



Ravenswood

SWIMMING CLUB CONSTITUTION



April 2020





Constitution

1. PREAMBLE

1.1 The Uniting Church in Australia

Ravenswood Swimming Club is an institution established by or on behalf of The Uniting Church in Australia. All institutions of the Church, in carrying out their tasks and responsibilities, must embrace the values and ethos of the Church. As referred to in its Basis of Union, the Church acknowledges that Christ alone is supreme in the Church and that responsibility for government within the Church belongs to the people of God by virtue of the gifts and tasks God has laid upon them.

1.2 Regulations

Attention is drawn to the regulations and by-laws of the Church and in particular Regulation 3.7.4.7.

2. DEFINITIONS AND INTERPRETATION

2.1 Definitions

In this Constitution, the following words in bold have their corresponding meaning:

Act means the *Uniting Church in Australia Act, 1977* (C'th).

Annual General Meeting means a meeting of the Members held annually and in accordance with this Constitution.

Assistant Coach means a person who is appointed by the Principal as an assistant swimming coach to the Head Coach.

Chairperson means the President or such other person taking the chair at any Committee meeting, Annual General Meeting or a Special General Meeting.

Club means Ravenswood Swimming Club as constituted by this document.

Code of Conduct means the code of conduct to which all Members must adhere as enacted in accordance with **clause 16**.

Committee means the management committee comprised of the persons referred to in **clause 6.1**.

Constitution means this document.

Guardian means the legal guardian of a Member who is under 18 years of age or a person who is otherwise the legally appointed guardian of a Member over 18 years of age.

Head Coach means the person appointed as such by the Principal.

Head of the Junior School means the person appointed as such by the Principal.

Honorary Member means a person who has been accorded the privileges of membership to the Club by a resolution of the Committee.

Life Member means a member who has been elected to life membership by the Members or who has been accorded the privilege of membership to the Club for their life by a resolution of the Committee.

Member means any person who is an Honorary Member, Life Member or other Member of the Club (and includes a Minor Member unless the context stipulates otherwise).

Membership Fee means the fee payable per term in order for a person to be and/or remain a Member.

Minor Member means a person under the age of 18 years.

Notice in relation to a notice of any meeting sent by post, is taken to be given two (2) days after it is posted and, in relation to a notice of any meeting sent by fax or other electronic means, is taken to be given on the business day after it is sent.

Objects means the objects of the Club detailed at **clause 4**.

Office Bearers means each the President, Secretary, Treasurer, Race Secretary and Registrar.

Paid Up means no Membership Fee is outstanding or unpaid by its due date.

Parent means a parent of any Member who is under 18 years of age.

Patron means a person who has lent their name and supports the organization, who may or may not have membership rights.

Principal means the Principal of the School.

Register means the register of Members kept by the Registrar.

Member means a person who has been accepted as a Member and includes an Honorary Member and a Life Member unless the context stipulates otherwise.

Regulations means any regulation made under the Act and the UCA Constitution, regulations, by-laws and rules of UCA in force for the time being.

Ravenswood Swimming Program means the program of that name operated by and under the auspices of the School or any other name by which such program may be re-named or known at any time.

School means Ravenswood School for Girls.

School Council means the Ravenswood School Council as designated from time-to-time.

SNSW means Swimming New South Wales as constituted from time-to-time or such other body or authority that may be a successor organisation.

Director of Sport means the person designated at any time as the Director of Sport at the School by the Principal.

Special Resolution means a resolution to do any of the following:

- change the name of the Club;
- amend or vary the Constitution (including the objects of the Club);
- amalgamate with another club or entity; and/or
- dissolve the Club.

Synod means the Synod of New South Wales and the ACT of UCA (and includes any body designated by the Synod to oversee organisations such as the Club).

Term means the period on and from the date of an Annual General Meeting to the date of the immediately following Annual General Meeting.

UCA means the Uniting Church in Australia.

UCA Constitution means the constitution of the Uniting Church in Australia.

Working with Children Check (WWCC) is a requirement for anyone who works or volunteers in child-related work in NSW. It involves a National Police Check (criminal history record check) and a review of reportable workplace misconduct.

3. NAME AND PATRONS

3.1 Name

The name of the Club is **Ravenswood Swimming Club**.

3.2 Patrons

The Principal or nominee appointed as the Club's patrons.

