prescribed duplicate controlling authority clearance form, and after entering the relevant details and signing, lodge the form with the 'losing' Club and the relevant controlling authority.
- c) The losing Club or its Executive shall, within 14 days of receiving the signed form consider, approve or reject the application and after recording the decision on the application, forward the Club's decision to the controlling authority forthwith.
- d) If the losing Club objects to the application, the application must be considered at the next meeting of the controlling authority for a decision. Such controlling authority decisions are final. The decision must be recorded and returned to the winning Club and member forthwith. A copy must be retained by the authority with a notation of the decision. The losing Club must be advised, in writing, of the controlling authority's decision.
- e) If the controlling authority does not receive a decision or the original form from the losing Club within 14 days of the receipt of the Duplicate Form, the application shall be dealt with at the next meeting of the authority, and such decision shall be final. The losing Club and the member shall be advised of such decision and a copy of such advice shall be retained by the authority.
- f) If the losing Club approves the application, the controlling authority shall record the decision on the ORIGINAL form and return same to the member forthwith, retaining the DUPLICATE for records.
- g) Clearances of transferring members shall automatically take effect from the date when the application is approved by the controlling authority.

BY-LAW 9.7 COMPETITIVE RIGHTS TRANSFERS

A member of an affiliated Club who desires to transfer competitive rights to another affiliated Club during the currency of a competition season must comply with the following conditions:

- a) The Member desiring the transfer must obtain the prescribed transfer form and, after entering the relevant detail and signing, lodge the original with the losing' Club and the relevant controlling authority.
- b) The losing Club or its Executive must, within 14 days of receiving the original, endorse or reject the application and, after recording the decision on the application, immediately forward the Club's decision to the controlling authority.
- c) If the losing Club approves the application the controlling authority must record the approval on the original and return the same to the winning Club and member. The controlling authority with a notation of the decision must retain a copy.
- d) If the losing Club rejects the application, the application must be considered at the next meeting of the controlling authority for a decision and such decision is final. The decision must be recorded on the form and returned to the winning Club and member. The controlling authority with a notation of the decision must retain a copy.
- e) If the controlling authority does not receive a decision on the form from the losing Club within 14 days of the receipt of the application, the application must be considered at the next meeting of the controlling authority for a decision. Any decision made at the meeting is final. The losing Club and the member must be advised of such decision in writing.
- f) A member is permitted one competitive rights transfer per calendar year (i.e. 1 January to 31 December of that year). Any further transfer in that year will be processed but will only take effect (if approved) in the next calendar year. An exception to this will be bone fide relocation because of employment, study or family commitments. Such competitive rights transfers will be subject to consideration and approval by the relevant controlling authority of the member's losing club.
- g) Any International Life Saving (ILS) ruling in respect of competition transfers, international transfers and World Championships events will be complied with.

SECTION 10 - CLUBS COLOURS/BADGES, COMPETITIVE CONDITIONS

BY-LAW 10.1 COLOURS AND BADGES

The existing Branch colours and badges shall not be altered without re-endorsement of the State Centre and the approval of the Association.

BY-LAW 10.2 COMPETITIONS

- a) The Branch shall have power to regulate State Centre endorsed competitions between Clubs and/or directly affiliated Clubs within its boundaries.
- b) Within the limits of its jurisdictions, the Branch, through their respective Committees of Surf Sports, shall have the power to allocate any competition to any affiliated Club, and to appoint officials to control such competitions, provided that, in the event of two or more Clubs applying for permission to hold Carnivals or competitions on the same date, such matter shall be determined Branch Council and no Inter-Club competition within the Branch shall be held without the approval of the Branch or State Centre.
- c) The Branch Surf Sports Committee, on a recommendation of the Director, shall appoint Referees, Judges, and other officials and, subject to the Association's Manuals, may make special rules for such events.
- d) Wagering and/or gambling by persons competing or participating (e.g. as a competitor, coach, official, manager, organiser etc.) in events conducted by the Association is not permitted. Such members proven to have gambled on an Association competition event, in which they are involved, will be liable to appropriate disciplinary action.

