

RIVERTON MASTERS SWIMMING CLUB INC

By-Laws

December 2015

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By-Laws

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BY-LAWS

**BY-LAW 1
CONDUCT**

The provision of the Constitution shall be strictly adhered to and in the event of any inconsistency between the provisions of the Constitution and the provisions of these By-Laws, the provisions of the Constitution shall prevail.

**BY-LAW 2
CLUB COLOURS**

The colours of the Club are blue and yellow and red. The shade of blue is what is generally referred to as "royal blue".

**BY-LAW 3
CLUB UNIFORM**

The Club uniform shall consist of a shirt and other items of clothing as determined by the Club Committee of Management from time-to-time. The styles and patterns shall be as determined by the Committee of Management from time-to-time. Club swim caps shall be blue in colour.

**BY-LAW 4
ANNUAL GENERAL MEETING**

4.1 The Annual General Meeting shall be held in December each year, on a date and at a time set by the Committee of Management.

4.2 The business of the Annual General Meeting shall be to:

- a) Welcome members attending and receive apologies
- b) Confirm the minutes of the previous Annual General Meeting
- c) Receive the Annual Financial Statement, which will have been audited and annual reports from office bearers for the preceding year
- d) Receive the proposed budget for the following year
- e) Elect officers to the Committee of Management
- f) Consider such other matters as the Secretary has been notified of in writing prior to the meeting
- g) Consider General Business, provided that such business shall not involve a resolution other than:
 - (i) to make a recommendation to the incoming officers of the Committee of Management
 - (ii) to deal with a matter of procedure in the conduct of the meeting and then only subject to and in accordance with the Constitution.

4.3 The accidental omission to give any notice to any person entitled to attend the Annual General and/or special general meetings shall not invalidate the meeting or its proceedings, including any resolution or appointment made thereat.

**BY-LAW 5
BANK SIGNATURES**

The cheque signatories of all accounts of the Club shall be any two (2) conjointly of the President, Vice-President and Treasurer.

**BY-LAW 6
MEMBERSHIP**

6.1 Membership of the Club is gained by completing a membership application form and paying the prescribed fee. The Club shall register the member on the Masters Swimming Australia national database.

6.2 Registration of members is open to all adults from the date of their 18th birthday.

6.3 Membership of the Club is limited to full membership and that member must be registered.

BY-LAW 7 MEMBERSHIP FEE

7.1 The membership fee shall be reviewed and set each year at the Annual General Meeting.

7.2 The fee will be set based on the anticipated number of Club members and estimated expenditure for the ensuing year. Funds received in each calendar year will be used predominantly to provide services to the members of the Club in that same calendar year. The composition of the membership fee will be made known to all members upon renewal of, or application for, membership.

BY-LAW 8 COMPOSITION OF COMMITTEE OF MANAGEMENT

8.1 In addition to the President, Vice-President, Secretary and Treasurer as specified in the Constitution, the Committee of Management shall include the following positions:

- (i) Club Captain, the duties of which may be shared between a Male Captain and a Female Captain
- (ii) Social Director
- (iii) Property Officer
- (iv) Publicity Officer
- (v) Safety Officer

8.2 Persons occupying any of these positions must be members of the Club.

8.3 No more than any 2 positions on the Committee of Management may be occupied by the same Club member. Notwithstanding this, the President, Vice President, Secretary and Treasurer positions must all be occupied by different individuals.

BY-LAW 9 DUTIES OF COMMITTEE OF MANAGEMENT POSITIONS

In addition to the duties of President, Vice-President, Secretary and Treasurer as detailed in the Constitution, the duties of the additional positions on the Committee of Management shall consist generally of the following:

- i) Club Captain
 - (a) invite nominations from members for entry to inter-club swim meets in which the Club has been invited to participate, long-distance (aerobic) pool events and open water swims; manage the submission of entries received and ensure they are lodged within the required time-frame.
 - (b) arrange time-trials from time-to-time in order that members have the opportunity to register times for particular distances and strokes; manage records of times set by members during time trials in order that their progress can be monitored. Such times may also be used as a guide when nominating for inter-club swim meets.
- ii) Social Director
 - (a) manage the development of the Club's social calendar of events having regard for the limitations set out in By Law 11.
 - (b) oversee the management of social function bookings.
- iii) Property Officer
 - (a) manage the setting up and packing away of Club training equipment immediately prior to and after each training session.
 - (b) conduct periodic audits and examinations of the Club's equipment and property in order to detect any loss or damage.
 - (c) arrange the purchase of additional or replacement equipment as necessary, under the direction of the Committee of Management.

