

Club Jervis Bay Wobbegongs Winter Swimming Club

Constitution

Ratified at the Annual General Meeting held on the 23rd of August 2020

President: John J. Stephens Date: 6-10-2020

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- (a) The name of the Club shall be the Club Jervis Bay Wobbegongs Winter Swimming Club (herein after called the "Wobbegongs").
- (b) The Wobbegongs will remain as an incorporated entity for the purposes of insurance only.
- (c) The Wobbegongs shall be affiliated with the Winter Swimming Association of Australia Inc. and shall abide by that Association's Rules.
- (d) Any new member can join at any time throughout the year and pay the one off Joining Fee. The annual fee is payable by all members from the AGM or at the first race day they attend.
- (e) The Wobbegongs are only a functioning club on Sunday Swimming Race Days from May to September (dates as advised by the committee), including Wobbegong social outings, meetings and fundraising events and other activities as sanctioned by the committee dates.

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The objects of the Wobbegongs are:

- (a) provide for the conduct, encouragement, promotion and administration of Winter Swimming at Huskisson Beach, Jervis Bay.
- (b) provide members and their families with a healthy winter environment to maintain their fitness and swimming capabilities.
- (c) provide members and their families with inclusive social activities.
- (d) provide support for the establishment and running of a surf life saving Club in Huskisson in future years.

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The emblem of the Wobbegongs shall be a sand Wobbegong with a torpedo propeller tail.

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The Wobbegongs' colours shall be two tones of blue, tan, and white. All apparel will also feature the Club Jervis Bay Limited Logo.

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Membership

- (a) Membership is open to individuals who accept the objectives and swimming competition rules of the Wobbegongs and are Financial Members of Club Jervis Bay

Ltd along with accepting this document as being the constitution and rules (rules provided in a separate document) of the Wobbegongs.

- (b) Junior membership shall be available to people over the age of seven (7) to eighteen (18), under the care/tutelage of one or both parents/guardians.
- (c) A joining fee of shall be applicable to financial members, and a fee at approximately half the joining fee shall be applicable for Junior members. Fees subscriptions may change from time to time at the discretion of the management committee.
- (d) An annual fee shall be payable by both membership classifications, as determined by the Management Committee, at the Annual General Meeting or the first race day, so as to be applicable for the then current year. Race Day fees shall be decided at a Management Committee meeting prior to the AGM.
- (e) Any member of the Wobbegongs who is suspended from Club Jervis Bay Limited will automatically have their membership suspended from the Wobbegongs in line with the suspension period determined by Club Jervis Bay Limited Board of Directors. Any member of the Wobbegongs who is expelled from Club Jervis Bay Limited will automatically have their Wobbegongs membership ceased.
- (f) If a Wobbegong is suspended from Club Jervis Bay, the member will be invited to attend a meeting with the Wobbegong Management Committee to discuss how best our club can support the member.

6 Constitutional amendments shall only be made by Financial members of the Wobbegongs. Such amendments to be accepted must have a seventy-five (75%) percent majority of all votes cast at the meeting to which the amendment is put, be at either an Annual General Meeting or an Extraordinary General Meeting. Any amendments to the Wobbegongs constitution must first be approved by the Board of Directors of Club Jervis Bay before being put to the Wobbegongs members for consideration.

Amendments for consideration must only be proposed and seconded by individual financial members, and submitted to the Management Committee, upon one months postal or electronic media notice informing members of the date of the meeting, together with the wording of the proposed amendment, shall be given to all members eligible to vote.

7 The Management Committee has the power to make such By-Laws not inconsistent with the Constitution as in the opinion of the Management Committee too insure the necessary or desirable proper controls in the following areas:

- The general management of the Wobbegongs.
- The Wobbegongs dress code and uniform.
- The management and control of all competitions.
- The privileges to be enjoyed by the members and guests.
- The conduct of members and guests of members.

Any By-Law made under this constitution comes into force and has full authority of a By – Law of the Wobbegongs by being posted upon the Wobbegongs notice board within Club Jervis Bay.

By-Laws must be consistent and not in conflict with Club Jervis Bay constitution and or By – Laws.

8 Any financial members of the Wobbegongs may be nominated for Life Membership providing the member qualifies as under:

- (a) The member has had continuous active membership for 10 years, during which time the member has given exceptional and/or distinguished service to the Wobbegongs.
- (b) Nominations for Life Membership shall be submitted to the Management Committee in writing by 31st January each year, for submission to the following Annual General Meeting. Such nominations are to be proposed and seconded by individual financial members, and note the reasons for the recommendation.
- (c) To be elected to Life Membership, the nominee must obtain a minimum of two thirds majority vote of all those members entitled to vote at the Annual General Meetings. Vote by secret ballot. Returning Officer to be a nominated manager from Club Jervis Bay Limited.
- (d) Members elected to Life Membership of the Wobbegongs may attend and vote at all AGM's, EGM's and Management Committee meetings of the Wobbegongs.
- (e) Life members shall not have to pay any further annual subscription fees or weekly swim fees.
- (f) Life Membership can be awarded posthumously.

