

WENTWORTH DISTRICT

ROWING CLUB INC



CONSTITUTION AND BY-LAWS

2011

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PART 1 - PRELIMINARY

Definitions

(1) In this constitution:

“Committee” means the committee of management of the association

Ordinary committee member means a member of the committee who is not an office-bearer of the association.

Financial year means year ending 30th June

Secretary means:

- (a) the person holding office under this constitution as secretary of the association, or
- (b) if no such person holds that office – the public officer of the association.

Special general meeting means a general meeting of the association other than an annual general meeting.

The Act means Associations Incorporation Regulation 2010.

(2) In this constitution:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the Interpretation Act 1987 apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

PART 2 - MEMBERSHIP

The club shall consist of the following four categories of members:

Ordinary Members shall include all subscribing active rowers and coaches and persons who have retired from active rowing or coaching with this Club or any other rowing club or any other persons and all shall be entitled to hold office and to have the full rights and obligations as members of the Club.

Student Members shall include any student attending full-time at any school, college or place of learning up to the age of eighteen (18) years. Student Members are not entitled to vote on any matters.

Life Members shall apply to any member who has rendered outstanding service to Club and has received the unanimous recommendations of the Committee, and may be elected a Life Member at a General Meeting, provided that such election is approved by "Special Resolution" of members present who are entitled to vote. Such Life Members shall have the rights of full members including full voting rights, without payment of any subscriptions.

Social Members shall be members at the discretion of the Committee, who are permitted the use of WDRC facilities including gymnasium equipment, ergometers and boat usage as authorised by the Captain or their deputy. Social Members are not entitled to vote on any matters.

If members admitted as "Social Members" wish to row in any State or National regatta, they will be required to upgrade to Ordinary Membership.

Application for Membership

A person is eligible to be a member of the association if:

- (a) the person is a natural person, and
- (b) the person has been nominated and approved for membership of the association on the form prescribed by the committee from time to time.

Each application must be proposed and seconded by financial members of the Club. The application must be signed by the nominee, proposed and seconded and submitted to the Committee together with the prescribed nomination fee and a copy of proof of date of birth for approval by the Committee.

A newly elected member's payment of their initial subscription and/or the use of Club's property shall imply their acquiescence to the Rules of the Club.

Subscriptions

The Committee shall review the subscription rates in April each year and make recommendation of the rates to apply for the next season, for approval by members at the May General Meeting.

The subscription shall be approved by a simple majority of members present at such meeting. The rate of subscription may be advised to members by presentation of an account for the annual subscription, or by any other method approved by Committee.

Rates of Subscription shall apply to: Ordinary Members, Student Members and Social Members.

Life Members are not required to pay a subscription fee.

Where a new member is admitted after 1st December in any year, their yearly subscription for the current year shall be 50% of the rate applicable for their class of membership.

The Committee may reduce or waive or defer the time for payment of the subscription of an individual member if in the opinion of the Committee circumstances are such that the member should not pay all or part of their subscription. Such member shall be deemed to be a financial member.

A member shall be deemed unfinancial if subject to the above they have not paid one half of their subscription by August 31st and the balance by October 31st.

A member shall be deemed to have resigned their membership subject to the above if their subscription has not been paid by 31st December.

Register of Members

The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and class of membership of each member and the register shall be available for inspection by members on request.

Ceasing Membership

A member of the Club who has paid all moneys due and payable by a member to the Club may resign from the Club by giving one month's notice in writing to Secretary of the intention to resign.

After the expiry of the period referred above:

(a) the member ceases to be a member

(b) the Secretary must record in the register of members the date on which the member ceased to a member.

PART 3 - DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS

1. Subject to these Rules, if the committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Club the committee may by resolution –

- (a) suspend that member from membership of the Club for a specified period; or
- (b) expel that member from the Club.

2. A resolution of the committee under sub-rule (1) does not take effect unless –

(a) at a meeting held in accordance with sub-rule (3), the committee confirms the resolution; and

(b) if the member exercises a right of appeal to the Club under this rule, the Club confirms the resolution in accordance with this rule.

3. A meeting of the committee to confirm or revoke a resolution passed under sub-rule (1) must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with sub-rule (4).

