



# **SUNSHINE COAST DRAGON BOAT & PADDLING CLUB INC.**

## **CONSTITUTION**

**&**

## **BY-LAWS**

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## 1. NAME

The name of the incorporation is Sunshine Coast Dragon Boat & Paddling Club Inc. ('the Association')

## 2. OBJECTS

The objects of the Association shall be:

- 2.1 to promote interest and activities of dragon boating at all levels of the sport;
- 2.2 to promote dragon boating as a healthy lifestyle sport for all members of the community;
- 2.3 to participate and support members in sporting and cultural events within Australia and overseas;
- 2.4 To provide a learning environment that develops the skills of Dragon Boating, fitness, coaching and management for Club members; and
- 2.5 To do all such acts and things as are incidental or subsidiary to all or any of the above.

## 3. POWERS

- 3.1 The Association is a non-profit organisation and as such the assets and income of the Association shall be applied solely towards the promotion of the objects of the association and no part of the assets or income may be paid or otherwise distributed, directly or indirectly, to members or affiliates, except in good faith in the promotion of these objects.
- 3.2 In furtherance of the objects of the Association to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Associations' premises.
- 3.3 Enter into any arrangements with any Government or authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or authority any rights, privileges and concessions which the association may think it desirable to obtain; and carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- 3.4 The property and income of the Association shall be applied solely towards the promotion of the objects or purposes of the

Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members of the Association, except in good faith in the promotion of those objects or purposes.

- 3.5 The Association may appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.
- 3.6 To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects.
- 3.7 To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

#### 4. MEMBERSHIP

- 4.1 Membership shall be open to any person who wishes to further the interest of the Association, provided that no person who directly or indirectly derives any pecuniary gains from the Association's pursuance of its written objects.
- 4.2 Any person seeking membership shall make application to the Management Committee, and the Management Committee shall determine whether the application is successful or not. Applications denied membership shall be advised in writing.
- 4.3 Each person admitted shall be:
  - 4.3.1 Bound by the Constitution and By-laws of the Association;
  - 4.3.2 Come liable for such fees and subscriptions as may be fixed by the Association, on payment received in full, become a Financial Member; and
  - 4.3.3 Entitled to all advantages and privileges of membership.
- 4.4 Membership Categories:
  - 4.4.1 **Ordinary Members** – any person over the age of eighteen (18) years of age, who is a financial member of the Association is entitled to one (1) vote at all meetings of the Association and to hold any office and enjoy the privileges of the Association.

4.4.2 **Junior Member** – any person who is a financial member of the Association and who is under eighteen (18) years of age, but over the age of eleven (11) years and who is not entitled to hold any Management Committee position or vote at any meetings.

4.4.3 **Life Membership** – The Management committee may elect any Member who has given outstanding service for five (5) or more years to the Association as a Life Member. Any member may nominate a person to the Management Committee for consideration for Life Membership. Thereafter the Life Member shall be entitled to all privileges of Membership without payment of the annual subscription. A maximum of one person per year may be admitted for nominations at the Annual General Meeting.

4.4.4 **Honorary Membership** – The club may, at its discretion elect a patron or accept a sponsor of the Association for such period as may be deemed necessary. Such patrons or sponsors shall not be eligible to vote but entitled to all other membership privileges.

4.4.5 **Associate members** (Supporters/volunteers) – is not entitled to vote at general, special or the Annual General Meeting of the Association.

4.4.6 The number of ordinary, associate and honorary members is unlimited.

## 5. **MEMBERSHIP FEES**

5.1 An annual subscription shall be set for all Members at each annual general meeting of the Association to be held in July of each year.

5.2 Any person failing to pay the subscription within one (1) month of the due date may be liable to have his or her name removed from the list of Members and Membership terminated.

5.3 The Management Committee shall have power to reduce subscriptions for persons joining in the second half of any financial year and in special circumstances may approve temporary Membership.

## 6. **ADMISSION AND REJECTION OF MEMBERS**

6.1 At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the

Management Committee, who shall thereupon determine upon the admission or rejection of the applicant

- 6.2 If a majority of the Management Committee members present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member to the class of membership applied for.

## **7. TERMINATION OF MEMBERSHIP**

- 7.1 The Management Committee may by a vote of at least three quarters (3/4) of their number expel, suspend or reprimand any Member, should any Member not comply with the Rules of Association, or is found guilty of conduct which is, in the opinion of the Management Committee, prejudicial to the interest of the association, or its Members.
- 7.2 Before any Member is expelled, suspended or otherwise reprimanded, the conduct in question shall be inquired into by the Management Committee, and the Member shall be given the opportunity to justify or explain their conduct before the Committee.
- 7.3 Providing that a quorum is established and the majority of the management Committee is present when the matter is inquired into, and that they are of the opinion that the Member has been guilty of such action as aforesaid, then the Management Committee may expel, or suspend that Member from membership to the Association or otherwise reprimand that Member.
- 7.4 Should any Member fail to appear at any inquiry conducted under clause 7.4 hereof, or any adjournment thereof, the Management Committee may proceed in the Member's absence to conduct the said inquiry and to make its findings as herein before empowered.
- 7.5 Any Member expelled or suspended from membership of the association shall lose and forfeit to the association all interest and benefit in the funds and property of the association and all rights attached to membership.
- 7.6 Any Member who is expelled, suspended or has their membership terminated shall have the right to appeal against their suspension or expulsion within one month of receiving written notification by presenting their case to a General Meeting called for such purpose, and the decision of the General Meeting shall be final. If the appeal is unsuccessful, the Secretary shall refund pro-rata the amount of any fee paid.