4. OBJECTS

The objects of the Club are to:

- (a) operate a swimming club that welcomes and registers members irrespective of race, religion, gender, philosophy and cultural background who support the objects, code of conduct and policies of the School and who embrace and consistently apply the Guiding Principles of the School, which are:

Excellence:

We value excellence and the fulfilment of our potential within and beyond the classroom in study and play, individually and in teams, at school and in our community, and in local, national and international contexts. We recognise the pathway to personal excellence is pathed of grit.

Respect:

We are fair minded in our thinking and actions and foster acceptance, tolerance and understanding. We acknowledge and celebrate diversity because we respect ourselves, others and the world around us.

Optimism:

We are purposeful and positive in our outlook on life, believing in and understanding our unique capabilities as individuals and as a country to make a difference to contribute to humanity, to craft our own destiny. Our motto is always towards better things.

Courage:

We have courage of conviction, confidence to ask the hard questions, to be enquiring of the world and act independently with resilience in the face of adversity.

Compassion:

We are other person centered, giving of our time and energy, our emotions and friendships, and we foster caring thoughtful relationships.

- (b) promote and develop swimming within the School and broader community by:
 - (1) catering for all levels of competitive and non-competitive swimmers from beginner to elite level;
 - (2) providing opportunities for and encouraging Members to compete in swimming competitions at district, metropolitan, state, national and international level;
 - (3) complementing the School swimming program; and
 - (4) promoting good sportsmanship and self-improvement of Members at all levels; and
- (c) to raise funds to further these objects and provide resources and opportunities for enriching a learning environment within the Club.

5. MANAGEMENT STRUCTURE

5.1 Authority

The Club is subject to:

- (a) the authority of the School Council and the Principal as provided in this Constitution; and
- (b) without limiting the Regulations, oversight by the Synod.

5.2 Management Committee

The Committee, in consultation with the Director of Sport, is responsible for managing the Club.

6. MANAGEMENT COMMITTEE

6.1 Composition

The Committee shall be comprised of:

- (a) the Office Bearers;
- (b) the Head Coach;
- (c) one or two Assistant Coaches; and
- (d) no more than three (3) Members who are not Minor Members.

6.2 Permanent Committee Members

The Head Coach and any Assistant Coaches are permanent members of the Committee. All other members of the Committee are non-permanent members.

6.3 Head Coach

The Head Coach:

- (a) is appointed by the Principal;
- (b) may be removed from the Committee by the Principal or the School Council;
- (c) in addition to coaching Members, acts as the School's representative on the Committee;
- (d) is an employee of, and is remunerated by, the School; and
- (e) undertakes their role within the Club as part of their employment by the School.

6.4 Assistant Coach

An Assistant Coach:

- (a) is appointed by the Principal;
- (b) may be removed from the Committee by the Principal or the School Council;
- (c) may be delegated by the Head Coach, Director of Sport or the Principal to carry out anything required of the Head Coach, in instances of absenteeism by the Head Coach for any reason;
- (d) is an employee of, and is remunerated by, the School; and
- (e) undertakes their role within the Club as part of their employment by the School.

6.5 Election of members of the Management Committee

The Office Bearers and non-permanent members of the Committee:

- (a) are elected by the Members at Annual General Meeting; and
- (b) must be either:
 - (1) a Member who is not a Minor Member; or
 - (2) a Parent or Guardian;however, must be the holder of a current Working With Children Check (WWCC).

6.6 Term of office

- (a) The Office Bearers and non-permanent Committee members are appointed for one Term.
- (b) At the end of a Term, any of the Office Bearers and non-permanent members may stand for re-election.

- (c) Subject to sub **clause 6.6(d)**, no Office Bearer or non-permanent Committee member may serve for more than three (3) consecutive Terms.
- (d) If an Office Bearer or non-permanent Committee member has served three (3) consecutive Terms they may stand for re-election:
 - (1) if 12 months or more have passed since they were last a Committee member; or
 - (2) if there are not enough nominees standing for election as Office Bearers or non-permanent Committee members at an Annual General Meeting.