BY-LAW 9 (continued)**DUTIES OF COMMITTEE OF MANAGEMENT POSITIONS (continued)**

iv) Publicity Officer

Source free or low-cost opportunities to promote the Club in order to attract new members.

v) Safety Officer

Promote appropriate safe swimming and safe pool-based practices to members.

BY-LAW 10**EXPENDITURE OF CLUB FUNDS**

10.1 The Committee of Management shall be accountable to Club members for the expenditure of Club funds. Payments for Club expenses will be made by the Treasurer in accordance with the Constitution. In the case of regular expenses, formal approval for such expenditure shall be obtained from the Committee of Management as soon as practical at the beginning of the calendar year for that year. Expenditure of an irregular nature shall require the prior approval of the Committee of Management at one of its meetings; or by email agreement of the President, Vice President and Treasurer. In the absence of the President or Vice President, the agreement of the Secretary shall be obtained.

10.2 A financial statement detailing year-to-date revenue and expenditure and receipts and payments in the month shall be compiled by the Treasurer at the end of each month upon receipt of the bank statement for that month. The financial statement shall be sent via email to the members of the Committee of Management. Such financial statements will be presented at each Committee of Management meeting for formal acceptance by the meeting.

BY-LAW 11**SOCIAL CALENDAR**

An annual social calendar of events shall be developed by the Social Director, with assistance from other Club members as the Social Director deems necessary. The calendar shall be distributed to all Club members. When developing the calendar, consideration will be given to avoiding clashes with significant public events. In general, Club social events should not be scheduled in the following circumstances:

- (i) On the evening immediately prior to an inter-club swim meet, including the annual Masters Swimming WA All Club Challenge in which the Club has been invited to participate;
- (ii) On the same day or evening as an Australian Football League (AFL) match scheduled to be played in the Perth metropolitan area;
- (iii) On the day or evening of the AFL Grand Final;
- (iv) Later than 18 December in any calendar year.

BY-LAW 12**SUBSIDIES TO MEMBERS ENTERING INTER-CLUB SWIM MEETS AND THE MSWA STATE OPEN WATER SWIM**

12.1 Subject to By-Law 12.2, the Club will subsidise members who nominate for and swim at:

- (i) interclub pool swim meets in which the Club has been invited to participate, including the annual Masters Swimming WA All Club Challenge (ACC) and the annual Masters Swimming Australia National Championships; and
- (ii) the annual Masters Swimming WA State Open Water Swim (OWS).

12.2 The amount of the subsidy shall be equivalent to the nomination/entry fee for interclub meets; the registration fee for the State and National Championships; and the entry fee for the State OWS. Should a member nominate for a meet/State OWS and subsequently fail to swim for whatever reason, that member shall be responsible for payment to the Club of his/her nomination/entry or registration fee.

12.3 A subsidy shall only be payable to members who participate in swim meets as a Riverton Masters Club member; no subsidy will be payable where members participate as a member of another club (eg on a 'second claim' membership basis).

12.4 If, in the Treasurer's opinion, the Club's funds at any time are considered to be insufficient to support the subsidising of members nominating and registering for interclub swim meets (including the ACC and National Championships), the Treasurer will report this to the Committee of Management for resolution at its next scheduled meeting. The Committee of Management may then, at its discretion, suspend the subsidising of members for a specified meet or meets, or period of time and this decision will be communicated to all Club members immediately.

BY-LAW 13

PAYMENT OF FEES FOR RELAY ENTRIES

13.1 Subject to By-Law 11.2, the Club will pay the nomination or registration fee for each Club relay team entered at interclub pool swim meets, including the annual Masters Swimming WA State Swim and the annual Masters Swimming Australia National Swim.