## **8. REGISTER OF MEMBERS**

- 8.1 The Management Committee shall cause a Register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the association and the dates of their admission.
- 8.2 Particulars shall also be entered into the Register of resignations, terminations and reinstatement of membership and any further particulars as the Management Committee or the Members of any general meeting may require from time to time.
- 8.3 The Register shall be open for inspection at all reasonable times by any members who have previously applied to the Secretary for such inspection.

## **9. MANAGEMENT**

- 9.1 Management of the Association shall be vested in the Management Committee of the Association and shall consist of:
- President
  - Vice President
  - Secretary
  - Treasurer
  - Registrar
  - Head Coach
  - Training Officer
  - Publicity/Promotions Officer
- 9.2 All of who shall be current financial members of the Association and no person shall hold more than one position of the Management Committee at any one time.
- 9.3 At the Annual General Meeting of the Association, all the members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.
- 9.4 The election of officers and other members of the Management Committee shall take place in the following manner:-
- 9.4.1 Any two members of the Association shall be at liberty to nominate any other member to serve as an officer or other member of the Management Committee.

- 9.4.2 The nomination, which shall be in writing and signed by the member and his proposer and seconder, shall be lodged with the secretary at least fourteen days before the annual general meeting at which the election is to take place.
- 9.4.3 A list of the candidates' names in alphabetical order, with the proposers' and seconds' names shall be posted in a conspicuous place in the usual place of meeting of the Association for at least seven (7) days immediately preceding the Annual General Meeting.
- 9.4.4 Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each financial member present at the Annual General Meeting shall be entitled to vote for any number of the candidates not exceeding the number of vacancies; and
- 9.4.5 Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.
- 9.5 DELETED FROM CONSTITUTION 2015** A term of office held in any one Management position by any of the members shall not exceed three (3) years consecutively.
- 9.6 A quorum for Management Committee shall be half plus one.
- 9.7 If the President or Vice President is unable to attend, then a chairperson nominated by the meeting shall chair that meeting.
- 9.8 A member of the Management Committee may lose their seat on the committee for either of the following:
- 9.8.1 Absence from three or more meetings without leave of absence; and
- 9.8.2 Found not to be a financial Member.
- 9.9 A member of the Management Committee may resign at any time by giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date or such member may be removed from office at a general meeting of the association where that member shall be given the opportunity to fully present his/her case. The question of removal shall be determined by the vote of the members present at such a general meeting. There is no right of appeal against a member's removal from office under this section.



9.10 The Management Committee shall have power at any time to appoint any member of the Association to fill any casual vacancy on the Management Committee until the next Annual General Meeting.

## 10. SUB-COMMITTEES

10.1 The following Sub-Committees shall be elected each year at the Annual General Meeting of the Association. Nominations for positions on Sub-Committees shall be submitted in writing at least fourteen (14) days before the Annual General Meeting at which the election is to be held, the written consent of the nominee must accompany the nomination.

|   |                      |  |
|---|----------------------|--|
| 1 | Training             | Training Officer, Head Coach and two (2) members                 |
| 2 | Maintenance & Safety | Head Coach and two (2) member                                    |
| 3 | Grants/Sponsorship   | Vice President, Publicity/Promotions Officer and two (2) members |

10.2 Any Sub-Committee position not filled at the Annual General Meeting, nominations for such Sub-Committee may be accepted from the floor.

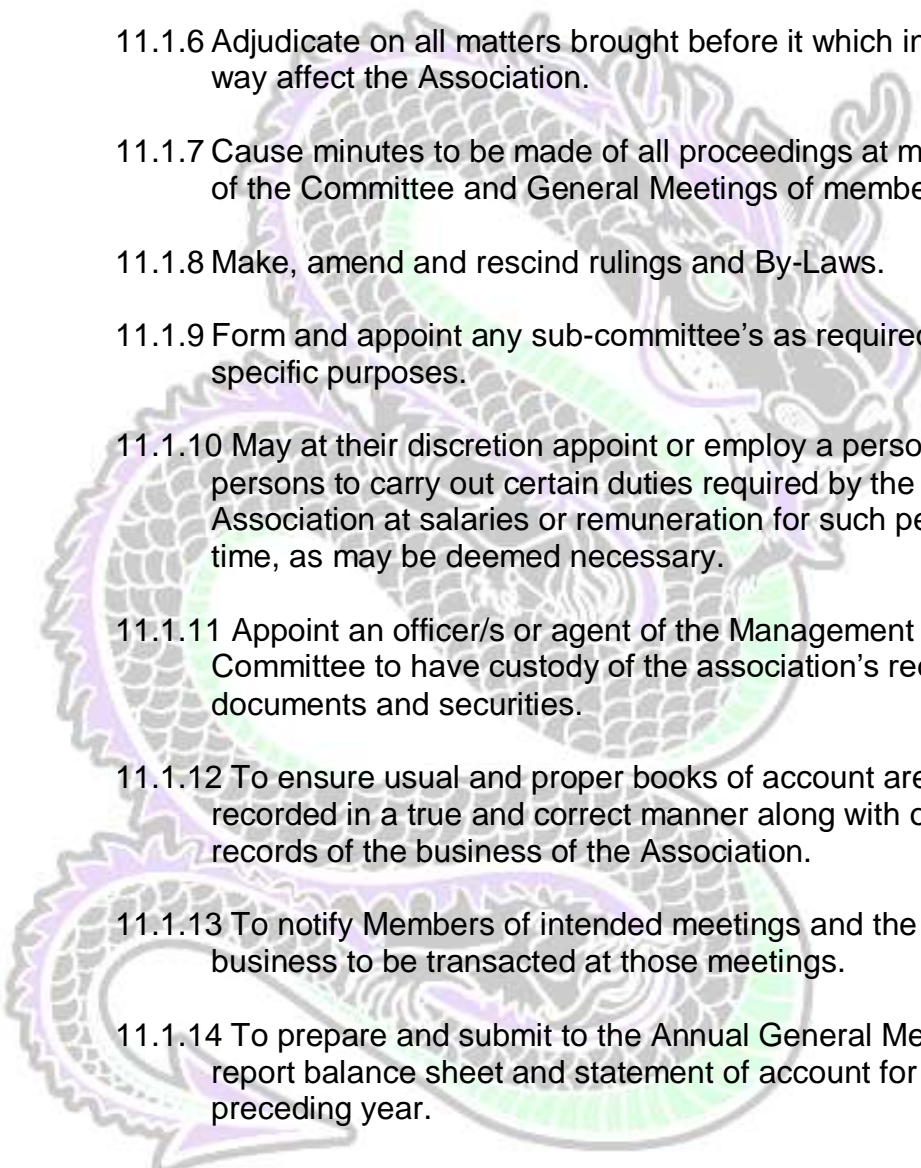
10.3 The President, Secretary and Treasurer shall be ex-officio members of all Sub-Committees. The Management Committee may, from time to time, appoint such additional Sub-Committees as it thinks fit and define the functions thereof.