6.7 Approval of Committee by School Council

The election of any Office Bearer and non-permanent member to the Committee is subject to, and conditional upon, approval by the School Council. The Secretary-elect must notify the Principal of all persons elected to the Committee as soon as practicable following an Annual General Meeting. If the School Council disapproves any appointment then it must notify the President-elect or the Secretary-elect and the Committee may then nominate another person, in place of the unapproved person, to the School Council for approval. This process is to be repeated until a Committee is formed, with all Office Bearers and non-permanent members of the Committee approved by the School Council

6.8 Vacancies

- (a) A person's membership of the Committee ceases if:
 - (1) the person is absent from three (3) consecutive Committee meetings without leave; or
 - (2) the person resigns or retires from the Committee; or
 - (3) the Church Council, Principal, School Council or the Synod declares the position of the person vacant; or
 - (4) the person no longer holds a current WWCC, is barred from obtaining a WWCC or has had their WWCC clearance revoked; or
 - (5) If the Committee member is subject to disciplinary action by breaching the Code of Conduct, they may be removed by the President in consultation with the Director of Sport and/or Principal. If it is the President who is to be removed from their position, then it should be the Director of Sport or the Principal to direct their removal.
- (b) At any time, the School Council or the Synod may declare vacant the position of any member of the Committee. Where practicable, prior to taking such action, the School Council or Synod (as the case may be) must consult with the Committee member involved, the Principal, the President and the Chairperson of the School Council.
- (c) The School Council may fill any vacancy (including any person recommended by the Committee) occurring between Terms. The person appointed holds office for the remainder of the Term of the member replaced.
- (d) The Committee may temporarily fill a vacancy until the School Council fills that vacancy.

6.9 Meetings of the Committee

- (a) The Committee must meet:
 - (1) at least twice during a Term (excluding any meeting immediately prior or post an Annual General Meeting); and
 - (2) at such times and places as the Committee determines.
- (b) Other meetings of the Committee may be convened by the President or the Secretary at such times and places as they reasonably determine.
- (c) A meeting of the Committee must be convened as soon as practicable after a written request for a meeting, signed by not less than one-third of the members of the Committee, is lodged with the Secretary or President.

6.10 Notice of Committee meetings

- (a) Notice of meetings of the Committee must be given with no less than fourteen (14) days' notice to each member of the Committee or shorter notice if all members agree.
- (b) A Committee meeting and its resolutions remain valid, even if notice of the meeting is not received or is accidentally not given.

6.11 Procedures at Committee meetings

- (a) A quorum for meetings of the Committee is one half of the members and must include the Head Coach or an Assistant Coach.
- (b) No business may be transacted unless a quorum is present and:
 - (1) if within 30 minutes after the time appointed for the meeting a quorum is not present, the meeting is to stand adjourned to the same place and time in the following week; and
 - (2) if at the adjourned meeting a quorum is not present 30 minutes after the time appointed for the meeting, it is cancelled; and
 - (3) the Chairperson (or if there is no Chairperson, the Secretary) will notify the School Council of the failure to obtain a quorum within 24 hours after the adjourned meeting is cancelled.
- (c) The President (or in the absence of the President, the Head Coach) shall be the Chairperson at Committee meetings. However, if either person:
 - (1) has given prior notice of absence; or
 - (2) is not present within 15 minutes after the time appointed for the meetingthen the Committee members present (if they constitute a quorum) may elect one of their number to chair the meeting.
- (d) Meetings of the Committee are to be conducted in accordance with *A Manual for Meetings in the Uniting Church*, unless the Committee has adopted other standing orders or meeting procedures.

6.12 Communications with Principal

- (a) Members of the Committee and, in particular the Office Bearers, will meet with the Principal or the School's Director of Sport periodically to:
 - (1) promote the interests of the School by maintaining close communications between the Club and the School;
 - (2) communicate the decisions and views of the Club to the School; and
 - (3) communicate views and concerns which have been raised at a meeting of the Committee or the Members and which the Members at any meeting have expressly requested the Committee to communicate to the School, and this has been agreed at the meeting.
- (b) The President will communicate to the Club those matters discussed at meetings with the Principal or Director of Sport that they feel may be of interest to the Club, provided such matters have not been determined to be confidential by the Principal.

