

Constitution

West Coast Swimming Club (Inc)

1. Title

The title of the Club is "West Coast Swimming Club (inc)".

2. Objects

The objects of the Club are:

- (a) to foster and encourage the sport of swimming
- (b) to promote social activities between members and to provide such privileges and amenities as may from time to time be thought desirable in connection therewith.

3. Powers

For the purpose of achieving or furthering these objects the Club shall have power:

- (a) to join or affiliate with any other club, association or federation having similar interests and objects
- (b) to borrow or raise or secure the payment of money in such manner as the Club thinks fit. With powers to issue debentures, grant mortgages, charges or any other class of security upon or charging all or any of the property real or personal both present and future, of the Club, and to redeem or pay off any existing or future security and
- (c) to do all such things as are necessary, incidental or conducive to the attainment of the objects.

4. Income and Property

The income and property, of the Club, shall be applied solely towards the promotion of the objects of the Club. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the Club, provided that nothing shall prevent the payment, in good faith, of remuneration to any officer or employee, of the Club, or to any person other than a member in return for services rendered to the Club.

A list of all property belonging to the Club be maintained and presented at each AGM.

5. Membership

Membership of the Club shall be open to all persons interested in swimming

5.1 Any person wishing to become a member shall:

- (a) submit an application, in writing, addressed to the Secretary of the Club and such application to abide by the constitution and by-laws of the Club
- (b) applications for membership shall be submitted, by the Secretary, to the next following meeting of the committee of the Club and shall be approved or rejected as the committee shall resolve.

5.2 There shall be the following categories of membership:

- (a) Senior Member
- (b) Junior Member
- (c) Non-Competitive Member

- (d) Life Member
- (e) Honorary Member

5.3 Persons sixteen years of age and over shall be eligible to join as Senior Members.

5.4 Persons under the age of sixteen years shall be eligible to join as Junior Members.

5.5 Non-Competitive Members are those not taking part in competitions with swimmers registered by the Western Australian Swimming Association (inc).

5.6 Life Membership shall be awarded in accordance with:

5.6.1 Honorary Life Member:

(a) When, in the opinion of the committee, there have been voluntary meritorious services to the Club by a member, the committee may recommend to a meeting of the Club that the member concerned should be elected an Honorary Life Member of the Club. Voluntary meritorious services eligibility includes duration as a member of the Club Committee and outstanding contribution to the well being of the Club.

(b) The meeting of the Club considering the eligibility of any member to become an Honorary Life Member shall vote on the matter by secret ballot and, if not less than $\frac{3}{4}$ of the members present and voting shall cast their vote in favour, the eligible member shall be duly elected a Life Member of the Club and shall thereafter be entitled to all the privileges of a member of the Club, without paying subscriptions.

5.6.2 Honorary Swimming Life Member:

(a) Life Membership shall be automatically awarded to a swimmer who has been selected to represent Australia at one of the following Open International competitions, the Olympic or Paralympic Games, Commonwealth Games, Pan Pacific Games or World Championships whilst being a member of the Club.

(b) Honorary Swimming Life Members shall be entitled to all the privileges of a member of the Club, without paying subscriptions.

5.7 The committee shall have the power to admit a person to Honorary Membership on a temporary basis.

5.8 A member shall cease to be a member if:

- (a) they resign
- (b) they become unfinancial
- (c) they are suspended or expelled

6. Committee

6.1 (a) the entire management of the general affairs and funds of the Club shall be under the control of the committee.

(b) the committee may, subject to the decision made at general meetings, exercise all the powers of the Club and do all such acts and things as may be done by the Club or which it considers necessary or expedient to carry out the objects of the Club.

6.2 The committee shall consist of:

(a) the President, Vice-President, Secretary and Treasurer (hereinafter called the Officers of the Club) and

(b) a maximum of ten other Club members of which one shall be the Immediate Past President.

6.3 The committee may:

(a) appoint Sub-Committees for such purpose or purposes as the committee may

from time to time think fit provided that any sub-committee have as its chairman a member of the committee.

(b) Delegate to any sub-committee appointed such powers as the committee thinks necessary to enable such sub-committee to carry out the purpose or purposes for which it is appointed.