## 11. FUNCTIONS AND POWERS OF THE MANAGEMENT COMMITTEE

11.1 The Management Committee shall carry out the day to day running and conduct the affairs of the Association and shall have power to:

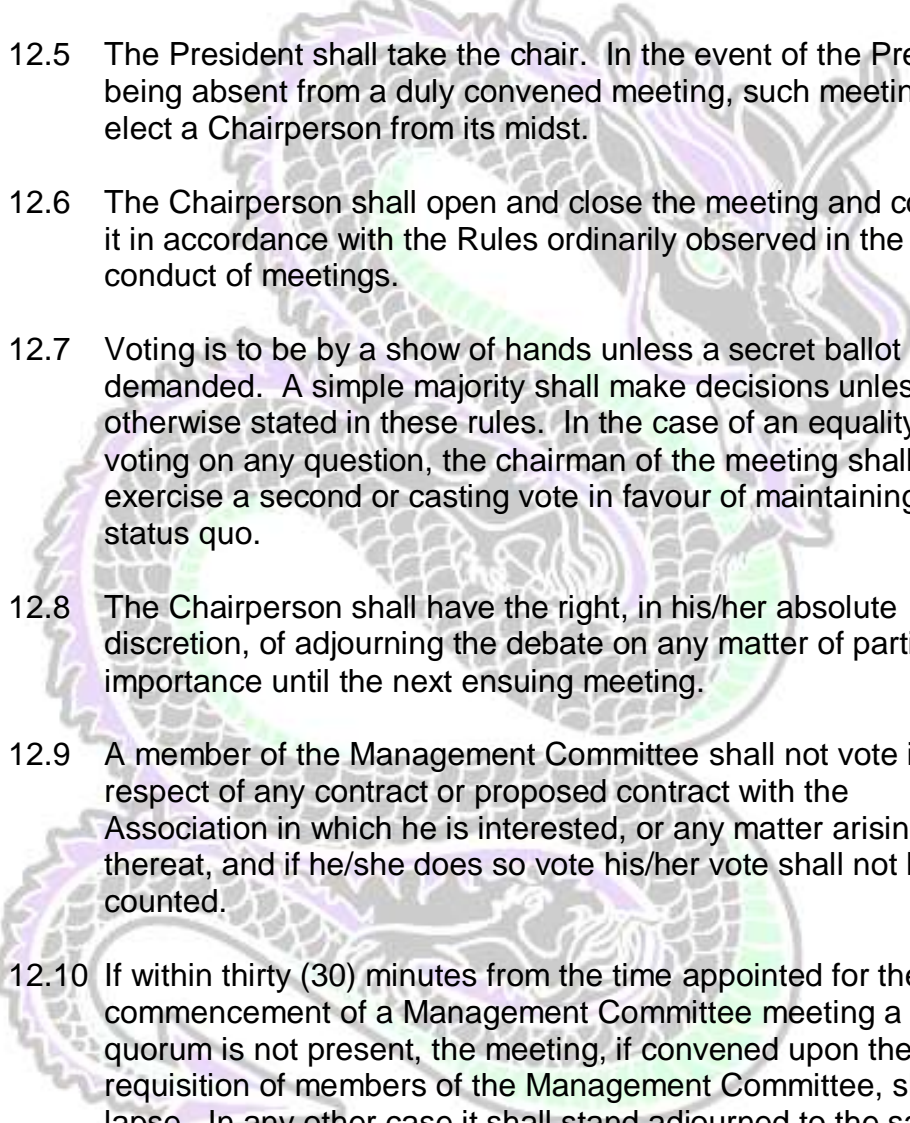
11.1.1 Administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account.

11.1.2 Fix the manner in which such banking account shall be operated upon, providing all payments are passed by the Management Committee.