6.13 Office Bearers' responsibilities

In addition to generally assisting in Club activities, the responsibilities of the Officer Bearers are as follows and may be varied from time-to-time:

- (a) the President will:
 - (1) provide leadership and direction for the Club and its Members by:
 - (A) ensuring an annual plan for the Club is collaboratively planned at the first meeting of the Committee after the Annual General Meeting;
 - (B) review the activities of the Club to ensure they are consistent with the Objects and the annual budget; and
 - (C) work cooperatively and collaboratively with the Principal, the Director of Sport, Head Coach and Assistant Coaches;
 - (2) chair the meetings of the Committee and of the Members;
 - (3) guide the Committee to:
 - (A) set specific goals for the ensuing year which are consistent with the Objects and decide on the activities which will best achieve those goals;
 - (B) allocate any additional responsibilities to Committee members;
 - (C) regularly review progress of the Club's activities;
 - (4) notify the Principal and Director of Sport of planned Club activities and arranging for courtesies to be extended to them, the Patrons and any other persons reasonably recommended by the Principal or Director of Sport as guests at those activities;
 - (5) encourage Parent and Guardian involvement in the Club and its activities;
 - (6) lead transition and succession planning for future generations of Committee members of the Club;

- (7) ensure all policies and procedures of the School that have been identified as being related to the Club, are being adopted and implemented by the Club;
 - (8) manage all Safety Incidents, in consultation with the Head Coach or Assistant Coach, and ensure they are all recorded accurately by the Head Coach or Assistant Coach in accordance with the School's reporting system;
- (b) the Secretary will:
- (1) prepare the agenda, keep the minutes and validate quorums at all meetings of the Committee and Members;
 - (2) attend to the correspondence of the Club;
 - (3) ensure Notices, copies of minutes and all other relevant correspondence and information is available and/or distributed to the Committee, Members, the Principal, the Director of Sport, the School Council and Synod as may be required from time-to-time;
 - (4) manage timekeeper rosters for any competition where the Club is responsible for providing timekeepers;
- (c) the Treasurer will:
- (1) maintain the financial records and ensure that true and fair accounts are kept of all moneys received and expended;
 - (2) present a written report to each meeting of the Committee which includes:
 - (A) details of receipts and payments since the last report;
 - (B) a balance of the bank account;
 - (3) present a written report to the Club at the Annual General Meeting, which includes:
 - (A) a profit and loss statement of transactions;
 - (B) a balance sheet at the end of the previous financial year of the Club's assets and liabilities;
- (d) the Race Secretary will:
- (1) manage swimmer entry forms and Club entries to external swimming carnivals;
 - (2) manage payments for entry into swimming carnivals;
 - (3) maintain and provide swimmer performance details across all relevant Club databases;
 - (4) manage swimmer entry forms for any competitions held by the Club which are open for external participation;
 - (5) manage timekeeper rosters for any competition where the Club is responsible for providing timekeepers;
 - (6) keep Club Members informed of upcoming external meets;

- (7) provide coaches with a results file from external meets to ensure the Club database of times is up-to-date;
- (e) the Registrar will:
- (1) use the Swim Central, or current Swimming Australia online membership system, to manage and maintain registrations and Member details for the Club;
 - (2) keep a register of any permissions or directions signed by Parents or Guardians;
 - (3) sight and keep any transfers of members from other clubs and adjust the Register accordingly.

7. MEMBER MEETINGS

7.1 Types of Member meetings

Meetings of Members shall be held at the Annual General Meeting and any Special General Meeting.

7.2 Quorum

- (a) Five Committee members (one of whom must be the Head Coach or an Assistant Coach and at least three (3) of which must be Office Bearers), constitute a quorum for an Annual General Meeting and any Special General Meeting.
- (b) No business may be transacted unless a quorum is present and:
 - (1) if within 30 minutes after the time appointed for the meeting a quorum is not present, the meeting is to stand adjourned to the same place and time in the following week; and
 - (2) if at the adjourned meeting a quorum is not present 30 minutes after the time appointed for the meeting, it is cancelled; and
 - (3) the Chairperson (or if there is no Chairperson, the Secretary) will notify the School Council of the failure to obtain a quorum within 24 hours after the adjourned meeting is cancelled.
- (c) The President (or in the absence of the President, the Head Coach) shall be the Chairperson at Member meetings.
- (d) Meetings of the Members are to be conducted in accordance with *A Manual for Meetings in the Uniting Church*, unless the Committee has adopted other standing orders or meeting procedures.