6.4 As and when they think fit the committee may appoint an auditor to conduct special audits of the Club.

6.5 The committee shall from time to time make such regulations and by-laws consistent with the constitution and fix scales of fees for membership and other matters as is required.

6.6 Should any vacancy occur in the office bearers or committee of the Club, the committee shall fill such vacancy from the financial members of the Club and such member duly elected shall hold office for the unexpired portion of their predecessor's term.

7. Election of Committee

7.1 All nominations for office bearers and members of the committee shall be made in writing and shall be signed by the nominee and their proposer.

7.2 The officers and committee members shall be elected by secret ballot, at the annual general meeting of the Club, and shall hold office immediately succeeding their election until the next annual general meeting of the Club.

7.3 All officers and members of the committee shall be eligible for re-election subject to the following provisos:

(a) no member may be re-elected as President if that member has held the office of President for the preceding three years.

(b) a member to be elected President or Vice-President should have had, prior to nomination, at least one year's experience as a member of the committee.

7.4 Where there is no nomination for any office of the Club, or where there are insufficient nominations for committee members, then nominations for committee members, then nominations may be called from the members present at the annual general meeting.

8. Finance

8.1 The committee shall cause true accounts to be kept of the moneys received and expended.

8.2 The committee shall provide, at the annual general meeting, an audited statement showing receipts and payments for the past year, the assets and liabilities of the Club, and a report on the finances of the Club.

8.3 The funds of the Club shall be lodged in the name of the Club at a bank or other financial institution.

8.4 All accounts passed for payment by the committee shall be paid by cheque, signed by any two of the following:

The Treasurer, President or Secretary, or other member of the committee authorised by the committee for that purpose.

9. Club Year

The Club year shall be from the 1 July to 30 June.

10. Meetings of the Club

10.1 Members shall be given 28 days notice of each and any meeting of the members of the Club.

10.2 The annual general meeting of the Club shall be held at a time and place to be

determined by the committee. At the annual general meeting the following business shall be conducted:

- (a) confirmation of the minutes of the preceding annual general meeting and matters arising
- (b) the President's report
- (c) the Treasurer's report
- (d) the election of officers and members of the committee
- (e) the appointment of an Auditor and Patrons
- (f) any other substantial business affecting the finances or policies of the Club of which prior notice shall have been given in writing to the Secretary at least 14 days before the date of such meeting
- (g) any other business the President shall decide whether items will be discussed.

10.3 The committee shall have the power to call special meetings of the members of the Club to be held on such days and at such time and place as the committee may appoint. The committee shall be bound to call a special meeting on receipt of a written requisition signed by at least ten financial members of the Club requesting the committee so to do and specifying the business for which such meeting is to be held. The meeting shall be called within 45 days of receipt of such a request.

10.4 The quorum at any meeting of the Club shall be 14 financial members. If at the expiration of 15 minutes from the time specified in the notice calling the meeting as the time for commencement of the meeting a quorum is not present, the presiding officer shall adjourn the meeting to such time and place as he or she shall think fit.

10.5 Only financial, senior members, non-competitive members and life members of the Club shall be entitled to hold office, vote or take part in business procedure at meetings of the Club.

10.6 Every resolution duly passed at a duly convened meeting of the Club shall be conclusive and binding on all members of the Club whether or not present at that meeting.

10.7 Any motion which in the opinion of the chairman affects the funds or the policy of the Club shall before it is voted upon be submitted to the committee of the Club for its consideration and recommendation to a meeting of the Club.

10.8 Every question submitted to a meeting of the Club shall, unless otherwise unanimously decided, be decided in the first instance by a show of hands and then, if a poll is demanded by at least 5 members, by a poll. In the case of an equality of votes, the chairman shall, both on a show of hands and a poll, have a casting vote in addition to the vote to which he or she is entitled as a member.

10.9 At any meeting of the Club a declaration by the chairman that a resolution has been carried, or carried by a particular majority, or lost, or not carried by a particular majority shall be conclusive evidence of the fact. If a poll is demanded as aforesaid, it shall be taken in such manner as the chairman of the meeting directs, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

10.10 No proxy voting shall be allowed at any meeting of the Club.

11. Committee Meetings

5.2 The committee shall meet monthly or more or less often as the business requirement dictate.

5.3 A committee meeting may be called by the President or the Secretary at any time upon reasonable notice being given, to other members of the committee.