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- 11.1.3 To raise or secure the payment of money upon such terms and conditions as the Management Committee thinks fit.
  - 11.1.4 To give such security for the discharge of liabilities incurred by the Association.
  - 11.1.5 To appoint agents to transact any business of the Association on its behalf.
  - 11.1.6 Adjudicate on all matters brought before it which in any way affect the Association.
  - 11.1.7 Cause minutes to be made of all proceedings at meetings of the Committee and General Meetings of members.
  - 11.1.8 Make, amend and rescind rulings and By-Laws.
  - 11.1.9 Form and appoint any sub-committee's as required for specific purposes.
  - 11.1.10 May at their discretion appoint or employ a person or persons to carry out certain duties required by the Association at salaries or remuneration for such period of time, as may be deemed necessary.
  - 11.1.11 Appoint an officer/s or agent of the Management Committee to have custody of the association's records, documents and securities.
  - 11.1.12 To ensure usual and proper books of account are recorded in a true and correct manner along with other records of the business of the Association.
  - 11.1.13 To notify Members of intended meetings and the business to be transacted at those meetings.
  - 11.1.14 To prepare and submit to the Annual General Meeting a report balance sheet and statement of account for the preceding year.
  - 11.1.15 To research and submit options for activities for the Association.

## **12. MEETINGS OF THE MANAGEMENT COMMITTEE**

- 12.1 The Management Committee shall meet at least once every two (2) months to exercise its functions.

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- 12.2 Notice of all meetings shall be given to members either personally, by post, by fax or by other available telecommunication channels.
- 12.3 A quorum for Management Committee meetings shall be half of the members of the committee plus one.
- 12.4 The Secretary shall give not less than seven (7) days notice to members of the Management Committee of any special meeting of the Management Committee.
- 12.5 The President shall take the chair. In the event of the President being absent from a duly convened meeting, such meeting may elect a Chairperson from its midst.
- 12.6 The Chairperson shall open and close the meeting and conduct it in accordance with the Rules ordinarily observed in the conduct of meetings.
- 12.7 Voting is to be by a show of hands unless a secret ballot is demanded. A simple majority shall make decisions unless otherwise stated in these rules. In the case of an equality of voting on any question, the chairman of the meeting shall exercise a second or casting vote in favour of maintaining the status quo.
- 12.8 The Chairperson shall have the right, in his/her absolute discretion, of adjourning the debate on any matter of particular importance until the next ensuing meeting.
- 12.9 A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Association in which he is interested, or any matter arising thereat, and if he/she does so vote his/her vote shall not be counted.
- 12.10 If within thirty (30) minutes from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such may determine, and if at the adjourned meeting a quorum is not present within thirty (30) minutes from the time appointed for the meeting, the meeting shall lapse.
- 12.11 The Management Committee may delegate any of its powers to a sub committee consisting of such members of the Association as the Management Committee thinks fit. Any sub-committee so formed shall in the exercise of the powers so delegated

conform to any regulations that may be imposed on it by the Management Committee.

12.12 The President and Secretary shall be ex-officio members of all sub-committees.

### **13. ANNUAL GENERAL MEETING**

13.1 The Annual General Meeting of the Association shall be held in July of each year.

13.2 The secretary shall give at least twenty eight (28) days notice of the date of the Annual general Meeting to all members.

13.3 All financial members may attend the Annual General Meeting.

13.4 The quorum at the Annual General Meeting shall be the number of the management committee times two (x2) plus one (1). If at the end of thirty (30) minutes after the time appointed in the notice for the opening of the meeting there be no quorum the meeting shall stand and adjourn for one week. When reconvened, if at such a meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

13.5 The agenda for an Annual General Meeting shall be:

- Opening of Meeting
- Apologies
- Confirmation of minutes of previous Annual General Meeting
- Annual Report and adoption of Report
- Presentation of Treasurer's Statement which includes the receiving of the Financial Statement
- Notice of Motions
- Vote of thanks to outgoing Management Committee
- Election of Office Bearers
- Appointment of Accountant
- Determination of Annual Membership Fee
- Urgent General Business
- Closure

### **14. GENERAL MEETING PROCEDURE**

14.1 General Meetings may be called by the Management Committee or on the written request of two thirds (2/3) of the members of the Association.

14.2 The Secretary shall give at least fourteen (14) days notice, in writing, of the date of the General Meeting to the members. Notice of General Meetings shall set out clearly stating the

business for which the meeting has been called. Not other business shall be dealt with at the General Meeting; and

- 14.3 General Meetings of the association shall have the power to recommend changes to By-Laws and Rules.
- 14.4 The President shall take the chair at all meetings and in the president's absence the chair shall be taken by the Vice President. If neither the President nor Vice President is present within thirty (30) minutes of the time fixed for the commencement of the meeting, the members present shall elect a Chairperson.
- 14.5 The chairperson shall maintain order and conduct the meeting in a proper and orderly manner.
- 14.6 Every question, matter or resolution shall be decided by a majority of votes of the financial members present.
- 14.7 Every financial member shall be entitled to one (1) vote and in the case of an equality of votes the chairperson shall have a second or casting vote.
- 14.8 However, no member shall be entitled to vote at any general meeting if the member's annual subscription is more than one (1) month in arrears at the date of the meeting.
- 14.9 Voting shall be by show of hands or division of members, unless not less than one-fifth (1/5) of the members present demand a ballot, in which event there shall be a secret ballot.
- 14.10 The chairperson shall appoint two (2) members to conduct the secret ballot in such manner as the chairperson shall determine and the result of the ballot as declared by the chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded.
- 14.11 Order of business at Management Meetings shall be:
  - Opening of Meeting
  - Apologies
  - Confirmation of Minutes
  - Business arising from Minutes
  - Correspondence
  - Business arising from Correspondence
  - Reports
  - General Business
  - Date for Next Meeting
  - Close Meeting.