BY-LAW 10.3 BRANCH CHAMPIONSHIPS

- a) The Branch Championships shall be conducted annually and whenever possible, prior to the equivalent State Championships in that year.
- b) The Carnival shall be conducted on a date determined by the Surf Sports Committee and ratified by the Branch Council.
- c) Affiliated clubs may apply for the Championships on an application basis, the Surf Sports Committee will make recommendations to the Council.
- d) The Director Surf Sports shall liaise with the host Club prior to the Championships with a view to pre-carnival organization.
- e) The list of events to be conducted at the Championships will be ratified at the Branch Council, prior to nominations being called.

BY-LAW 10.4 TROPHIES, PRIZES AND ELIGIBILITY

- a) Trophies:
 - (i). No trophy, unless sanctioned by the Branch shall be given by an individual, club, organization or completed for, or accepted by any competitor or competitors other than suitably inscribed (where possible) lifesaving gear, badges, pennants, medals or items of clothing.
 - (ii). Cash equivalents shall not be offered in lieu of an advertised trophy.
 - (iii). Neither of the foregoing paragraphs shall prevent any donor from providing, for competition, any items of approved Association gear.
 - (iv). A trophy offered from any source shall not be accepted for inter-Club competitive conditions unless such trophy and competitive conditions are approved by the Branch. Such conditions shall provide for the trophy to be won within a period of not more than three years, unless the nature of the trophy warrants a contest over a longer period. Every effort should be made to induce donors to donate trophies in the form of Surf Lifesaving's gear and it is suggested that the winner should be determined in one season.
 - (v). Should the Branch or a club desire to conduct an inter-Club competition or a competition at an inter-Club carnival or over a series of inter-club carnivals for a suggested trophy, the trophy or its value must be in the hands of the Branch or club before the competition commences.
 - (vi). Notwithstanding the foregoing paragraphs it shall be permissible for a donor to provide a perpetual trophy for competition to honour the memory of a dignitary, such trophy to be contested under conditions approved by the Branch.
 - (vii). All perpetual or series shields, cups or trophies shall be returnable, if required, to the Branch, on month prior to the next competition.

- (viii). Holders of perpetual or series shields, cups or trophies shall be responsible for their safekeeping and proper care, but insurances shall be effected by the Branch.
- b) Prize Money:
 - (i). The Branch shall be the authority to approve competitions involving “cash prizes” and therefore any affiliated club wishing to allocate any “cash prizes” for competition events shall seek the approval of the Branch, or in the case of events involving other Branches, the SLSQ, or in the case of events involving international or interstate competitors, then both the SLSQ and SLISA.
 - (ii). “Cash prizes” shall not be awarded for any event at a Championship Carnival.
 - (iii). “Cash prizes” shall not be made available from affiliated Club general funds; however, sponsor income may be distributed utilizing the Club banking account.
 - (iv). No members shall wager or gamble on any competition conducted by SLSQ, Branch or any affiliated Club.
 - (v). Notwithstanding the foregoing, sponsors should be strongly encouraged to provide items of lifesaving gear as prizes rather than cash but where “cash prizes” are presented they shall be portrayed as coming direct from the sponsors.

BY-LAW 10.5 TEAM MANAGEMENT

- a) The Branch shall appoint a Manager or Managers of its representative teams of members or officials.
- b) Every Manager so appointed shall be responsible for the proper conduct of himself and of the members under his control, and attend all briefings.
- c) A Manager shall, as far as practicable, remain with the party under his control during the entire period of his manager ship. In the event of the party under his control separating into sections, the Manager shall be responsible for appointing a member of each and every section to act as his Manager of that section.
- d) In the case of mixed gender teams including minors, a chaperone or chaperones shall also be appointed.

SECTION 11 - VISITS AND TOURS

Refer to SLSQ/SLSA policies and procedures

SECTION 12 - DISCIPLINE, PENALTIES AND APPEALS

BY-LAW 12.1 JURISDICTION

- a) The penalising authority for the Branch shall be vested in the following:
- (i). the Council;
 - (ii). the Executive;
 - (iii). the Judiciary Committee;
 - (iv). the Carnival or Function Sub-Committee as defined in By-law 11.2(b);
 - (v). the President;

Note: It is suggested that any alleged unbecoming conduct should be referred to a Judiciary Committee unless the circumstances are such that in the opinion of the Branch that immediate action is required.