9 Administration:

(a) The Wobbegongs shall be run by an elected Management Committee which shall comprise:

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|-----------------|----------------|-----------------|
| President | Vice President | Secretary |
| Asst. Secretary | Treasurer | Asst. Treasurer |
| Captain | Vice Captain | |

Delegates to the WSAA – President and two (2) volunteers from Management Committee

The Working Committee shall comprise:

| | | |
|-------------------|-------------------|-------------------|
| Chief Handicapper | Asst. Handicapper | Publicity Officer |
| Social Committee | Starter | Chief Timekeeper |
| Chief Judge | Gear Steward | |

- (b) All Management Committee positions become vacant at the Annual General Meeting (AGM) of the Wobbegongs;
- (c) Prospective members of the Management Committee must be financial members of the Wobbegongs and must be proposed and seconded by financial members of the Wobbegongs at the AGM;
- (d) Nominees for the executive positions must be active members of the Wobbegongs. An active member is deemed to be any financial member of the Wobbegongs who has aided the Committee on the matters of business and/or social activities;
- (e) The President, Vice President, Treasurer, Secretary may not hold more than one position on the Management committee but may hold positions on various other working committees;
- (f) Should more than one person be nominated for the same position on the Committee, then the result will be determined by a vote of financial members present at the AGM, the vote will be by show of hands;
- (g) Each member of the Committee will hold office from the date of the election or appointment until the conclusion of the next Annual General Meeting; and
- (h) Retiring Committee members are eligible for re-election.
- (i) Casual vacancies on the Management Committee and The Working Committee caused by resignation, death, illness, absence or bankruptcy, shall be filled by a member selected by the Management Committee.
- (j) The Management Committee shall appoint a Patron if required.
- (k) The Management Committee shall on a quarterly basis present draft financial statements to Club Jervis Bay Limited. Club Jervis Bay Limited will be responsible for providing fully audited accounts 30 days prior to the AGM.
- (l) The Management Committee and Working Committee shall meet once per month in April, May, June, July, August, September, dates will be advised. Further Extra Ordinary meeting will be held as required and may be held at other times as determined by the Management Committee. Elected Life Members may attend, speak and vote at Management Committee Meetings.
- (m) The Executive Committee shall consist of the President, Vice President, Secretary, Captain, Treasurer and Chief Handicapper. Any meeting of the Executive Committee shall require four (4) members to form a quorum. The Executive Committee shall meet to determine urgent matters prior to scheduled Management Committee Meetings.

Any vote resulting in a tie will be determined by the President or Chair of the meeting's casting vote.

- (n) Failure to attend three (3) meetings in succession, without submitting an apology, or obtaining a leave of absence, results in automatic loss of position.
- (o) Sub-position appointments are to be made, so as to provide a panel of: starters, timekeepers, judges and social organisers.
- (p) The Secretary shall keep Minutes of the Annual General Meeting, any Extraordinary General Meetings, and all Management and Executive Committee Meetings. All minutes are to be confirmed and signed by the Chair of the meeting at the following meeting or when the draft minutes are adopted. Minutes shall be retained for the period of time as required under the Corporations Act 2001.
- (q) The Annual General Meeting shall be held during the month of March each year. At such meeting, the Presidents Report, and the audited financial statements shall be presented to the Members for their consideration. Notice of the Annual General Meeting, and the agenda therefore, must be provided to the members by posting the Notice on the Club Jervis Bay Wobbegong's notice board, or by electronic media, at least one (1) month prior to the date set for the A.G.M.
- (r) The Wobbegongs financial year shall be 1st July to 30th June.
- (s) Signatories to/for the Wobbegongs bank account shall be any two of: the President, Secretary, Treasurer and Captain.
- (t) Any dealings of the Wobbegongs shall be carried out according to the principles stated in Joske's "Law and Procedure of Meetings".
- (u) Sub Committees shall be appointed according to needs, with the Swim Committee having specified duties as noted in the By Laws. Other sub committees may be established for purposes such as: Constitution Review, Sponsorship, Premises, Disputes, Disciplinary, Equipment Purchases. Sub Committees shall report to the Management Committee.

10 The Wobbegongs is apolitical, and compliant with equal opportunity principles and anti-discrimination principles.

11 While the Management Committee and Swim Committee take all care in the conduct of the Sunday morning race swim, members are liable for their own actions and safety, as the events are held on a public beach.

12 Extraordinary General Meetings at the direction of the Executive Committee, or the Management Committee, or by a petition signed by twenty (20) members of the Wobbegongs. Notice of an Extraordinary General Meeting shall be provided to members by posting the Notice on the Club Jervis Bay Wobbegong's notice board or electronic media at least one (1) month prior to the date set for the meeting. The

reason for the calling of the meeting shall be stated in the Notice of Meeting. All Financial Members are eligible to vote at EGM's, voting to be conducted by show of hands.