- 14.12 The Secretary shall cause full and accurate minutes of resolutions and other proceedings of every Management Committee meeting and General Meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection.
- 14.13 For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting and General Meeting shall be signed by the Chairperson of that meeting, or the chairperson of the next succeeding Management Committee meeting verifying their accuracy.
- 14.14 A Member may vote in person or by proxy and on a show of hands every person present who is a member or representative of a member shall have one (1) vote and in a secret ballot every member present or by proxy shall have one (1) vote.
- 14.15 A proxy must be a member of the Association.
- 14.16 The Secretary of the Association can supply the form for Members appointing a proxy. The proxy must be completed under the hand of the appointer or of the appointor's.
- 14.17 The instruction appointing the proxy shall be deposited with the secretary prior to the commencement of any meeting at which the person named in the proxy proposes to vote.

**SUNSHINE COAST DRAGON BOAT & PADDLING CLUB**

I, \_\_\_\_\_ of \_\_\_\_\_,  
 being a member of the Association, appoint \_\_\_\_\_  
 \_\_\_\_\_ as my proxy to vote for me  
 on my behalf at the (annual) general meeting of the  
 Association, to be held on the \_\_\_\_\_ day of  
 \_\_\_\_\_, 20\_\_\_\_, and at any adjournment of the  
 meeting.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Signature

This form is to be used **\*in favour of / \*against** the resolution.

*\*Strike out whichever is not wanted. (unless otherwise instructed, the proxy may vote as the proxy considers appropriate.)*

## 15. FINANCE

15.1 Source of funds - the funds of the Association shall be derived from annual subscriptions of members, sponsorship, donations and grants, and subject to any resolution passed by the Association in general meeting, such other sources as the Management Committee determines.

15.2 The funds of the Association must be kept in an account in the name of the Association in a financial institution decided by the Management Committee.

15.3 The financial year of the Association shall commence on **JULY 1** and end on **JUNE 30** of the ensuing year.

15.4 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Association.

15.5 All amounts must be deposited in the financial institution account as soon as practicable after receipt.

15.6 Payments of one hundred dollars (\$100.00) or more must be made by cheque or electronic funds transfer.

A negotiable instrument issued by the Association must be signed by any two (2) of the following association members:

President  
Secretary  
Treasurer

Another member authorised by the Management committee for the purpose.

15.7 The Management Committee shall determine the amount of petty cash that shall be kept on the imprest system.

15.8 All expenditure must be approved or ratified at a Management Committee meeting.

15.9 The Treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared:

- a. the income and expenditure for the financial year just ended;
- b. the Association's assets and liabilities at the close of the year;
- c. the mortgages, charges and securities affecting the property of the Association at the close of the year.

15.10 An approved person must examine the statement prepared under sub-section 15.9 and present a report to the Secretary before the next Annual General Meeting following the financial year for which the financial statement was made.

As a Level 2 Association the association will be required to lodge financial statements that have been verified by a person who can audit Level 1 associations or by a person approved by the Chief Executive. The verification statement must state:

*'I have sighted the association's financial records and the financial records show that the association has bookkeeping processes in place to adequately record the association's income and expenditure and dealings with its assets and liabilities.'*

15.11 The income and property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association provided that nothing herein contained shall prevent payment in good faith or interest to any such member in respect of monies advanced by him to the Association or otherwise owing by the Association to any member of the association or other person in return for any services actually rendered to the Association provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable proper charges or goods hired by the association or reasonable and proper rent for premises demised or lent to the Association.

## **16. COMMON SEAL**

16.1 The Management Committee shall provide for a Common Seal and for its safe custody. The common Seal shall only be used by the authority of the Management Committee and every instrument to which the Seal is affixed shall be signed by a member of the Management Committee and shall be countersigned by the secretary or by a second member of the



Management Committee or by some other person appointed by the Management committee for the purpose.

## **17. CUSTODY OF BOOKS**

17.1 The Management Committee must ensure the safe custody of books, documents, instruments of title and securities of the Association.

## **18. INSPECTION OF RECORDS**

18.1 The records, books and other documents of the Association shall be open to inspection, free of charge, by a member of the Association at any reasonable hour.

## **19. ENFORCEMENT OF CONSTITUTION**

19.1 The authority of the Association shall extend to and be recognised by all affiliated teams and individual members.

The Management Committee shall have power to deal with and adjudicate upon all questions and disputes as to the interpretation of this Constitution, Rules and By-Laws, and upon any complaint made to it of misconduct detrimental to the policy, interests or welfare of the Association by any team or person to whom this Constitution applies.

The Management Committee may caution, suspend, fine or otherwise punish the team or person concerned provided however, that at least twenty one (21) days before the meeting at which such matters are to be considered, the member or team concerned, shall have notification in writing of the date and place of the meeting and the matters alleged against that member or team and inviting him/her/them to be present at the meeting and that he/she/they shall at such meeting and before any resolution is passed have had an opportunity of giving orally or in writing any explanation or defense he/she/they may think fit. Members have the right to appeal against any decision provided that they do so in writing to the Secretary within fourteen (14) days.

19.2 The Disputes Committee shall be a casual committee and shall consist of the President or another member of the Management Committee, a Representative of the Training Committee, a representative from each team not involved in the dispute, plus one other member appointed by the Management Committee.