4. For the purposes of giving notice in accordance with sub-rule (3), the Secretary must, as soon as practicable, cause to be given to the member a written notice –

(a) setting out the resolution of the committee and the grounds on which it is based; and

(b) stating that the member, or their representative, may address the committee at meeting to be held not earlier than 14 days and not later than 28 days after notice has been given to that member; and

(c) stating the date, place and time of that meeting; and

(d) informing the member that he or she may do one or both of the following –

i attend that meeting

ii give to the committee before the date of that meeting a written statement seeking the revocation of the resolution;

(e) informing the member that, if at that meeting, the committee confirms the resolution, he or she may, not later 48 hours after that meeting, give the Secretary a notice to the effect that he or she wished to appeal to the Club in general meeting against the resolution.

5. At a meeting of the committee to confirm or revoke a resolution passed under sub-rule (1), the committee must –

- (a) give the member, or their representative, an opportunity to be heard; and
- (b) give due consideration to any written statement submitted by the member; and
- (c) determine by resolution whether to confirm or to revoke the resolution.

6. If at the meeting of the committee, the committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Club in general meeting against the resolution.

7. If the Secretary receives a notice under sub-rule (6), he or she must notify the committee and the committee must convene a general meeting of the Club to be held within 21 days after the date on which the Secretary received the notice.

8. At a general meeting of the Club convened under sub-rule (7) –

- (a) no business other than the question of the appeal may be conducted; and
- (b) the committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
- (c) the member, or their representative, must be given an opportunity to be heard; and
- (d) the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.

9. A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, or by proxy, in favour of the resolution. In any case, the resolution is revoked.

Disputes and Mediation

The grievance procedure set out in this rule applies to disputes under this Constitution & Rules between –

- (a) a member and another member; or
- (b) a member and the Club.

The parties to the dispute must meet and discuss the matter in dispute, and if possible, resolve the dispute within 14 days after the dispute comes to the attention of all the parties.

If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days hold a meeting in the presence of the mediator.

The mediator must be-

- (a) a person chosen by agreement between the parties; or

(b) in the absence of agreement –

in the case of a dispute between a member and another member, a person appointed by the committee of the Club.

A member of the Club can be a mediator.

The mediator cannot be a member who is a party to the dispute.

The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

The mediator, in conducting the mediation, must –

(a) give the parties the mediation process every opportunity to be heard; and

(b) allow due consideration by all parties of any written statement submitted by any party; and

(c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

The mediator must not determine the dispute.

If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act, otherwise at law

Damage to Property

Any damage to boats and oars must be immediately reported to the Captain or Vice Captain.

Any member who, in the opinion of the Committee, through carelessness or negligence, damages or loses any of the Club's property, shall be held liable for such damage or loss which shall be made good at their expense.

If unavoidable, the damage or loss may be wholly or partly borne by the Club as decided upon by the Committee.

Any member or members damaging the Club's property and failing to report the same to an Office holder of the Club within 48 hours, may be held responsible for the entire amount of such damage.

The Committee's decision as to the amount of damage or loss shall be final and conclusive.

PART 4 – THE COMMITTEE

Powers of the committee

Subject to the Act, the Regulation and this constitution and to any resolution passed by the association in general meeting, the committee:

- (a) is to control and manage the affairs of the association, and
- (b) may exercise all such functions as may be exercised by the association, other than those functions that are required by this constitution to be exercised by a general meeting of members of the association, and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

Composition and membership of committee

- (1) The committee is to consist of:
 - (a) the office-bearers of the association, and
 - (b) up to 5 ordinary committee members, each of whom is to be elected at the annual general meeting of the association.
- (2) The total number of committee members is not to exceed 12.
- (3) The office-bearers of the association are as follows:
 - (a) the president,
 - (b) the vice-president,
 - (c) the treasurer,
 - (d) the secretary.
 - (e) Captain
 - (f) Vice Captain
 - (g) Head Coach
- (4) A committee member may hold up to 2 offices (other than both the president and vice-president office or Captain and Vice Captain)
- (5) Each member of the committee is, subject to this constitution, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

Election of committee members

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary committee members:

- (a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - (b) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
 - (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
 - (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
 - (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
 - (6) The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
 - (7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the association must be a member of the association.