7.3 Notice of meetings

Notice of an Annual General Meeting and any Special General Meeting with an agenda and sufficient details of the commencing time and venue, shall be given to all Members, the Principal and the Director of Sport by such means as the Committee may reasonably decide and, in any event, at least fourteen (14) days prior to the date of a meeting.

7.4 Minor Members

Minor Members may not vote at an Annual General Meeting or a Special General Meeting but they are permitted:

- (a) to attend the Annual General Meeting and any Special General Meeting whether with or without a Parent or Guardian;
- (b) are permitted to be heard if the Chairperson so permits in their reasonable opinion; and
- (c) are permitted to make a submission under **clause 8.2** in respect of an Annual General Meeting.

8. ANNUAL GENERAL MEETING

8.1 Date for holding

The Annual General Meeting will be held at a date determined by the Committee after the end of each financial year of the Club and no later than 31 May.

8.2 Members may submit an agenda item

Any Member may give written notice to the Secretary of any matter for raising, discussing and/or voting upon at an Annual General Meeting, no less than 30 days before the date of an Annual General Meeting and, subject to the President reasonably approving the issue as suitable for raising, discussing and/or voting upon at the Annual General Meeting, will include such matter on the agenda.

8.3 Business at an Annual General Meeting

Subject to declaring a quorum, the following business will be considered, enacted and/or presented at the Annual General Meeting:

- (a) confirmation of the minutes of the last Annual General Meeting and of any Special General Meeting held since the last Annual General Meeting;
- (b) the President's and/or the Committee's report on the Club's activities during the preceding Term;
- (c) an audited statement of accounts for the preceding Term together with a budget and a schedule of proposed fees and charges for the current financial year;
- (d) election of Office Bearers and other non-permanent members of the Committee;
- (e) discussion and voting on any other matters of which notice has been given; and
- (f) discussion and voting on any other matters that are brought forward without notice at the Annual General Meeting, provided the Chairperson considers it appropriate that those matters should be voted on without notice.

8.4 Nomination for an Office Bearer

At the Annual General Meeting, any Member who is Paid Up, but not a Minor Member, any Parent or Guardian of a Minor Member who is Paid Up and any Life Member is entitled to submit themselves for election to non-permanent positions of the Committee:

- (a) by written notice to the Secretary at any time prior to the commencement of an Annual General Meeting; and
- (b) if they so choose, with a submission for one or more positions in priority of preference, in the event the Member, Parent or Guardian or Life Member is unsuccessful in being elected to their first preferred position.

8.5 Insufficient nominations for Office Bearers

If there are insufficient nominations for a non-permanent position of the Committee:

- (a) the Chairperson may call for additional nominations at the Annual General Meeting and, if additional nominations are not received, casual vacancies will be declared for those positions;
- (b) where there is only one nomination for a position, the Chairperson will declare that nominee duly elected; and
- (c) where there is more than one nomination for a Committee position, a vote will be taken for that position among the Members in attendance by a show of hands.

8.6 Voting at meetings

- (a) Voting for non-permanent members of the Committee and any other business to be voted upon at the meeting, shall be conducted as follows:
 - (1) each family, with at least one financially Paid Up Member is entitled to one (1) vote;
 - (2) any Honorary Member and/or Life Member present shall be entitled to one (1) vote;
 - (3) voting for the election of any non-permanent Committee member or upon any other matter to be voted, shall be taken by a show of hands, unless the Chairperson stipulates that voting is to occur by written ballot, in which case an Office Bearer shall be declared the returns officer by the Chairperson and shall be responsible for distributing and collating the written ballots and otherwise ensuring probity over the voting procedure and the quality of the result;
 - (4) there shall be no voting by proxy;
 - (5) excepting always a Special Resolution, a matter upon which a vote is taken will be decided by the majority of votes; and
 - (6) in the case of an equality of votes, the Chairperson shall have a second or casting vote, unless the Chairperson is also the President or any other Office Bearer and it is the election to the President's or that Office Bearer's position which is the subject of a second or casting vote, in which case the Principal shall have the casting vote and, in their absence, the Head Coach.
- (b) Permanent members of the Committee shall have one (1) vote.

9. SPECIAL GENERAL MEETINGS

9.1 How a meeting is called

A Special General Meeting may be called:

- (a) by the Committee at any time; or
- (b) by written notice to the Secretary, signed by no less than eight (8) Members, who are not Minor Members but whose numbers can include a Parent or Guardian, with sufficient detail of the business to be dealt with at the Special General Meeting.