## **20. ALTERATIONS TO CONSTITUTION, BY-LAWS AND STANDING ORDERS**

- 20.1 No alteration, repeal or addition shall be made to the constitution except at the Annual General Meeting or General Meeting, and notice given in writing of all motions to alter repeal or add to the constitution shall be signed by the proposer and seconder and sent to the Association at least thirty-five (35) days prior to the Annual General Meeting, or fourteen (14) days prior to general Meeting called for such purpose.
- 20.2 The Secretary shall forward such notices of motion to all members at least twenty-eight (28) days prior to the Annual General Meeting or ten (10) days prior to the General Meeting.
- 20.3 Alterations to the By-Laws can only be made at Management Committee meetings provided notice of the proposed alteration/s has been duly notified to Committee Members.
- 20.4 Such motions or any part thereof shall be of no effect unless passed by a seventy-five percent (75%) majority of those present and entitled to vote at the Annual General meeting, General Meeting or Management committee, as the case may be.
- 20.5 Within one month of the passing of a Special Resolution, the Secretary shall notify the Ministry of Fair Trading of the amendment. However an amendment, repeal or addition is valid only if it is registered by the Chief Executive.

## **21. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY**

- 21.1 This rule applies if the association:
- a. is wound-up under part 10 of the Act; and
  - b. has surplus assets
- 21.2 The surplus assets must not be distributed among the members of the association.
- 21.3 The surplus assets must be given to another entity:
- a. having objects similar to the association's objects; and
  - b. the rules of which prohibit the distribution of the entity's income and assets to its members.
- 21.4 In this rule:

Surplus assets means, in relation to the incorporated association, the assets after payment of the debts and liabilities remaining on a winding-up of the incorporated association and the costs, charges and expenses of the winding-up.

## 22. DEFINITIONS

Association - Sunshine Coast Dragon Boat & Paddling Club Inc.

Member - Any person who is listed on an original Registration form and who has paid all nominated fees

Annual Return - An annual requirement to submit Form 12-1 Annual Return of Association and copies of the Association's financial statement to the Office of Fair Trading.





## **SUNSHINE COAST DRAGON BOAT & PADDLING CLUB INC.**

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## 1. DUTIES OF OFFICE BEARERS

1.1 **The President** of the Association shall act as chairperson at Association meetings.

1.1.1 ensure that standards of governance are acquitted in accordance with relevant legislation and the contents of this constitution;

1.1.2 maintain order in the Association not only at committee meetings but in all activities in which the members of the Association participate;

1.1.3 set the direction of the Association and oversee the strategic development of the Association through the development of plans, policies and procedures to meet the objects of the Association;

1.1.4 be the official spokesperson for the Association at meetings, events and gatherings of members and also of non-members where issues relevant to the Association are raised be that at other sport associations, local, state or federal government, or in the media;

1.1.5 refer matters, brought to the attention of the Committee that may result in disciplinary action, to the subcommittee as per section 19.2.

1.1.6 Preside at all meetings of the Club and direct where necessary.

1.1.7 Not be a convenor of a sub-committee.

1.1.8 Be a delegate to IDBF, AusDBF and QDBF attend meetings and other official functions. If unable to attend appoint another member of the Management Committee as a proxy.

1.1.9 Prepare a report for presentation to the Annual General Meeting.

1.2 **The Vice President** shall:

1.2.1 deputise for the President in the absence of the President. In the event of the resignation of the President the Vice President will assume the role of President and the casual vacancy will be deemed to exist as Vice President.

- 1.2.2 Be the liaison with Government offices, Federal, State and Local Government Departments and other outside organisations.
- 1.2.3 Prepare and submit applications for Federal and State Grants and to other grant making bodies.

**1.3 The Secretary shall:**

- 1.3.1 act as correspondent for the Association;
- 1.3.2 ensure that the legal reporting requirements of the relevant acts are met;
- 1.3.3 take responsibility for the preparation of the agenda for committee and general meetings and ensuring the notification of meetings is in accordance with this constitution;
- 1.3.4 ensure true and accurate records of all meetings are kept;
- 1.3.5 ensure that the venue for all meetings is accessible to all persons who may be entitled to attend.
- 1.3.6 Record minutes of all meetings of the Association.
- 1.3.7 Deal with all inward and outward correspondence pertaining to the Association.
- 1.3.8 Forward a copy of all notices of any meetings (eg Management, Annual General, Special General Meeting) to all members.
- 1.3.9 Maintain an attendance book for General, Special General Meetings and Management Meetings.
- 1.3.10 Be responsible for the effective operation of the Incorporation Office.

**1.4 The Treasurer shall:**

- 1.4.1 maintain an accurate and accountable record of the financial position of the Association and present the most recent figures at each meeting of the Association;
- 1.4.2 submit these records to the accountant in accordance with the relevant legislation and the terms of this constitution;
- 1.4.3 oversee the draft of the budget for the financial direction of the Association and present the draft budget to the Management Committee.

- 1.4.4 Keep a clear record of receipts and expenditure and produce same on request of the Management Committee.
- 1.4.5 Prepare a Financial Report for each Management Meeting.
- 1.4.6 Receive all monies payable to the Association and issue receipts as required.
- 1.4.7 Bank all monies within fourteen (14) days of receipt.
- 1.4.8 Pay accounts passed for payment by the due date.
- 1.4.9 Send accounts as required.
- 1.4.10 Present a Financial Statement annually.