Secretary

- (1) The secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the secretary to keep minutes of:
 - (a) all appointments of office-bearers and members of the committee, and
 - (b) the names of members of the committee present at a committee meeting or a general meeting, and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

Treasurer

It is the duty of the treasurer of the association to ensure:

- (a) that all money due to the association is collected and received and that all payments authorised by the association are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.

Casual vacancies

- (1) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- (2) A casual vacancy in the office of a member of the committee occurs if the member:
 - (a) dies, or
 - (b) ceases to be a member of the association, or
 - (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
 - (d) resigns office by notice in writing given to the secretary, or
 - (e) is removed from office under Removal of Committee clause, or
 - (f) becomes a mentally incapacitated person, or
 - (g) is absent without the consent of the committee from 3 consecutive meetings of the committee, or
 - (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
 - (i) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth.

Removal of committee members

- (1) The association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

Committee meetings and quorum

- (1) The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be

unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.

- (4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 5 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the committee:
 - (a) the president or, in the president's absence, the vice-president is to preside, or
 - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

Delegation by committee to sub-committee

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this clause, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.

(7) A sub-committee may meet and adjourn as it thinks proper.

Voting and decisions

- (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to there being a quorum, the committee may act despite any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.
- (5) Each member shall be entitled to appoint another as her/his proxy by notice given to the Secretary not later than twenty four hours before the time of the meeting in respect of which the proxy is appointed. Proxy shall be in the form adopted by the Committee and published from time to time.(Appendix 5)

PART 5 - GENERAL MEETINGS

Annual General Meetings

The annual general meeting of the association shall be held between July and September each year on a date, time and place as the committee thinks fit.

In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following;

(a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting.

(b) to receive from the committee reports on the activities of the association during the last preceding financial year,

(c) to elect office-bearers of the association and ordinary committee members,

(d) to receive and consider any financial statement or report required to be submitted to members under the Act.

An annual general meeting must be specified as such in the notice convening it.

Special General Meetings – calling of

1. The committee may, whenever it thinks fit, convene a special general meeting of the association.

2. The committee must, on the requisition in writing of a least 10 per cent of the total number of ordinary members, convene a special general meeting of the association.

3. A requisition of members for a special general meeting:

(a) must state the purpose or purposes of the meeting, and

(b) must signed by the members making the requisition, and

(c) must be lodged with the secretary, and

(d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

4. If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

5. A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

Quorum for general meetings

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- (2) Ten members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members, is to be dissolved, and
 - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 5) are to constitute a quorum.

Presiding member

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the association.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

Making of decisions

- (1) A question arising at a general meeting of the association is to be determined by either:
 - (a) a show of hands, or
 - (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.
- (2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

Special resolutions

A special resolution may only be passed by the association in accordance with section 39 of the Act.

Voting

- (1) On any question arising at a general meeting of the association a member has one vote only.
- (2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the association has been paid.
- (4) A member is not entitled to vote at any general meeting of the association if the member is under 18 years of age.

PART 6 - MISCELLANEOUS

Insurance

The association may effect and maintain insurance.

Funds - source

- (1) The funds of the association are to be derived from regatta fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

Funds - management

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the association, being members or employees authorised to do so by the committee.

Change of name, objects and constitution

An application to the Director-General for registration of a change in the association's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a committee member.

Custody of books etc

Except as otherwise provided by this constitution, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the association.

Inspection of books etc

- (1) The following documents must be open to inspection, free of charge, by a member of the association at any reasonable hour:
 - (a) records, books and other financial documents of the association,
 - (b) this constitution,
 - (c) minutes of all committee meetings and general meetings of the association.
- (2) A member of the association may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.

Service of notices

- (1) For the purpose of this constitution, a notice may be served on or given to a person:
 - (a) by delivering it to the person personally, or
 - (b) by sending it by pre-paid post to the address of the person, or

- (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:
 - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

Financial year

The financial year of the association is:

- (a) the period of time commencing on the date of incorporation of the association and ending on the following 30 June, and
- (b) each period of 12 months after the expiration of the previous financial year of the association, commencing on 1 July and ending on the following 30 June.

