

BY LAWS

1 INTERPRETATION

(1) In this Constitution unless the contrary intention appears:

Associate Member means a parent/legal guardian of a Swimming Member of Carina Leagues CJ's Swim Club and will be granted that Membership in accordance with Clause 8.

Centre (The) means the Clem Jones Centre, Carina.

Member means a person who is a registered member, a Life Member or an Honorary Member except where the context indicates to the contrary, save that where a member is to exercise a vote under this constitution the member must be above the age of 18 years.

Swimming Member means any registered Club Night or Competition swimmer of Carina Leagues CJ's Swim Club.

Volunteer

- (a) Volunteers are any other people other than Swimming or Associate Members.
- (b) Volunteers are welcome to assist the Association with approval from the Management Committee.
- (c) Volunteers shall have no voting rights within the Association.

2 APPLICATION OF INCOME AND PROPERTY

- (i) of rent for premises or equipment demised or let by any member to the Association

3 CLASSES OF MEMBERS

(1) The membership of the Association consists of:

- (a) Swimming Members who join on an annual swimming season basis (See Clause4)
- (b) Associate Members who are parents/legal guardians Of Swimming Members (see Clause5)
- (c) Life Members, being persons granted such status by an Annual General meeting pursuant to Clause 7 of Constitution
- (d) Honorary Members, being persons granted such status by a Management Committee Meeting pursuant to Clause 7 of Constitution
- (e) any other category of member as may be determined by Swimming Queensland or Swimming Australia from time to time.

(2) The number of Swimming Members will be capped. The cap will be set by the Clem Jones Centre in consultation with the Association. The cap will be reviewed annually.

4 GRANT OF SWIMMING MEMBERSHIP

(1) A swimming member is either: -

- A Club Night swimmer only/or
- A Competition swimmer only/or
- both a Club Night and Competition Swimmer

(a) Club Night only swimmers will be required to register with the Association, on a form provided by the Association, accompanied by the registration fee set by the Association. Club night swimmers must abide by the Association rules (see Club Handbook).

(b) Association Competition swimmers must be registered members of Swimming Qld and the Association, and train solely at the Clem Jones centre. Associated fees set by Swimming Qld and the Association are to accompany Competition Registration. Registration forms will be Provided by the Association. Competition swimmers who transfer to and compete for the Association, shall train solely at the Clem Jones Centre. Competition swimmers must abide by the Association Competition rules as set out in the club Handbook.

(c) A combined Club Night and Competition Swimmer must abide by both (a) and (b).

(3) Registered, financial Swimming Members over the age of 18yrs shall be entitled to vote at any Association AGM, Special General Meetings, or General Meetings.

5 GRANT OF ASSOCIATE MEMBERSHIP

(1) An Associate Member is any Parent or Legal Guardian of a Swimming Member.

(a) Associate Members must lodge the appropriate registration form provided by the Association when the Swimming Member renews or applies for membership. An Associate Member fee must accompany the form, and this fee shall be set/reviewed at the Association's AGM.

(b) All financial Associate Members shall be entitled to vote at the Association's AGM, Special General Meetings, or General Meetings.

6 APPLICATIONS FOR MEMBERSHIP

Applications for Swimming Membership must be completed on the form provided and decided by the Management Committee when registering with the Association. Applications for Associate Membership will be completed and lodged at the same time as Swimming Membership forms are lodged, and on the appropriate form Provided by the Association.

7 MEMBERSHIP OF EXECUTIVE AND MANAGEMENT COMMITTEES

(1) (a) The Executive Committee of the Association consists of a President, Vice President, Treasurer and Secretary. The Executive Committee positions are voted in at the Association AGM, or if need be, at a Special General Meeting.

- (b) The President of the Executive Committee of the Association must not be an employee of the Centre as either Head Swimming Coach or in any other capacity.
- (2) The Management Committee of the Association comprises the Executive Committee, plus at least 3 of the following as voted in by members of the Association at an AGM or Special General Meeting: Registrar, Carnival & Communications Manager, Club Night Coordinator, Grievance Officer, Uniform Coordinator, Parent Representative.

8 ELECTING THE EXECUTIVE AND MANAGEMENT COMMITTEES

- (1) A member of the Executive & Management Committee may only be elected as follows:
 - (a) (i) Any two members of the Association may nominate another member (the "candidate") to serve as a member of the Management Committee
 - (ii) The election of any employee of the Centre, who is nominated for the position of Vice President, Treasurer, Secretary must be approved by 75% of the Association members present at the Annual General Meeting.
 - (b) the nomination must be in writing on an Association provided form, signed by the candidate and the members who nominated him or her and given to the secretary at least 14 days before the Annual General Meeting at which the election is to be held
 - (c) each member present at the Annual General Meeting may vote for any number of candidates not more than the number of vacancies
 - (d) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- (1A) A person may be a candidate only if the person:
 - (a) is an adult over 18yrs; and
 - (b) an Associate or Swimming Member of the Association; and
 - (c) is not ineligible to be elected as a member under Section 61A of the Act.
- (2) A list of the candidates, names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the Association for at least seven days immediately preceding the Annual General Meeting.
- (3) If required by the Management Committee, balloting lists shall be prepared containing the names of the candidates in alphabetical order.
- (4) The Management Committee must ensure that, before a candidate is elected as a member of the Management Committee, the candidate is advised:
 - (a) whether or not the Association has public liability insurance; and
 - (b) if the Association has public liability insurance - the amount of the insurance.