- b) The jurisdiction of the Branch penalising authority shall be that where a Club or member of a Club affiliated with the Branch is charged with having committed an offence:
- (i). within the boundaries of the Branch, the alleged offender shall be dealt with by the Branch;
 - (ii). within the boundaries of a Branch other than its/his Branch, the alleged offender shall be dealt with by the Branch to which it/he belongs; and
 - (iii). Within the boundaries of a State Centre and the alleged offence is against the State Centre, the alleged offender shall be dealt with by the State Centre which may delegate its powers in this regard to a Branch, provided that the decision arrived at shall be subject to review by the State Centre.

BY-LAW 12.2 DISCIPLINE

- a) General
- (i). The Branch may penalise or refer to the Judiciary Committee, any Club or Auxiliary Organisation within its jurisdiction or any member of such Club or Auxiliary Organisation, whether a competitor or not, or any Officer and/or Officers of the Branch or Delegate who, in the opinion of the Branch, has practiced or counselled any unbecoming conduct or conduct which reflects upon the good name of the Association or any or all of its Officers, whether at any competition, meeting, function or other activity, or at any other time.
 - (ii). Penalty decisions shall be promptly conveyed in writing to the Club or member concerned and it shall be incumbent on such body to give an immediate effect to such decision and to notify the Branch and any member failing in any of these requirements may be dealt with by the Branch.
- b) Carnivals, Competitions, Conference
- (i). At Branch Carnivals, Competitions, Seminars, Congresses or Association activities, shall appoint a Disciplinary Committee to inquire forthwith into any allegation of conduct prejudicial to the good name of the Association or an infringement of Association Rules or Regulations alleged to have been committed at any such Carnival, Competition, Seminar, Congress or other activity, or whilst travelling to or from the same or whilst within the jurisdiction of the Authorising Authority and may impose an appropriate penalty upon any member(s) Club or team which it finds guilty.
 - (ii). The Committee, consisting of no less than three (3) members, shall be appointed by the Branch. Penalties may be administered as prescribed in the Constitution and By-laws but may also include forfeiture of titles or trophies won at a carnival, competition, seminar, congress or other activity which is relative to the misconduct.
 - (iii). The Committee shall forthwith report in writing their enquiries and decisions to the Branch, and if applicable, to SLSA and the State Centre.
 - (iv). Any Officer of the Branch or any Club or any Member of a Club or Auxiliary Organisation penalised by the Committee shall have the same right of appeal as provided for in By-law 12.4.

BY-LAW 12.3 PENALTIES

- a) Without limiting the scope of penalties that may be imposed, the form a penalty may take includes:
- (i). Reprimand - with the offence being recorded in the books of the penalising body.
 - (ii). Suspension - may be applied as a complete or partial suspension of a member's privileges for a definite period of time or until a definite pre-set goal is reached, and partial suspension could well require the member to carry out all or part of his duties in a Club without being able to avail himself of the normal facilities and privileges of a member. The extent or limit of the penalty must be set by the body imposing the said penalty, provided that the period of suspension shall not go be longer than three (3) calendar years from the date of the order.
 - (iii). Termination - Membership may be terminated because of the prevailing circumstances, and when the extreme action of expulsion is not warranted.

- (iv). A member whose membership is terminated may re-apply for membership of the Association at some later time.
- (v). Expulsion - expulsion from Club Membership would only be applied as a response to a very serious offence against the Club, the Association or their principles or ideals.
- (vi). Fines imposed in such a manner as the penalising authority thinks fit.
- (vii). Such combination of any of the above as the penalising body thinks fit.
- (viii). Such other penalty or penalties as the penalising body thinks fit.
- b) The suspension of a Club by the Branch shall mean the forfeiture of Membership and representation of the Club for the period of such suspension. The position of the officers of the Branch State Centre or SLSA who are members of a Club at the time of its suspension shall not necessarily be affected by such suspension, nor shall the suspension absolve the Club from any beach patrolling responsibility.
- c) Where an individual Club member, Councilor, Delegate or Officer is suspended by the Branch, he shall forfeit either completely or partially, as may be decided, all privileges as a member of an affiliated Club during the period of his suspension and in the case of complete suspension, a member shall forfeit all rights during the currency of his suspension. Partial suspension shall limit such member's participation in inter-Club or Association activities but may not interfere with his right as a Club member.