APPENDIX 1

PRIVATE BOAT STORAGE POLICY

1. General

- a) Private boat storage is a privilege granted by the Committee and is not an automatic right by members of the Club.
- b) The Captain will be responsible for implementation of this Policy
- c) Only full fee-paying Members and Life Members shall be entitled to apply for a boat storage privilege.
- d) The storage location of the private boat is not fixed and may change from time to time depending on factors such as the club's own requirements, the amount of usage of the private boat, the ease by which other members need access to get to other boats subject to health and fitness etc
- e) If in the opinion of the Committee the rack space taken up by private boats is required for the Club's boats or for any other purpose then the Committee at its absolute discretion may cancel the private boat storage facility and order the removal of private boats from the boathouse.
- f) Should a Member not use their boat for a period of 3 months without satisfactory explanation of the circumstances then the Committee may order that Member to remove their boat from the boatshed.
- g) Should a Member not respond to such order of the Committee then the Committee may take any steps that it deems justified and necessary to effect such removal at the Member's expense

2. Application

- a) In order to gain storage privilege for a private boat, an application must be made in writing to the committee that includes the following details as a minimum;
 - Boat details and name shown on it if applicable
 - Rigger type (quick release or otherwise)
 - Oar details if they are also to be stored
 - Envisaged amount of usage
 - Any other information such as if a cradle is to be stored or if there are special access requirements.
- b) All private boats to have an identifying name on them. If no identifying name is present on the boat, the Club will allocate a number to be fixed to the inside of the hull.
- c) Upon written application for storage privileges, the storage fee is to be included with the application

3. Storage Fees

- a) Annual storage fees for all boats are set by the committee and subject to review from time to time. Members with storage privileges will be advised in writing when storage fees change.
- b) Annual fees for boats other than single sculls are determined and set by the committee on a case by case basis.
- c) Should a Member become unfinancial or not pay the annual storage fee then the Committee may order that Member remove their boat from the boatshed.
- d) Where a member is on the committee and has either a direct or indirect interest in the storage of a boat, they as a matter propriety abstain from voting on the matter.
- e) The storage fees are published in the manner as the annual membership.
- f) Storage fees may not be charged on a case by case basis at the Committee's absolute discretion

4. Insurance

- a) Neither the Club nor the Committee take any responsibility for damage or otherwise to private boats stored in the boathouse or whilst on the water or whilst being transported on the Club's boat trailer.
- b) Insurance of private boats (and equipment) is the responsibility of the individual owners

5. Transfer of boat ownership

- a) Should a Member sell his/her boat to another Member such transfer of ownership does not carry with it any actual or implied right or preferential access to boat storage facilities which may only be granted at the sole discretion of the Committee.

APPENDIX 2

ROWING VICTORIA CODE OF CONDUCT

General

1.1 Purpose

(a) The purpose of this Code of Conduct (Code) is to declare the type of behaviour, which is encouraged by Rowing Victoria Inc. and which has been adopted by WDRC as its defacto Code of Conduct and where RV is noted this is deemed also to apply to WDRC. This is the behaviour RV is seeking to promote and encourage Organising Committees, Clubs and Schools, their members and supporters, to adopt. In addition to this Code, listed below are some examples of behaviour which shall be deemed to be “conduct unbecoming”, or “conduct not in the interests of WDRC and the promotion of its objects”.

(b) By listing this information, as well as some examples of behaviour deemed to be unbecoming, WDRC wishes to offer clear direction in this area.

1.2 Key Principles

(a) RV wishes to operate in an environment where people show respect for others and their property. Respect is defined as consideration for another’s physical and emotional well being and possessions, to ensure no damage or deprivation is caused to either.

(b) RV wishes to operate in an environment, which is free from harassment. Harassment is defined as any action directed at an individual or group, which creates a hostile, intimidatory or offensive environment.

(c) RV wishes to operate in a non - discriminatory environment. By this we mean where everyone has an equal opportunity and receives a fair go in accordance with the law as well as RV rules, procedures and guidelines.

(d) People to whom this Code applies acknowledge and agree to comply to the grievance procedures adopted by WDRC as set out in the Constitution at the Committee’s discretion. If any disciplinary action is taken persons directly affected shall be afforded the opportunity to participate in those proceedings and also the right to appeal against a penalty.