- 13 To be a valid Financial Member or Junior Member, the joining fee must be paid on submission of the membership application form. Prospective members may swim by paying only the Race Day Fee, in order to determine whether or not they ultimately want to join the Wobbegongs. Visitors by swim by paying only the Race Day Fee on the day of their visit.
- For existing members, the annual fee must be paid at the AGM or on the members first Race Day.
- 14 The original members in 2017, shall be known as Foundation Members and a list of their names shall be appended as a permanent record as part of this Constitution.
- 15 If at any time a dispute or conflict arises that cannot be dealt with or resolved under the Wobbegongs Constitution or By-Laws the Wobbegongs will refer to and abide by the Constitution, By-Laws, or relevant Policy or Procedure of Club Jervis Bay Limited for resolution.
- 16 Funds of the Wobbegongs
- a) The funds of the Wobbegongs shall be derived from annual fees, race day fees, donations, raffles, grants and such other sources approved by the Board of Club Jervis Bay Limited;
 - b) The Wobbegongs is a non-profit organisation and the income will be applied for the purposes of promoting the objectives as stated, no dividend or bonus will be paid out to the members;
 - c) The members and Committee members will not be held liable to contribute to the payment of the debts of the Wobbegongs or the costs, charges and expenses incurred in the winding up of the Wobbegongs other than the extent of any annual subscription; and
 - d) No member is to have any beneficial interest in the property of the Wobbegongs. In the event of the Wobbegongs being dissolved all monies subject to the payment of all proper charges will be credited to the Club Jervis Bay trading account and all property of the Wobbegongs will be credited to Club Jervis Bay Limited to be disposed of as the Board of Directors see fit.
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Club Jervis Bay Wobbecong Winter Swimming Club
Duties & Responsibilities of Elected and Appointed Management
Committee
Draft

PRESIDENT/CHAIRPERSON

Job Description:

1. To chair and control the meetings of the Committee
2. To oversee, where appropriate, the co-ordination of all club activities
3. In conjunction with the Secretary and Treasurer present the annual accounts and reports at the AGM
4. Liaise with Club Officers to ensure that Statutory Documents and other Club policies are adhered to
5. Keep up to date on Australian Winter Swimming Association policy and Club Constitution
6. Represent the Club at official functions as required and previously agreed upon
7. Represent the Club at external meetings as and when required
8. Liaise with the Secretary to ensure continuity of duties when the Chairperson is away

Requirements:

Good Communication skills

Good Organisational skills

Knowledge of the Club

Be available to and approachable by Club members

VICE PRESIDENT:

Assist the President in role above

SECRETARY

Job Description:

1. Responsible for day to day running of the club such as enquiries from new and current members as necessary
2. Work with the Chairperson and Treasurer to address and day to day issues which cannot wait until a Committee meeting
3. Deal with Club correspondence from external entities
4. Organise meetings such as the monthly General Meeting
5. Club Sec should prepare an Agenda and provide this Agenda to Committee members

6. At any meeting take notes and subsequently prepare and circulate minutes to the Committee in a timely manner
7. Responsible for giving Notice of the Club's AGM and circulation all relevant documentation in accordance with Club rules
8. Register all new members and ensure all relevant information is given to new members
9. Be a signatory to the Club Bank Account

ASSISTANT SECRETARY

Assist The Secretary in role above.

TREASURER

Job Description:

1. Maintain clear and accurate records
2. Maintain and monitor the Club's bank accounts
3. Responsible for payments to external entities in relation to Club activities
4. At every Committee Meeting report as to the current financial status of the Club and future financial forecasts of the Club
5. Make recommendations to the committee concerning the Club's financial position
6. Prepare and present an annual budget
7. Be a signatory of the Club's Bank account

Pursuant to the Wobbegongs affiliation with Club Jervis Bay, the Treasurer also has the responsibilities as noted below:-

- (a) That all money due to the Wobbegongs is collected and received and that all payments authorised by the Wobbegongs are made;
- (b) That correct books and accounts are kept showing the financial affairs of the Wobbegongs, including full details of all receipts and expenditure connected with the activities of the Wobbegongs and that these reports can be made available quarterly to the CEO of Club Jervis Bay in draft;
- (c) The Wobbegongs meet the audit requirements of Club Jervis Bay Limited as determined by the CEO of Club Jervis Bay Limited, including a requirement for quarterly interim financial reports to be made available to Club Jervis Bay Limited; and
- (d) Ensure confidentiality of sensitive information.

ASSISTANT TREASURER

Assist The Treasurer in role above.

CLUB CAPTAIN

Job Description:

1. Provide support and encouragement to swimming members
2. Undertake duties as requested eg. Assisting new swimmers
3. Meet and welcome new members
4. Support Club fundraising activities
5. Provide feedback to the Committee as a representative of the club's swimmers

VICE CAPTAIN

Assist The Captain in role above

FOUNDATION MEMBERS

John Stapleton

Stephen Pryn

Kym Lees

Don McRae

Brian Probets

Ken Stapleton

Fred Levy

John Daly