BY-LAW 12.4 APPEALS

- a) General
 - (i). Any Branch, Club, Auxiliary Organisation or Member shall have the right to lodge an appeal against an adverse finding or penalty.
 - (ii). Any such appeal shall be dealt with in accordance with rules and procedures of SLSQ/SLSA
- b) Procedures and Rules
 - (i). SLSQ South Coast Branch shall in each year appoint a panel of persons from whom an Appeals Tribunals shall be appointed from time to time. This panel shall comprise of the elected judiciary committee members.
 - (ii). A Branch, Club, Auxiliary Organisation or Member who or which has received a penalty or an adverse finding from a penalising body (for example, their Club, Branch or State Centre) may, within 14 days from date of the determination, appeal to the next level within SLSA. Thus:
 - 1. An Individual Member appealing against a decision of his Club and having exhausted all appeals rights under Club rules will appeal to their Branch (where applicable) or their State Centre;
 - 2. A Club appealing against a decision of its Branch (where applicable) will appeal to its State Centre; and
 - 3. A Club, Branch, or Auxiliary Organization appealing against a decision of the State Centre will appeal to the SLSA Appeals Tribunal.

Appeals under this clause will be determined in accordance with the procedures of the body hearing the appeal and with SLSA Regulation 6.2.7.
 - (iii). a Branch, Club, Auxiliary Organisation or member who or which has received an adverse finding from the initial appeal body under paragraph (b) above may, within 14 days from date of the determination lodge a further appeal to the SLSA Appeals Tribunal against a penalty imposed by, or a finding of, a Judiciary Committee or the initial appeal body.
 - (iv). An appeal must be lodged in writing with the relevant body hearing the appeal and if an appeal under paragraph (c) with the relevant State Centre setting out the:
 - 1. ground(s) on which the appeal is made; and
 - 2. reasons or circumstances supporting the alleged ground(s) of appeal; and
 - 3. Must be accompanied by a non refundable appeal fee of \$300.00.

The “relevant body” and “relevant State Centre” are those in which the appellant (whether individual or Club or Branch or State Centre) is located.
 - (v). Nothing prevents the withdrawal of an appeal at any time in writing to the relevant body if appealing under paragraph (b) or to the relevant State Centre if appealing under paragraph (c).
 - (vi). On receipt of an appeal in accordance with this By-law, the relevant body must immediately convene an Appeals Tribunal and forward the appeal documents to the nominated Chairperson of the convened Tribunal.
 - (vii). An Appeals Tribunal shall be constituted by up to three persons (but a minimum of two) available to hear the appeal from the SLSA Appeals Panel, which must include the following:
 - 1. up to two persons with a thorough knowledge of surf lifesaving; and
 - 2. a barrister or solicitor who will chair the Appeals Tribunal.

No member of the Appeals Tribunal may be a party to or directly interested in the matter under consideration.
 - (viii). The Appeals Tribunal has complete jurisdiction to re hear the matter in its entirety.

- (ix). The Chairman of an appointed Appeals Tribunal shall, as soon as practical after receiving the appeal documents under (f), investigate and consider the matter and shall within 7 days of receiving such notice, determine whether the:
 - 1. appeal should be dismissed, because in its determination, the matter is trifling in nature or has no merit; or the appellant fails to show the club council was in error; or
 - 2. Appeal warrants further review and determination in accordance with these rules.
- (x). If the Appeals Tribunal determines the matter warrants further review, it shall as soon as practicable, having regard to the timing; serve a notice in writing on all relevant parties:
 - 1. stating that the parties may address the Appeals Tribunal at a hearing to be held as soon as practicable, being not earlier than 4 days from the date of the notice;
 - 2. stating the date, place and time of that hearing; and
 - 3. informing the parties that they may do any one or more of the following:
 - a) attend that meeting (either personally or by their representative who subject to SLSA Regulation 6.2.7 (l) may not be legally trained or qualified) and bring such witnesses as they wish to rely upon in respect of the matter the subject of appeal; and/or
 - b) Give the Appeal Tribunal, no later than 24 hours before the time of that meeting a further written statement setting out relevant information surrounding the appeal.
- (xi). The Appeal Tribunal may conduct a hearing convened in accordance with (j) (or any adjournment) in such manner as it sees fit, but shall:
 - 1. give to all relevant parties and their witnesses every opportunity to be heard;
 - 2. give due consideration to any written statements received from any relevant party;
 - 3. Allow relevant parties to be present along with their adult representative; and may request or require such parties or other witness to attend the hearing or provide such evidence as is available to enable the Appeals Tribunal to properly consider the matter.
- (xii). Persons appearing before the Appeal Tribunal are not entitled as of right to:
 - 1. Legal representation before the Appeals Tribunal. Subject to Paragraph (ii) below the Appeals Tribunal may grant a right to legal representation to a party where that party has made written application to the Appeals Tribunal for such representation. Such application must be received by the Chairman of the Appeals Tribunal within 7 days from the date of the notice served.
 - 2. Legal representation will only be permitted by the Appeals Tribunal where the party seeking legal representation can demonstrate to the Appeals Tribunal that the matter is serious, complex or the consequences for that party proceeding without legal representation are significant from a livelihood or business perspective. The onus is on the party seeking legal representation to prove that such representation should be permitted.
 - 3. The Appeals Tribunal may refuse or grant such application in its absolute discretion. The Appeals Tribunal's decision in respect to legal representation is final and there is no appeal from such decision.
- (xiii). Following consideration of all information which the Appeal Tribunal considers relevant and which is available, the Appeal Tribunal shall arrive at a finding. The Tribunal can impose new penalties or vary an existing penalty. A decision of the Appeal Tribunal may be by a majority decision. The decision of the Appeal Tribunal is final.
- (xiv). The Appeal Tribunal shall notify all relevant parties, including SLSA and the State Centre of its decision as soon as practicable.
- (xv). An Appeal Tribunal has no power to award costs. That is, each party will be responsible for their own costs of the appeal.