1.3 Key Elements

All persons who are bound by this code shall:

(a) Not act in a manner unbecoming, or contrary to the interests of RV.

(b) Treat people involved in rowing with courtesy, respect and proper regard for their rights and obligations.

(c) Treat another person’s property with respect and due consideration of its value.

(d) Demonstrate a positive commitment to RV policies, rules and procedures.

(e) Not misuse funds or property belonging to another party.

(f) Respect the law and customs of the places they visit including foreign countries.

(g) Respect the confidentiality of information, which comes to them in the course of their duties.

(h) Uphold and not injure or compromise the standing and reputation of rowing within Australia.

1.4 Governance

This code shall be known as the Rowing Victoria Inc Code of Conduct (RV Code). The RV Code shall govern the conduct of all persons associated with Rowing within Australia, prior to and after release from subsequent selection of said person by the RA Board a Victorian Team. In particular it shall apply to and for;

- (a) Persons acting for and on behalf of RV.
- (b) Athletes, Coaches, Managers and support staff of RV touring teams.
- (c) Persons participating at sanctioned RV regattas.
- (d) Officials, umpires and support personnel assisting or conducting RV regattas.
- (e) Delegates to and employees of Rowing Victoria.

This RV Code shall act as a guideline for criteria determining decisions and actions of RV.

1.5 Unsuitable Behaviour

This list describes examples of behaviour, which after investigation by the Board (or other body as set out hereafter) and a finding by the Board (or other body as set out hereafter), that such behaviour has occurred, shall be deemed to be unsuitable behaviour and not in the best interests of sport.

- (a) 'Sledging' other athletes, officials or event organisers. Sledging is defined as a statement, which is deemed to denigrate and/or intimidate another person.
- (b) Excessive use of alcohol, acting in a way that becomes a public nuisance, creating a public disturbance.
- (c) Causing damage to another person's property during the conduct of a regatta, or when representing Australia, or depriving them of that property during the defined time frames of a tour within Australia or Internationally.
- (d) Sexual relations between a coach, manager, support staff and a junior athlete, irrespective of the wishes and desires of the athlete, are absolutely forbidden.
- (e) Sexual relations between a coach, manager and support staff personnel and an adult athlete on the same team are discouraged and may amount to unsuitable behaviour. Where a long term relationship exists this should be advised promptly to the team management.
- (f) The use or encouragement of drugs and banned substances to enhance or inhibit performance. The banned substances list is as outlined under the Rowing Australia Anti-Doping Policy.
- (g) Statements that are deemed to denigrate the group that an individual is representing.
- (h) Harassment, sexual or otherwise.

2 Process for Dealing with a Breach

2.1 Each case will be treated in accordance with the 'situation' and 'ruling', of those persons adjudicating, the case at that time. Penalties include but are not restricted to a warning; a reprimand; a fine, suspension or exclusion from an event or eligibility to represent Victoria or in the case of touring teams the imposition of conditions of remaining members of a team.

2.2 All persons who have had a decision made against them shall be offered an opportunity to appeal. An appeal will be heard by persons other than those who adjudicated the matter in the first instance and an appeal must be lodged within 7 days of the first decision. No appeal shall be heard after this date.

2.3 If a breach, or suspected breach, of this Code has occurred the following process shall be used:

(a) The suspected breach will be investigated within 7 days of its occurrence, or notification that a breach may have occurred, by;

- i. The Team Manager and Head Coach in the case of the State Team or;
- ii. The Board / Management Committee of a Club or Association in the case within the Club's or Association's jurisdiction or;
- iii. The RV Board in cases within Rowing Victoria's jurisdiction, excepting State Teams.

(b) The person concerned will be advised of the alleged breach and will be offered the opportunity to present information pertaining to the incident. No-one involved in the incident will be part of the investigation body.

(c) The body investigating the alleged breach will decide whether there has been a breach of the Code and if so, on the appropriate penalty. It will prepare a written statement and provide it to the person concerned. In all cases the statement will be provided to Rowing Australia.

(d) If aggrieved the person concerned can appeal against the decision. In the case of State Team matters, the Competition Commission of Rowing Victoria will decide the appeal. In club and association matters, an appeals committee formed by the Association or Rowing Victoria may hear an appeal. Members of this committee must not have been involved in the original dispute. If the decision which is appealed against relates to a decision made by Rowing Victoria, an appeals committee will hear the matter.