**1.5 The Registrar shall:**

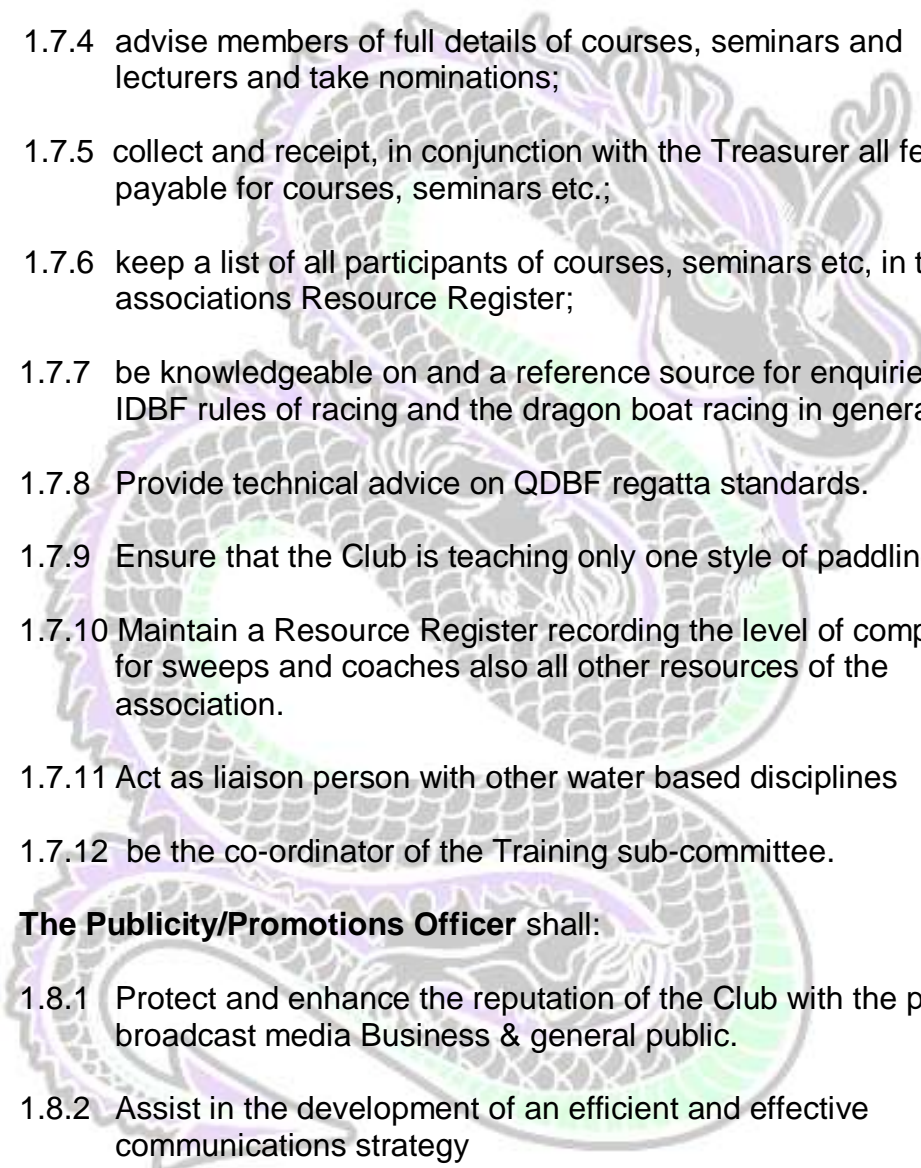
- 1.5.1 maintain a register of all financial members;
- 1.5.2 check registration forms to see that they are filled in correctly.

**1.6 The Head Coach shall:**

- 1.6.1 Be a financial member of the Association
- 1.6.2 Be a member of the Training Committee
- 1.6.3 Liaise with the Training Officer
- 1.6.4 Be a final court of appeal in all matters pertaining to the team whilst at regattas.
- 1.6.5 organise the distribution and completion of Association registration forms for events;
- 1.6.6 advise the Association of upcoming carnivals, collate nominations entries for same, collect entry fees and forward this onto the Treasurer;
- 1.6.7 Organise resources, eg sweeps, drummers, number of teams participating in events, tents, paddles, tables and chairs.
- 1.6.8 organise Regattas.

**1.7 The Training Officer shall:**

- 1.7.1 be the co-ordinator for all coaches and sweeps within the club;

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- 1.7.2 ensure that all coaches and sweeps are encouraged to become accredited and are knowledgeable of forthcoming seminars and courses and are provided the most beneficial coaching and sweeping experience for them to do this;
  - 1.7.3 confer with QDBF as to requirements with regard to Level 'O' and Level '1' Accreditation courses and to organise any such courses to be run by the recorded date and venue and have this ratified by Management Committee;
  - 1.7.4 advise members of full details of courses, seminars and lecturers and take nominations;
  - 1.7.5 collect and receipt, in conjunction with the Treasurer all fees payable for courses, seminars etc.;
  - 1.7.6 keep a list of all participants of courses, seminars etc, in the associations Resource Register;
  - 1.7.7 be knowledgeable on and a reference source for enquiries into IDBF rules of racing and the dragon boat racing in general;
  - 1.7.8 Provide technical advice on QDBF regatta standards.
  - 1.7.9 Ensure that the Club is teaching only one style of paddling.
  - 1.7.10 Maintain a Resource Register recording the level of competency for sweeps and coaches also all other resources of the association.
  - 1.7.11 Act as liaison person with other water based disciplines
  - 1.7.12 be the co-ordinator of the Training sub-committee.