BY-LAW 12.5 REFERENCES

- a) In addition to the matters set out in By-laws 12.1 to 12.4 which are of a disciplinary nature, any interested party may submit a reference to the Branch upon any matter touching the affairs of the Association and its members;
- b) Every Reference or Grievance shall be in writing setting out clearly the matters sought to be investigated, and the Executive shall then decide where such Reference or Grievance shall be directed.
- c) The hearing of a reference shall proceed in accordance with Appendix "A" in these By-laws;
- d) The hearing of any appeal from a decision on a reference shall proceed in accordance with Appendix "A" to these By-laws.

APPENDIX "A - JUDICIARY COMMITTEE - RULES OF PROCEDURE

1. DEFINITIONS

In these Rules:

- 1.1 "The Committee" means the Judiciary Committee.
- 1.2 "Secretary" means the Secretary for the time being of the Judiciary Committee.
- 1.3 "Member" for the purposes of these Rules and Procedures means a member of the Association, and includes a Club, subject to the jurisdiction of State Centre or Branch by which the Committee shall have been appointed.
- 1.4 "Reference" includes any complaint against a member of the Association brought by any person, and any dispute under the Constitution. The term also includes grievances brought by a member of the Association against another member.

2. JURISDICTION

- 2.1 The committee primarily has jurisdiction to hear a Reference of a disciplinary nature referred to it pursuant to the By-law 12.2 dealing with Discipline.
- 2.2 The committee may also hear References directed to it by the Executive pursuant to By-law 12.5.
- 2.3 Every reference directed to the Judiciary Committee shall be dealt with by that Committee or it may delegate the conduct of the reference to the Club -
 - 2.3.1 in whose area the matter for reference arises; or
 - 2.3.2 To the Club having the most direct interest in the matters raised by the reference.

If the reference is delegated to a club, that club shall appoint its Judiciary Committee to hear the reference and proceed in the terms of Rule 3 set out hereunder.
- 2.4 Every person bringing a reference shall have a right to be heard by a Committee of the Branch provided that -
 - 2.4.1 they have an interest in the subject matter of the reference;
 - 2.4.2 Their reference is in clear and unambiguous terms.
- 2.5 In every case the Committee is required to proceed in accordance with the rules of natural justice.

3. PROCEDURE

The following procedures shall be followed by the Branch Judiciary Committee.

- 3.1 Upon receipt of a reference, the Chairperson of the Committee or his delegate may appoint an independent person to act as investigator upon the reference. Such appointment shall be in writing, enclosing a copy of the reference and instructing the investigator to make all relevant enquiries and prepare to assist the Committee within fourteen (14) days.
- 3.2 The investigator, if appointed, shall make all relevant enquiries and shall appear at the time and place appointed for the hearing by the Secretary of the Committee.
- 3.3 Upon receipt of a reference, the Secretary shall forthwith appoint the time and place for the hearing suitable to the members of the Committee. He shall give at least seven (7) days notice of the hearing to all interested parties and such notice shall be in or to the effect of the following form:

SURF LIFE SAVING QUEENSLAND

South Coast Branch

To:

Dear Sir/Madam,

You are hereby notified that a meeting of the Judiciary Committee of this Branch will be held at on 20.., at (pm/am), to inquire into the following matter, referred to the Committee by the Branch.