(e) The body or persons hearing the appeal will consider the statement referred to in (c) above, may require other evidence to be provided and will offer to the person concerned the opportunity to present his or her case. This decision will be final.

APPENDIX 3

WENTWORTH ROWING CLUB WATER SAFETY POLICY

Wentworth District Rowing Club (WDRC) is committed to ensuring, promoting and improving the safety of all its members, visitors and to members of the general public.

This policy applies to all members of Wentworth District Rowing Club when using or representing the club facility and WDRC equipment. This policy also applies to all other visitors to the premises who use the facilities of Wentworth District Rowing Club, and users of privately owned rowing equipment.

Responsibility

Responsibilities for the safety conduct of Club's activities lies with the individual members.

The club has its own Safety Policy which is referred to and details of how to access provided on all membership application forms. The member's signature on the application form acknowledges the reading of the Safety Policy and acceptance of its contents. (N.B. The signature of a parent / guardian is required for all members under the age of 18.)

All WDRC members are required to be familiar and comply with, when conducting club business or activities, in training or in racing:

1. WDRC Water Safety Policy
2. WDRC Boat Usage Policy

Every member has a responsibility to notify the Club Captain or Vice Captain of any breach of this safety procedure immediately.

Members found to be in breach of this policy, as described below, may be subject to disciplinary action in accordance with the WDRC Constitution.

Policy

General

1. All members must abide by the rules and regulations of WDRC.
2. Be vigilant around the club – be aware the clubhouse is in a somewhat remote location. All members are advised not to train on their own. Juniors should always be collected from the club, or with parental permission to catch public transport.
3. All members must behave sensibly whilst on or around the water.

Boat Incident / Damage

5. In the event of an incident or near miss occurring the Rowing Victoria Incident Report Form must be completed by the crew and submitted to WDRC.

6. In the event of any damage to WDRC boats or other equipment being discovered the Captain / Vice Captain or any other member of Committee must be notified, and a WDRC Boat Incident & Maintenance Request Form must be completed. If damage is such that you feel the boat is unsafe it is to be tagged as such with red Do Not Use labels found hanging in the boat shed.

Swimming Ability

9. All rowers and beginners must be in good health and able to swim a minimum of 100 metres in light clothing.

10. Any member of the Committee or coach will have the authority to prevent anyone from going afloat whom they believe cannot swim.

Boat Usage

11. Members may only use equipment which they are experienced enough to use as , and where applicable approval has been granted by the Captain.

12. It is strongly advised that single scullers train on the water with other crews, or be under supervision. Single sculling at times when not under supervision and no other club crews are on water is discouraged, but if members choose to do so, they do so at their own risk.

13. All rowers and coxswains must wear sensible fitness training clothes, with sufficient layers, especially in cold weather. It is strongly advised that rowers wear suitable sunscreen, hats and carry water bottles with them when training.

14. All rowers in a boat must listen and adhere to instructions given by the coxswain ,steer-person or coach.

15. All new members must be taught how to lift and handle the club's boats safely.

16. Rowers and coxswains must be taught how to launch and land a boat safely as well as the necessary commands and corresponding actions.

17. All new members must be taught how to get in and out of a boat correctly and are shown how to use the oar before going onto the water.

18. All coxswains are required to become accredited via the Good Coxswain Course.

21. Boats must be regularly cleaned both inside and out including the slides and seats

21. Before and after every outing:

a. Check equipment for leaks; check buoyancy compartments, seals and ventilation bungs.

b. Ensure any equipment to be used are not tagged with red "Do Not Use" tags, or marked in any other way indicating in need of, or under repair.

c. Check all nuts securing the riggers are tight, check the gates are not loose, and the nut on top of the gate is tight. Check the seat wheels function smoothly and allow the seat to travel the full length of the slide. Check the stretchers for security.

e. Check that heel release mechanisms are effective. Check the slides are aligned and that any wing nuts securing the slides are tight. Check rudder-lines, steering mechanism, rudder and fin. Check the boat has a firmly attached bow ball (white rubber ball of at least 4cm diameter).