13.2 If, in the Treasurer's opinion, the Club's funds at any time are considered to be insufficient to support the payment of relay nomination or registration fees, the Treasurer will report this to the Committee of Management for resolution at its next scheduled meeting. The Committee of Management may then, at its discretion, suspend the payment of relay entry fees for a specified meet or meets, or period of time and this decision will be communicated to all Club members immediately. In these circumstances, relay team entry fees may be borne by team members if agreed by such members unanimously; otherwise there shall be no relay team(s) entered for the swim meet(s) so affected.

BY-LAW 14

SUBSIDIES TO MEMBERS FOR SOCIAL EVENTS, MEETINGS AND OTHER SWIMMING-RELATED ACTIVITIES

At the discretion of the Committee of Management, the Club may subsidise costs for members who attend Club functions and other Masters Swimming functions. This includes annual general, special general and other meetings, social events, seminars, and other swimming-related activities. This may include subsidising the provision of food and may also include subsidising the costs (with the exception of travel) for members representing the Club at various events. The amount of any subsidy will be determined by the Committee of Management prior to any function or meeting and will have regard for the Treasurer's opinion as to whether the Club's funds are considered to be adequate to support such subsidising.

BY-LAW 15

FUNDRAISING

15.1 Basic principles should underpin the origin, management and use of fundraising moneys.

15.2 The Management Committee is to endorse any proposed fundraising activity and should determine the use of such funds. Generally, the funds will be used to assist members travelling to Masters Swimming Australia National Championships outside Western Australia.

15.3. A Fundraising Sub-Committee should be established, to coordinate fundraising activities and manage funds raised and expenditure incurred as a result of fundraising ventures. The Sub-

Committee should comprise a Chairperson and a minimum of 2 other Club members who wish to be involved.

15.4 All Club members may be asked to participate in fundraising activities and any fundraising will be undertaken on a voluntary basis.

15.5 Funds raised for interstate travel to National Championships should be used to offset costs that members would not normally incur. Ways in which the funds could be used may include:

- i) subsidising or covering the cost of airfares to and from the venue
- ii) subsidising or covering the cost of accommodation while interstate
- iii) subsidising or covering the cost of transport while interstate, such as hire cars and associated costs, eg fuel and toll fees
- iv) related miscellaneous costs such as team dinners.

15.6 Expenditure incurred in travelling to and being accommodated at interstate National Championships is to be directly related to attendance at the Championships and all members attending should benefit equally.

15.7 Expenditure must be accountable, with receipts obtained and passed to the Chairperson of the Fundraising Sub-Committee.

15.8 A bank account, separate to the Club's operating account, shall be opened to manage fundraising moneys held and expenses incurred. Any disbursements from the account are to be made by cheque only so that an accounting trail is evident.

15.9 The account shall be a cheque account and have at least three signatories for its operation, with any two to sign for transactions. Signatories shall be those occupying the positions of Chairperson of the Fundraising Sub-Committee, Club President and either Club Vice-President or Club Treasurer.

15.10 Should an advance of funds be made, at the conclusion of the event unused funds are to be returned to the Club by deposit to the fundraising bank account.

BY-LAW 16

PATRONS

The Committee of Management may at any time appoint a Patron or Patrons of the Club.

BY-LAW 17

INDEMNITY

Any member or servant of the Club shall be indemnified against personal responsibility for any action taken as a member or servant operating under the direction and with the approval of the Committee of Management.

BY-LAW 18

AMENDMENTS TO CONSTITUTION AND BY-LAWS

18.1 By-Laws may be amended at the Annual General Meeting or any Club meeting called for that purpose.

18.2 Both the Constitution and By-Laws shall be subject to amendment according to the following procedures:

- i) Proposals for amendment of the Constitution and/or By-Laws may be initiated by the Club Committee of Management or by written submission to the Club Secretary by any Club member.
- ii) Each proposed amendment shall be considered by the Committee of Management before being submitted to the Club membership. The Committee of Management shall determine its support for or opposition to the amendment and the view of the Committee of Management shall be expressed to the membership prior to the meeting.

iii) The amendments to be voted upon and the Committee of Management's support or opposition to the amendment shall be circulated to the Club membership at least thirty (30) clear days prior to the meeting.

18.3 No proposed amendment shall be declared ratified unless at least three-quarters (3/4) of those entitled to vote indicate a vote in favour of the proposed amendment.