(You are) (Your Club is) required to be (present) (represented) at that time and place, together with such witness as (you) (your Club) may desire to call.

Mr. /Ms. has been appointed pursuant to the Branch/Club Constitution, as an independent investigator to make all relevant enquiries and to appear to assist the Committee at the hearing - optional.

The Secretary will, upon receipt of (your) (your Club's) request in writing, at least five (5) days before the day appointed for the investigation, setting out the names and addresses of members of the Association who (you desire) (your Club desires) to call as witnesses, require such members to be present at the investigation.

If the time and place appointed are not suitable to (you) (your Club), you may apply for an adjournment by application in writing, to be in my hands at least three (3) days prior to the time appointed.

(You are) (Your Club is) not entitled to legal representation as of right but (you) (your Club) may apply at the commencement of the inquiry for such representation, and the Committee may grant or refuse such application as it thinks fit.

The same provisions shall apply where representation other than legal representation is required.

In any event, you are required to advise the committee of your intention to attend or not to attend as the case may be, three (3) days before the hearing is due to commence.

Yours faithfully

SECRETARY

Judiciary Committee

- 3.4 The Committee shall have power to require the attendance of any member at any hearing by the Committee. The Secretary shall give reasonable notice to a member informing him of the time and place of the hearing, and that he is required to attend.
- 3.5 In the case of a complaint against a member of the Association who has been suspended, he shall remain under suspension until the decision of the Committee, unless the Chairperson of the Committee decides otherwise.
- 3.6 The independent investigator if appointed by the Chairperson of the Committee shall make enquiries within a reasonable time.
- 3.7 The Committee shall likewise conduct the inquiry within a reasonable time, subject to any reasonable application for an adjournment in writing and received by the Secretary at least three days before the time fixed for the inquiry.
- 3.8 No interested party shall be entitled to legal representation as of right at the Committee hearing provided always that an application may be made at the commencement of the hearing for such representation. The Committee may grant or refuse such an application as it sees fit. The same provisions shall apply where an application is made for representation other than legal representation, provided that where a minor (U18) member is charged, it shall be mandatory for a parent or guardian or an adult approved by the parent or guardian to be invited to attend at all material times, and every effort should be made to encourage these persons to be in attendance in the interest of the minor (U18) member.
- 3.9 Any notice required by the Rules to be given by the Secretary shall be given in writing delivered personally or sent by prepaid post addressed to the member concerned or to the Secretary of Club concerned of which the person for whom the notice is intended is a member. On receipt of a notice intended for a member of his Club, the Secretary of that Club shall forthwith inform the member concerned of the receipt of the notice and of its contents. A notice given by post shall be deemed to have been given on the day following that on which it shall be posted.
- 3.10 Any member who fails, without reasonable excuse, to comply with the requirements of any notice addressed to him by the Secretary and any Secretary of a Club who fails, without reasonable excuse, to comply with Rule 3.9 hereof, shall be subject to such action as the Executive of the Branch or Club, as the case may be, shall on the report of the Committee, think fit.

4. AT THE HEARING

- 4.1 All interested parties shall be present at the hearing, provided that a hearing may proceed in the absence of an interested party only where the Committee is satisfied by evidence that the party had due notice of the meeting and has chosen to be absent from the hearing or the Committee agrees that it is in the best interests of the party not to be present.
- 4.2 In the case of a complaint against a member or Club, all witnesses other than the member or Club concerned, must remain out of the hearing until called upon to give evidence.
- 4.3 The independent investigator (if appointed) shall be present to assist the Committee.
- 4.4 The reference to the Committee shall be read by the Chairperson.
- 4.5 The independent investigator (if appointed) shall present relevant evidence, including the calling of witnesses. Any submissions by the investigator, or documentary evidence submitted by him, shall be given whatever weight the Committee thinks fit, subject always to the consideration that oral evidence from a witness may be of more weight than other forms of evidence.