9.2 **Committee response to a notice of a meeting from Members**

Upon receipt of a notice under **clause 9.1(b)**, the Committee may determine, acting reasonably, that the business detailed in the notice is either inappropriate or unnecessary to be determined at a Special General Meeting and may notify the signatories of the notice in writing that:

- (a) the Committee has so determined, with brief reasons; or
- (b) that the business detailed in the notice will be included in the agenda for the next Annual General Meeting.

9.3 **Referral to the Principal**

If any recipient of a notice under **clause 9.2(a)** disagrees with the determination of the Committee, then they may refer the matter to the Principal who shall have the authority to:

- (a) ask for further submissions from any Member or Office Bearer; and
- (b) either agree with the Committee's determination or require the Committee to call the Special General Meeting and deal with the business that is the subject of a notice under **clause 9.1(b)**

and whose determination shall be final and binding.

9.4 **Business at a meeting**

The only business to be dealt with at a Special General Meeting is the business stipulated in the notice to Members from the Committee calling the meeting.

9.5 **Voting at a meeting**

Subject to declaring a quorum, any business to be voted upon at the meeting shall be conducted as follows:

- (a) each family, with at least one financially Paid Up Member is entitled to one (1) vote;
- (b) any Honorary Member and/or Life Member present shall be entitled to one (1) vote;
- (c) voting shall be taken by a show of hands, unless the Chairperson stipulates that voting is to occur by written ballot, in which case an Office Bearer shall be declared the returns officer by the Chairperson and shall be responsible for distributing and collating the written ballots and otherwise ensuring probity over the voting procedure and the quality of the result;
- (d) there shall be no voting by proxy;
- (e) excepting always a Special Resolution, a matter upon which a vote is taken will be decided by the majority of votes;
- (f) in the case of an equality of votes, the Chairperson shall have a second or casting vote; and
- (g) permanent members of the Committee shall have one (1) vote.

10. SPECIAL RESOLUTIONS

10.1 When a special resolution can be determined

A Special Resolution can be considered, determined and voted upon at an Annual General Meeting or a Special General Meeting.

10.2 Notice

Notice of a Special Resolution shall be contained in the notice of the meeting sent to Members at which it will be considered.

10.3 Voting

A Special Resolution may:

- (a) be voted upon in accordance with either of **clause 8.6(d)** or **clause 9.5(d)** as the case may be; and
- (b) may only be determined and resolved:
 - (1) by at least 75% of Members or Parents and Guardians who are entitled to vote at the meeting at which the Special Resolution is to be determined; and
 - (2) subsequently with the endorsement of the School Council, sought and obtained as soon as practicable following the meeting at which the Special Resolution is passed

and, where required by law or otherwise, with the consent, approval or agreement of any external party.

10.4 School Council and Synod prominence and power of veto

Despite any other provision of this Constitution, the School Council and/or the Synod may:

- (a) enact anything that can be enacted by Special Resolution without the approval or voting by Members;
- (b) do anything that an Office Bearer can do; and
- (c) do anything that the Committee can do.

11. PROPERTY

All assets and property of the Club must be:

- (a) held and managed in accordance with the requirements of the Act and the Church Regulations; and
- (b) applied solely to further the Objects and no portion is to be distributed directly or indirectly to any Members or any Committee member except as genuine compensation for services rendered, or expenses incurred, on behalf of, and with the approval of, the Committee.

12. AUDITOR

12.1 Appointment

At each Annual General Meeting, the Committee must appoint an auditor.

12.2 Qualifications

Subject to **clause 12.3**, the auditor must be a qualified accountant meaning:

- (a) a person who is a member of the Institute of Chartered Accountants in Australia or CPA Australia; or
- (b) any other person who has qualifications and experience requisite for registration as a company auditor under the *Corporations Act, 2001* (Cth) and who, in the opinion of the School Council, is a fit and proper person to undertake the responsibility.

12.3 Reduced qualifications

Where the gross income of the Club in a financial year is below a figure that equates to two and a half (2.5) times the notional stipend for Ministers of UCA (as referred to in the Regulations), the Club's books of account may be audited and certified by two (2) persons who are not qualified under clause 12.2 but who are, in the opinion of the School Council, fit and proper persons to undertake the responsibility.