Coxless Boats

- 22. Coxless boats are primarily for the use of experienced crews
- 23. Coxless boats may only be used unsupervised when steered by a competent steersperson and/or at the discretion of the Captain or Vice Captain.
- 24. The Club Secretary, Captain and Vice Captain keep a list of authorised steerspersons. It is also displayed on the noticeboard. If you wish to be added to the list, please see the Captain or Vice Captain.
- 25. All coxless boats must be steered from the bow when in use on rivers with the exception of racing or training on straight line/lane courses or when agreed by the Captain and/or Vice Captain.

Light and Visibility

- 26. All boats must be clearly visible at all times and well lit in accordance with NSW Maritime Safety Guidelines. It is the responsibility of the crew (including the coxswain) to provide appropriate lighting between dusk and dawn and at other times of poor light / visibility. Lights must be positioned centrally, and not on the side/riggers. If the lights are not available then the crew must not boat. In the event of a light failing, the boat must return immediately to the club at light pressure/slow speed, staying close to the bank and exercising extreme caution.
- 27. Novices may only row in darkness in coxed boats, steered by a competent coxswain.

Waterway Navigation

- 28. Always boat off and return to the landing stage in an upstream direction
- 29. Always look out regularly for other river users and water craft. They may NOT know normal navigation rules.
- 30. Learn and be familiar with international conventions of PORT and STARBOARD.
- 31. Always keep to the bank closest to your bowside – in narrow sections of the river and as your crew approaches bends in the river always be particularly alert to any crews that may be coming from the opposite direction.
- 32. Only turn your boat when visibility is good in both directions.
- 33. Do not stop your boat where it is obscured from view by other boats, and ensure when you do stop your boat that you are as close to the bank as safety permits.
- 34. At bridges, the crews travelling downstream have right of way.
- 35. Do not panic if a crew is coming toward you but call out in a clear voice, identifying the crew as best you can (eg, by type of boat and club if possible). Call out to boats that seem to be unaware of your presence and getting too close : ‘LOOK AHEAD!’
- 36. WDRC members will abide by relevant waterway rules when using alternative venues for training and or / or racing.

Rowing in adverse conditions

- 37. When the river is flowing so high you can't see the landing or so low that there is more than a foot below the landing to put the boat in the water, the club boats are not to go out on the water without prior approval of the captain. This is not only in the interest of our club in protecting the boat fleet from potential damage, but in protecting you the member from accidental injury.
- 38. Do not go out in rough weather, when the river is flooded, or when the current is flowing fast . If you are in doubt ask a qualified coach or the Captain. If in doubt, don't go out.
- 39. The Captain, qualified coaches and committee members have the authority to suspend rowing activities if they think the conditions are too dangerous. A notice will be placed on the booking board when this occurs.

Boat Trailer

- 40. The trailer must conform to current road safety standards.
- 41. All new members must be taught how to tie boats onto the trailer safely.

Emergency / First Aid

- 42. If there is an emergency phone 000 as soon as possible.
- 43. First Aid equipment can be found in the gymnasium in the first aid marked box. Life jackets for use of the dinghy are in the boats. Displays on water safety, life saving and resuscitation procedures can be found on the noticeboard. A Plan of the local waterway pointing out local hazards and rules is viewable on the notice board.

Privately owned boats

- 44. This policy applies to WDRC members with privately owned boats whether they are stored in the boathouse or not. In the event an WDRC members breaches this policy when using a privately owned boat, the owners are reminded that they may invalidate their own and the club's insurance if they do go out with a boat that does not comply with these safety rules.

Junior Participants (Under 18's)

- 45. Juniors must be supervised by a responsible adult at all times.
- 46. Junior rowers will be encouraged to wear a PFD at all times during on-water training. However, subject to the parent's consent, junior rowers may be permitted to train on-water without wearing a PFD. Parents are responsible for obtaining a PFD for their child.
- 47. Parents are responsible for ensuring supervision and care for their children at regattas and training camps.
- 48. Coaches will ensure junior rowers are not allowed to row unless all paperwork is properly completed by the child's parent/guardian and returned. Consent forms available from Captain and Coach.