If the independent investigator is not appointed, the Committee itself shall receive the evidence relative to the reference.
- 4.6 The person or Club the subject of the reference shall then present relevant evidence on his own behalf, subject to the same provisos as in Clause 4.5.
- 4.7 In all cases, where witnesses are called they shall be examined by the party (if any) on whose behalf they are called, and then cross-examined by the other interested parties to the reference. The party calling the witness shall have the right to re-examine the witness. The Committee members may ask questions of the witness, but no other examination or cross-examination of that witness shall be allowed except by leave of the Chairperson.

Such examination or cross-examination may be conducted through the Chairperson and/or by telephone or other multimedia means as determined by the Committee.
- 4.8 The Committee may, in its discretion, refuse to admit evidence which is irrelevant or of so little weight as to be properly excluded.
- 4.9 At the conclusion of all the evidence, each interested party and the investigator (if appointed) may make submissions to the Committee in such speaking order as the Chairperson may direct. Right of reply by any party shall be at the discretion of the Chairperson.

5. AT THE CONCLUSION OF THE HEARING

- 5.1 The Committee shall meet in camera after the hearing has been completed and formulate its findings.
- 5.2 The findings of the Committee and the order or penalty agreed upon, may be by the majority, with the Chairperson having a casting vote in the event of a tied decision. The minority may furnish separate findings, but the majority findings and order or penalty shall be deemed to be the decision of the Committee.

6. DETERMINATION OF ANY PENALTY

- 6.1 The Chairperson or other member of the Committee shall deliver the Committee's findings in the presence of such interested parties who wish to attend.
- 6.2 If an adverse finding is delivered, the party against whom the finding has been made shall be invited to make submissions on penalty.
- 6.3 The Committee shall make any determinations of penalty as may be required and it sees fit. If necessary, the Committee may meet again in camera to consider a penalty.

7. NOTIFICATION

- 7.1 The Secretary of the Committee shall forthwith give notice of the decision of the Committee to all interested parties, together with notice of any made order or penalty imposed, which upon being confirmed by the appointing authority shall become effective forthwith.
- 7.2 The Committee shall furnish its report at the first meeting of the appointing authority after the hearing is completed. That authority shall either confirm the decision of the Committee or proceed according to the next succeeding paragraph.
- 7.3 The decision of the Committee cannot be altered by the appointing authority, but a two-thirds majority of those present and voting at the meeting, may return the reference to the Committee for further

consideration or the hearing of additional evidence. The grounds of such return of the reference shall be clearly stated.

- 7.4 A person or Club exonerated by the Committee may start under protest at any Carnival or Association event held before the meeting of the appointing authority at which the Committee's decision is presented for confirmation or return as the case may be.

8. APPEALS

- 8.1 Except as provided in Clause 6.3 hereof, any person aggrieved by a decision of the Committee may, upon a Reference has a right to appeal to the next highest authority from that which appointed the Committee which conducted the hearing.
- 8.2 Except as provided in Clause 6.3 hereof, any person aggrieved by a decision of the Committee upon a Reference may, within twenty-eight (28) days after the decision is conveyed to that person, appeal against the decision provided –
- 8.2.1 If the hearing was conducted by the Club/Branch Judiciary Committee, the appeal shall be lodged with the Secretary of that Club/Branch and it shall be forwarded immediately to the Branch/State Centre.
 - 8.2.2 If the hearing was conducted by the State Centre Judiciary Committee, the appeal shall be lodged with the State Centre, and it shall be dealt with in accordance with the Constitution of the Association.
- 8.3 Where a Reference submitted pursuant to By-law 12.5 has been heard by the Committee and its decision has been confirmed by the Executive, that decision shall be final and no appeal shall lie to the next highest authority, except in cases where the Committee and the Executive has decided that an interested party to the Reference or Grievance should be penalised in terms of By-law 12.3.

APPENDIX “B” - RULES OF DEBATE

1. GENERAL

- 1.1 The under-mentioned rules shall apply to the conduct of all meetings of the Council, its Committees and Committees.
- 1.2 For the purpose of these Rules, the word "member" shall refer to members of the Association.

2. CHAIRPERSON'S AUTHORITY

- 2.1 Whenever the Chairperson rises during debate, the member then speaking shall be silent and resume his seat.
- 2.2 In the case of any remark considered by the Chairperson to be offensive or imputing improper motives, the Chairperson may call upon the speaker to withdraw and apologise.
- 2.3 The Chairperson may call a member to order. If such member persists in being disorderly, he may call upon such member to withdraw from the meeting.
- 2.4 It shall not be permissible to dispute the Chairperson's rulings, or move a motion of dissent from his ruling, on matters of procedure and points of order.