5.4 The number required to form a quorum at a committee meeting shall be five.

5.5 If at the expiration of 15 minutes after the time for which a committee meeting has been called a quorum is not present, the presiding officer shall adjourn the

committee meeting to such time and place as he or she shall think fit.

12. Postponement of Meetings

12.1 The committee may postpone any meeting of the Club which has already been called to such time and place as it thinks fit, provided that the length of the postponement does not exceed 31 days and provided that notice of postponement is given to all members of the Club in the same manner as if required for notice of meetings of the Club.

12.2 The business transacted at any postponed meeting of the Club shall be as valid as if it had been transacted at the time and place first appointed for that meeting.

13. Patrons

13.1 A meeting of the Club may on the recommendation of the committee elect as Patrons of the Club a person or persons who are willing to accept the office.

13.2 Life membership may be conferred upon the Patron of the Club.

14. Resignation of Members

14.1 Any member wishing to resign from the Club shall give notice to the Secretary in writing to that effect.

14.2 Resignation shall not relieve the member from any liability to the Club for subscriptions or otherwise in respect of the period up to the receipt by the Club of notice of resignation.

15. Suspension and Expulsion of Members

15.1 The committee shall have the power, to suspend or expel any member from the Club, if in the opinion of two-thirds of those present and voting at a meeting called for that purpose, a member who has by their conduct forfeited the right to remain a member.

15.2 Before calling such a meeting the committee shall communicate with the offending member, supply him with the charges made against him, and give him a reasonable opportunity to address such a meeting.

15.3 An appeal shall lie to an Extraordinary Meeting of the Club which shall be called within seven days by the committee, at the request in writing by the member who has been suspended or expelled.

15.4 The Extraordinary Meeting of the Club may allow or disallow the appeal in whole or in part and may vary the decision of the committee.

15.5 Any member who is suspended or expelled shall not be entitled to any refund of any fees or subscription.

16. Amendments to the Constitution

A member of the Club may propose alterations, addition, suspensions, rescissions or amendments to the constitution of the Club in the matter hereinafter set out:

(a) any proposal under this clause shall be by notice of motion which shall be in writing and given to the Secretary

(b) the notice of motion shall be considered at the meeting of the Club to be held next after expiration of 28 days from the date upon which the Secretary receives the notice of motion. A meeting of the Club for the purpose of considering the notice of motion may be called by any methods referred to in clause 10.

(c) The notice of the meeting of the Club at which the notice of motion is to be considered shall set out the contents of the notice of motion in full.

(d) No motion under this clause shall be deemed passed unless three-quarters of the members present and voting at the meeting of the Club at which it is considered shall vote in favour thereof, nor unless the majority includes at least 10 members.

17. Common Seal

5.2 The common seal of the Club shall be kept in the custody of the Secretary.

5.3 Such seal shall be affixed by the President and Vice-President to any writing when authorised by the resolution of the committee and not otherwise and every writing to which the seal has been affixed shall be countersigned by the President and Vice-President.

18. Dissolution

18.1 The Club may be dissolved upon a vote of two-thirds of the members of the Club present and voting at a meeting of the Club called for that purpose as hereinafter provided.

18.2 Notice of such meeting of the Club specifying the purpose for which it is called shall be sent to every financial member of the Club not less than 28 days prior to the date upon which it is to be held.

18.3 A motion for dissolution of the Club under this clause shall not be deemed to have been passed unless three-quarters of the total number of financial members of the Club are present at the meeting of the Club to consider it.

18.4 If upon dissolution or winding up of the Club there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid or distributed amongst the members of the Club, but shall be given or transferred to some other association or institution having similar objects to those of the Club, and which prohibit or prohibits the distribution of its or their income or property amongst its or their members, or to some charitable object or objects which association, institution or object shall be determined by the members of the Club at, or before the time of, dissolution or winding up; or in default thereof, or if insofar as affect cannot be given to such determination, then such distribution shall be determined upon application to a Judge of the Supreme Court of Western Australia.