12.4 No Member may be auditor

The auditor may not be an Office Bearer, member of the Committee, a Member or a Parent or Guardian.

12.5 Financial year

The Club's financial year ends on 30 September in each year.

13. FUNDS AND ACCOUNTS

13.1 Proper accounts

Proper books of account must be kept and audited annually (or more frequently if the School Council or the Synod so requires).

13.2 Audited statement

An audited statement of accounts must be presented to the Annual General Meeting, and a copy given to Synod and the next meeting of the School Council.

13.3 Bank accounts

All money received by, or on account of the Club, must be deposited in an account or accounts with a bank (or other financial institution) approved by the Synod. The name of each account must include 'Uniting Church' followed by the name of the Club.

13.4 Investments

The Committee may invest the whole or any part of its funds in such forms of investment as the School Council approves. The name of each investment must include 'Uniting Church' followed by the name of the Club.

13.5 **Payments**

All payments (other than petty cash items) made on account of the Club, must be made by cheque, credit card or authorised bank transfer.

13.6 **Credit card**

Any credit card account used on behalf of the Club must be operated in accordance with guidelines or directions issued by the Synod or, if none, as issued by the Committee.

13.7 **Account operatives**

Any other account of the Club must be operated by at least two (2) signatories chosen from:

- (a) the President;
- (b) the Secretary;
- (c) the Treasurer; and
- (d) any other persons authorised from time-to-time by the Committee.

14. **FEES AND MEMBERSHIP**

14.1 **Membership Fee**

The Committee will determine the Membership Fee for a forthcoming Term.

14.2 **Payment**

All Members must pay the Membership Fee as and when it falls due for payment, provided always that:

- (a) neither an Honorary Member nor a Life Member shall be required to pay a Membership Fee;
- (b) a Minor Member's Membership Fee may be paid by their Parent or Guardian; and
- (c) except as provided in **clause 14.6**, no Membership Fee shall be refunded on any account, including the cessation of membership mid-term.

14.3 **Membership**

- (a) Membership of the Club is open to:
 - (1) any person registered as a swimmer with the Ravenswood Swimming Program or a Parent or Guardian of a registered swimmer;
 - (2) Honorary Members and Life Members.
- (b) The Committee may admit a person as a Member who does not satisfy **clause 14.3(a)** in its absolute discretion and on a case-by-case basis and is not obliged to admit any such person.

14.4 Application for membership

A person may become a Member by:

- (a) registering and making payment through Swim Central, Swimming Australia's online membership portal. Registration is subject to approval of the Committee;
- (b) in the case of a Minor Member, submitting an application form via Swim Central with the requisite Membership Fee, signed by their Parent or Guardian, to be approved by the Committee; and
- (c) having their Membership accepted by notice from the Committee.

14.5 Pro-rata Membership Fee

Where a person applies for membership during a Term, the Registrar may determine a pro-rata Membership Fee to be paid by that person when submitting their application.

14.6 Rejection of membership

The Committee reserves the right to reject an application and prohibit a person from becoming a Member in their absolute discretion, by notice to that person. Any Membership Fee paid by any such person will be refunded in full and without deduction.

14.7 Honorary and Life Members

The Committee may appoint Honorary Members or Life Members and proposals for appointments may be submitted to the Committee for consideration at any time and by any person.

14.8 Register of Members

A register of Members shall be kept by the Club and any Member consents to such a register containing their:

- (a) name, residential and postal address;
- (b) contact telephone number and email address for receiving notices;
- (c) in the case of a Minor Member, the name, residential and postal address, telephone number and email address of a Parent or Guardian;
- (d) an emergency contact name, telephone number and email address;
- (e) date of commencement as a Member;
- (f) date of cessation as a Member; and
- (g) any other information as might be supplied in their application form to become a Member or information which is otherwise requested and supplied by a Member at any time.