3. DEBATE

- 3.1 Any member desiring to speak shall stand up and address the Chairperson.
- 3.2 If two or more members rise to speak at the one time, the Chairperson shall decide which is entitled to priority.
- 3.3 The meeting may decide that a particular person shall or shall not be heard, provided that a motion of this nature shall not be debated.
- 3.4 No member shall interrupt another while speaking, except to rise to a point of order.
- 3.5 No speaker shall digress from the subject under discussion.
- 3.6 No member shall use offensive or unbecoming words.
- 3.7 During the debate, a member may raise a point of order whereupon the member then speaking shall resume his seat until the point of order has been decided.
- 3.8 It shall be competent for any member to move a motion of dissent from the Chairperson's ruling other than on matters of procedure and points of order. The mover of a motion of dissent shall concisely state his point. The seconder and Chairperson only may then speak to the motion.
- 3.9 At any time during the debate, a member may move "that the question be now put", provided the Chairperson is satisfied that reasonable time for debate of the original motion has been allowed. The motion shall be put without debate - it need not be seconded. This motion may be applied to an amendment, in which case it is the amendment which is immediately put to the vote. It shall not be competent for the mover, seconder or any person who has spoken to the original motion or amendment to move "that the question be now put".
- 3.10 If carried, the original motion shall be put to the vote without further debate except that the mover thereof shall have the right of reply; if lost, the debate may proceed.
- 3.11 A member may move the adjournment of the debate to a subsequent meeting. If the motion for adjournment is lost, the mover thereof shall not be allowed to speak again on the question under debate. If carried, the mover shall have the right of resuming the debate at the ensuing meeting and the mover of the original motion shall have the right to reply.

4. MOTIONS AND AMENDMENTS

- 4.1 Any member proposing a motion or an amendment shall state its nature before addressing the meeting thereon.
- 4.2 The mover of a motion shall not occupy more than ten minutes nor any other speaker more than five minutes; provided that the meeting may, by resolution, without debate, grant an extension of time to any speaker.

- 4.3 No member may speak more than once to a motion except with the Chairperson's permission, in explanation or reply, or to ask a question provided that he may speak again on any amendment to the motion.
- 4.4 The mover of a motion's right of reply shall be exercisable at the end of the debate.
- 4.5 The mover of an original motion must get the consent of his seconder, and the approval of the meeting, before making any alteration to the wording of his motion.
- 4.6 Any member (other than as provided in Rule 4.7 herein), may move an amendment to a motion, provided it is not a direct negative of the motion proposed to be amended.
- 4.7 The mover or seconder of a motion may not move or second an amendment to it but may speak on any such amendment.
- 4.8 A particular member may move or second one amendment only to each motion, but may speak on amendments moved by others.
- 4.9 An amendment having been moved, it shall not be competent to move any further amendment, provided that notice may be given of intention to move a further amendment when the previous amendment has been determined. Only one amendment can be considered at any one time.
- 4.10 If there is an indication of more than one amendment to be brought forward the mover of the original motion may elect to reply at the end of the debate on the first amendment.
- 4.11 The mover of an amendment has no right of reply.
- 4.12 A member, who formally seconds a motion or amendment without speaking, may speak in support at a subsequent stage of the debate.
- 4.13 Amendments shall be put to the meeting before the motion is put, and shall be committed to the meeting in the order in which they are received.
- 4.14 When an amendment is carried, the motion as amended becomes the motion before the meeting.
- 4.15 Motions and amendments can be withdrawn only with a majority of those present at the meeting consent. A motion for withdrawal is open to debate, which however, must be confined to the matter of withdrawal.
- 4.16 If, after a motion has been determined, it is considered in the general interest that the matter should be re-opened for discussion before the termination of the same meeting, the meeting may, by unanimous vote, order its re-committal.

5. VOTING

- 5.1 Voting shall be by the voices, or at the discretion of the Chairperson or at the request of any member, by show of hands or by secret ballot.
- 5.2 Any member, supported by not less than three others, may call for a division, in which case members shall move to the right or left of the Chairperson, as directed by him.
- 5.3 In the event of a division, any member declining to vote shall elect to retire behind the Chairperson or have his vote counted in the negative.
- 5.4 The Chairperson may appoint tellers to assist him in counting a vote.