9 FUNCTIONS OF EXECUTIVE COMMITTEE

- (1) Subject to this Constitution or a resolution of the Association carried at a General Meeting, the Executive Committee has:
- (a) to propose ideas and motions to bring forth to a Management Committee Meeting.
 - (b) to act as liaison between the Centre, coaches and the Association.
 - (c) To offer guidance and support to other committee position holders to ensure the effective functioning of the Association.
 - (d) to meet as part of the Management Committee a minimum of once every 2 months to facilitate the management of the Association
 - (e) the task of making decisions on behalf of the Management Committee and Association members in emergencies where it is not possible for the Management Committee to meet before a resolution is needed.
 - (f) At each Management Committee meeting to provide....
 - an overview of issues presented at the last Executive meeting
 - present any motions or proposals generated from an Executive meeting to the Management Committee
 - seek answers to questions arising out of the Executive meeting.

10 MEETINGS OF EXECUTIVE COMMITTEE

- (1) The Executive Committee:
- (a) must meet at least once every 2 months (preferably once a month) on a suitable day before the next Management Committee meeting.
 - (b) must conduct meetings at a neutral venue for all Executive Committee members.
 - (c) may conduct its proceedings as it deems appropriate.
 - (d) must record accurate minutes of each meeting in a separate book to Management Committee minutes. To ensure the accuracy of the minutes, the minutes of each Executive Committee meeting must be signed by the chairperson of the meeting or the chairperson of the next Executive Committee meeting, verifying their accuracy.
- (2) A quorum for an Executive Committee meeting is 75% present of the actual Executive Committee positions. Meetings will be adjourned if a quorum is not present within 30 minutes of the meeting start time.

11 MEETINGS OF MANAGEMENT COMMITTEE

- (1) Subject to subsections (2) to (16) of the Constitution, the Management Committee may meet and conduct its proceedings as it considers appropriate.
- (2) The Management Committee must meet at least once every 2 months commencing from the start of election of the Executive and Management Committee positions at the AGM.

- (3) The Management Committee must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the Management Committee.
- (4a) Management Committee meetings must be held at a neutral venue of either the Association facilities at the Clem Jones Centre, or at the Carina Leagues Club.
- (4b) The Management Committee may hold meetings or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (4c) A committee member who participates in the meeting as mentioned in Sub-Clause 4b is taken to be present at the meeting.
- (4d) Associated members and eligible Swimming members may attend Management Committee General meetings and contribute to the discussion, but not vote on resolutions.
- (5) If the Secretary receives a written request signed by at least 33% of the Management Committee members, the Secretary must call a special meeting of the Management Committee.
- (6) A request for a special meeting must state
 - (a) why the special meeting is called and
 - (b) the business to be conducted at the meeting.
- (7) At a Management Committee meeting more than 50% of the members elected or appointed to the Management Committee as at the close of the last Annual General Meeting of the members form a quorum.
- (8) A question arising at a Management Committee meeting is to be decided by a majority vote of Committee members present at the meeting and, if the votes are equal, the question is decided in the negative.
- (9) A Management Committee member must not vote on a question about a contract or proposed contract with the Association if the member has an interest in the contract or proposed contract, and if the member does vote, the member's vote must not be counted.
- (10) The Secretary must give each Management Committee member at least 14 days notice of a special meeting of the Committee.
- (11) A notice of a special meeting must state:
 - (a) the day, time and place of the meeting and
 - (b) the business to be conducted at the meeting
- (12) The President or, if there is no President or if the President is not present within 10 minutes after the time fixed for a Management Committee meeting, the Vice President is to preside at the meeting.
- (13) If the President and the Vice-President are absent from a Management committee meeting the members may choose one of their number to preside at the meeting.

- (14) If a quorum is not present within 30 minutes after the time fixed for a Management Committee meeting called on the request of committee members, the meeting lapses.
- (15) If a quorum is not present within 30 minutes after the time fixed for a Management Committee meeting called other than on the request of committee members, the meeting is to be adjourned to:
 - (a) the same day, time and place in the next week or
 - (b) a day, time and place decided by the Committee.
- (16) If, at an adjourned meeting mentioned in Subsection (15), a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.

12 COACHES AND THE ASSOCIATION

- (1) All coaches are employed and contracted by the Clem Jones Centre, and Squads fall under the jurisdiction of the Centre.
- (2) The Association may employ Centre Coaches to assist with Club Nights, Interclub Meets, and the overall running and management of the Association's competition swimmers. Any contract agreements between the Association and coaches will be in writing, and terms and wages will be voted on at the AGM or a special General Meeting at the beginning of each Season.

13 DISPUTE RESOLUTION AND ASSISTANCE

- (1) Any Association member who has a grievance associated with Squads, must take this issue up with the Centre.
- (2) For any other disputes that may arise within the Association, the Management Committee will try and appoint a Grievance Officer at the beginning of the season for the benefit of Association members.
 - (a) The appointed Grievance Officer must be neutral to both the Association, Committee and its members.
 - (b) The Grievance Officer may be required to assist with disputes between the centre and the Association.
 - (c) If a suitable person for the position of Grievance Officer cannot be appointed, all grievances amongst Association members must be directed to the Executive Committee to assist with a suitable resolution.

14 FINANCIAL YEAR

The financial year Of the Association runs in alignment with Swimming Qld's financial year.