14.9 Cessation of membership

A person ceases to be a Member:

- (a) if they transfer to another Club on Swim Central;

- (b) if they give written notice to the Club that they wish to cease being a Member;
- (c) if a Parent or Guardian of a Minor Member gives written notice to the Club that their child or the child in respect of which they are appointed Guardian wishes to cease being a Member;
- (d) if the Guardian Member gives written notice to the Club that the person in respect of which they are appointed Guardian wishes to cease being a Member;
- (e) if they fail to pay their Membership Fee within 14 days of the due date (or such other time as the Committee may resolve in its absolute discretion);
- (f) immediately by notice from the Committee after consultation with the Director of Sport and Principal if they:
 - (1) commit any unlawful act and/or an act of gross dishonesty;
 - (2) assault any Member, Committee member, student, parent or staff member of the School at any time, whether physically or verbally, or any other person whilst participating in any activity as a Member;
 - (3) persistently breach the Code of Conduct;
 - (4) deliberately disobey a lawful and reasonable instruction from a Committee member, the Head Coach or an Assistant Coach or School representative;
 - (5) deliberately engage in an activity that injures or is intended to injure another Member or Committee member or any person whilst participating in any activity as a Member;
 - (6) defame a Member, Committee member, student, parent or staff member of the School, or the School whilst participating in any activity as a Member;
 - (7) are found in possession of an illegal or illicit or banned substance; and/or
 - (8) are intoxicated or affected by any illegal or illicit or banned substance; and
- (g) if the Committee determines, following the outcome of an enquiry or proceedings under **clause 15**, that the person's membership should be terminated and gives written notice to that effect to the Member concerned.

15. DISCIPLINING OF MEMBERS

15.1 Entitlement and procedure

Any Member who breaches the Code of Conduct or who commits, or is believed to have committed, any of the acts referred to in **clause 14.9(e)**, in addition to, or as an alternative to, the right of the Committee in consultation with the Director of Sport, Principal and the Council to summarily cancel a Member's membership to the Club, may be subject to disciplinary action by the Committee at a duly convened meeting which has been called for that purpose, and of which due notice has been sent to the offending Member. The procedure for disciplining Members by suspension, disqualification or expulsion shall be for the Committee, after consultation with the Director of Sport and School Principal:

- (a) to accuse the defaulting Member in writing with the offence;
- (b) to cite the Member to appear at a meeting of the Committee;

- (c) to give 14 days' notice of the meeting;
- (d) to decide the action to be taken;
- (e) to permit the accused Member to have such representation at any such meeting as procedural fairness dictates;
- (f) to keep proper minutes of the meeting including any response by the defaulting Member, details of the action taken and to hold in safe custody (on such basis as the Committee reasonably determines) any documents associated with the matter; and
- (g) to advise the accused Member as to the action decided by the Committee, Director of Sport and Principal.

16. CODE OF CONDUCT

16.1 The Committee, in consultation with the Director of Sport, Principal and School Council, can make and adopt a Code of Conduct.

The Committee, Director of Sport, Principal or School Council may from time-to-time:

- (a) prescribe a Code of Conduct for the purpose of reinforcing Objects of the Club and School, detailing acceptable and expected behavior and to which it can require all Members to adhere and acknowledge as a condition of their becoming a Member; and
- (b) adopt wholly, or in part, any rules relating to the conduct of swimming or swimming competitions from time-to-time in its absolute discretion and notify Members accordingly.

16.2 Members subject to the Code of Conduct

All Members including Committee members must abide by the Code of Conduct.

16.3 Amendment of the Code of Conduct

The Committee, Director of Sport, Principal or School Council may from time-to-time vary, amend or repeal the Code of Conduct.

16.4 Date of effect

The Code of Conduct, or any variation thereof, shall take effect from the date that it is made or such later date as the Committee shall decide, and shall be laid before the next Annual General Meeting or a Special General Meeting and the Members may disallow the Code of Conduct, or any part thereof, by a majority vote whereupon it, or the part thereof, shall cease to have effect from the date of the relevant meeting.

16.5 Rule not to be inconsistent

- 16.6 The Code of Conduct must not be inconsistent with this Constitution nor inconsistent with any rules adopted or recognised by SNSW, unless SNSW has given its prior written approval to the Club Rule.

17. DISSOLUTION

17.1 Dissolution

If the Club is dissolved, after payment of all liabilities, any surplus assets must be paid or transferred to another activity of the Church. If possible, that activity is to be associated with the School but that is not essential.

17.2 No distribution to Members

On no account are any assets to be transferred to any Office Bearer or other member of the Committee or any Member upon dissolution, other than in payment for approved services rendered or reimbursement of pre-approved expenses.

17.3 School Council approval

The activity to which surplus assets are to be distributed under **clause 17.1**, may be selected by the School Council, but is subject to the approval of the Synod.