**1.8 The Publicity/Promotions Officer shall:**

- 1.8.1 Protect and enhance the reputation of the Club with the press, broadcast media Business & general public.
- 1.8.2 Assist in the development of an efficient and effective communications strategy
- 1.8.3 Implement and maintain the Club's communications strategy
- 1.8.4 Proactively promote the Club's role and present policies and decisions to the media
- 1.8.6 Monitor, evaluate and develop the Club's public and media profile



- 1.8.7 Develop and maintain positive and appropriate relationships between the Club and the media
- 1.8.8 Ensure effective briefing to the press and media and to other external enquiries
- 1.8.9 Assist in the broader communications activities of the Club as required. This may include working on the production and marketing of the Club and sponsor acquisition material (both printed and on line), stakeholder relations, events and reviewing the effectiveness of each publication.
- 1.9 **Other roles within the Management Committee** may be distributed to committee members as deemed appropriate including but not limited to:

Insurance Registrar  
Development Officer  
Fundraising Officer

## 2. SUB COMMITTEES

- 2.1 A report must be submitted to the Management Committee for ratification after each meeting of sub-committee. Copies of reports should be given to Association President, Secretary and Treasurer.
- 2.2. Each sub-committee has the power to co-opt members when necessary.
- 2.3 At least three (3) elected members form a quorum.
- 2.4 President, Secretary and Treasurer are ex-officio on all sub-committees.
- 2.5 Sub-committees shall be elected annually to carry out such duties as defined by the Management Committee:
  - 2.5.1 Training – Training Officer, Head Coach and two (2) members
  - 2.5.2 Maintenance and Safety – Head Coach and Two (2) members
  - 2.5.3 Grants/Sponsorship – Vice President, Publicity/Promotions Officer and two (2) members

## 3. FUNDRAISING

- 3.1 Teams wishing to fundraise must seek Management Committee approval prior to any activities taking place.

- 3.2 All functions are to be sanctioned by the Management Committee.

#### **4. SWEEPS**

The sweep is the one who is in control of the boat and has the most responsibility for the safety of the crew.

- 4.1 The sweep is the only person that can issue paddling commands that control the boat. The coach can give commands to the paddlers, but when it comes to controlling the boat, the sweep is the one in the best position to make these calls.
- 4.2 The sweep must issue commands in a loud voice.
- 4.3 Paddlers must be disciplined to listen and obey the sweeps commands.
- 4.4 Sweeps must be trained carefully in their skills and their responsibilities.
- 4.5 The sweep should be aware of boats around them. All boats should be given a wide berth. The sweep should periodically be looking behind them to be aware of any boats approaching from behind.
- 4.6 The sweep is responsible for doing head counts and appointing a second in charge before training.

#### **5. TEAM COACHES shall:**

- 6.1 Be appointed by the Head Coach
- 6.2 Be a financial member of the Association
- 6.3 Organise such training sessions, as he/she deems necessary for the conditioning of paddlers.
- 6.4 Be a final court of appeal in all matters pertaining to the team whilst at regattas.

#### **6. INJURY**

- 7.1 The Association takes no responsibility for any injuries sustained whilst paddling either at Regatta's or training.

#### **7. STANDING ORDERS**

- 8.1 The Chairperson shall:
- a. Make sure that a quorum is present at all times throughout the meeting.
  - b. Conduct the meeting in accordance with the rules.
  - c. Ensure that no member speaks for an undue length of time or unnecessarily repeats points that have already been put before the meeting.
  - d. Terminate any discussion, which is not at that time, relevant to the business before the meeting.
- 7.2 The Chairperson's ruling on all points of order and procedure shall be final, unless a motion is moved, seconded and carried 'That the Chairperson's ruling be disagreed with'. The mover may speak briefly in support of their motion and the Chairperson explains why his/her ruling was given. The Chairperson takes the vote.
- 7.3 There shall be no limit on the number of speakers for or against a motion providing the debate is still active, but if there is no speaker in opposition to the previous two speakers, the debate shall be closed. The mover of the motion shall have the right of reply before the vote is taken.
- 7.4 Any member may move without debate that the question 'now be put' and if the motion is seconded and carried by a majority vote the motion or amendment before the meeting shall be put at once.
- 7.5 Any mover may move that the meeting 'now proceed to the next business'. This requires a seconder and shall be voted upon without discussion. If carried the original motion shall not be revived at the same meeting. If lost, the original motion shall be put without further discussion, except that the mover shall have the right of reply.
- 7.6 Any member may move that the motion before the Chair be deferred.
- 7.7 A motion or amendment which is not passed at a meeting may not be brought forward again at the same meeting, but the matter may be brought forward at subsequent meetings.
- 7.8 Upon evidence of a mistake in facts that have been presented to the meeting or upon receipt of further information, a motion may be rescinded at the same meeting, provided that all members who voted on the motion are present and agree to the

rescission. A resolution may be rescinded on notice of motion at a subsequent meeting.

- 7.9 An amendment moved and seconded is voted upon before the motion. The mover of the original motion may exercise their right of reply before the amendment is voted upon. No second or subsequent amendment shall be received until the first amendment has been voted upon. An amendment, which is carried becomes the motion and is open for further amendment. The mover and seconder of the motion under discussion are not entitled to move or second amendments to it. If the mover is in agreement with any proposed amendment they can accept it and may seek leave to alter the motion accordingly.
- 7.10 No motion or amendment may be withdrawn without the consent of the mover and seconder and the consent of the meeting.
- 7.11 Voting on motions before the Chair shall be by show of hands, except that a secret ballot shall be taken if any one member requests it.
- 7.12 Voting for all positions shall be by nomination and a show of hands and shall be decided, in order:
- a. For positions to which only one person is to be elected. Members shall vote for one candidate only. The candidate with the greatest number of votes shall be declared elected.
  - b. For sub-committees or for positions to which more than one person is to be elected:  
  
One nomination shall be taken and members shall vote for the number of candidates required to fill the position or sub-committee. The candidate/s with the greatest number of votes shall be declared elected.

## **8. ALTERATIONS TO BY-LAWS AND STANDING ORDERS**

These By-Laws and Standing Orders may be altered by resolution passed by a majority of at least three quarters (3/4) of the members present and voting at a Special General Meeting or an Annual General Meeting of which not less than twenty one (21) days notice specifying the resolution to be proposed has been given.