Land training

- 49. Land training should be properly supervised. All members should be made aware of the benefits of warming up and warming down to avoid injuries.
- 50. Use of weights, and weight lifting should only be undertaken after instruction in the use of correct techniques.

Use of launch / motor boat

- 51. All users of the motorboats must possess a NSW Motor Boat Licence.
- 52. Motorboats are to be used purely for coaching purposes only.
- 53. Make sure the boat has the minimum safety equipment requirements as decreed by NSW Maritime.

Breach of safety policy

If a crew/sculler is found to be in breach of this policy, the following action shall be taken:

- The entire crew will be told they are in breach of the Safety Procedure.
- The crew may also be issued with a written warning outlining their breach of the procedure and stating that a further offence may lead to the suspension of the crew boating from WDRC and from racing (at the committees discretion).
- Repeated breaches of the water safety procedure may lead to further disciplinary action at the committee's discretion in accordance with the Club Constitution.
- All members of Wentworth District Rowing Club and visitors to the Club using the Club's facilities are bound by this policy.

APPENDIX 4

APPLICATION FORM

WENTWORTH DISTRICT ROWING CLUB INC.

ESTABLISHED 1911

P.O Box 95

Wentworth NSW 2648

MEMBERSHIP APPLICATION FORM

NAME: (Given name/s) _____

(Family) _____

ADDRESS: _____

TOWN: _____ POSTCODE: _____

PHONE: Private: _____ Business _____

Mobile _____

EMAIL: _____ D.O.B. ____/____/____

Emergency Contact Name: _____ Phone Number _____

Are you a competent swimmer: YES / NO

I hereby make application for membership as a:

- ☐ FULL MEMBER \$280p/a ☐ GYM MEMBER \$260p/a ☐ OVER 65 GYM MEMBER \$125p/a
☐ STUDENT MEMBER \$125 p/a ☐ FAMILY MEMBERSHIP \$550p/a
☐ SOCIAL MEMBER \$50p/a

Please attach proof of your date of birth by means of a photocopy of your driver's licence, birth certificate or passport

I have read the General Conditions of Membership (see over page) and agree, if elected, to abide by the Constitution & Rules and By-Laws Wentworth District Rowing Club.

Applicant's Signature: _____ **Date:** ____/____/____

(If under 18) Guardian's signature: _____ **Date:** ____/____/____

Proposed By:

Name: _____ **Signature:** _____

Seconded By:

Name: _____ **Signature:** _____

Accepted by Committee: Name: _____ **Signature:** _____

Date: ____/____/____

GENERAL CONDITIONS OF MEMBERSHIP (THIS PAGE TO BE KEPT BY APPLICANT)

Members are entitled to use Club equipment only after demonstrating to the satisfaction of the Captain that they are able to use the equipment properly.

Members are required to help maintain the Club equipment and facilities, both by careful use during workouts and by participating in organised work sessions during the year.

Club rules, policies and general information about being a member of WDRC are available from the Committee

All members should be aware of these rules and carefully observe them before using Club Equipment.

By agreeing to becoming a member you are also agreeing to the terms and conditions of the WDRC Constitution and associated policies.

Any member who carelessly or negligently damages or causes to be damaged any property of the Club shall be liable for the damage sustained, but unavoidable or accidental damage may be wholly or partly borne by the Club.

The Committee shall decide the question of any loss or damage being accidental.

LIABILITY WAIVER: IT IS AGREED BY THE MEMBER THAT THE USE OF THE FACILITIES OF THE WENTWORTH DISTRICT ROWING CLUB SHALL BE AT THE MEMBER'S OWN RISK, AND THAT THE CLUB, ITS OFFICERS AND MEMBERS, SHALL HAVE NO LIABILITY FOR ANY INJURIES OR DAMAGE RESULTING FROM SUCH USE.

Without limiting the above general waiver, any assistance rendered by the Club or any of its Officers in arranging transportation for any person is done as an accommodation, and the Club, its Officers and Members shall have no liability for the consequences of any assistance in arranging transportation. Members are free to make their own travel arrangements.

FINANCIAL OBLIGATION: Subscription fees are due by 31st August each year. Renewal notices are sent out each year.

APPENDIX 5

PROXY FORM

WENTWORTH DISTRICT ROWING CLUB

FORM OF APPOINTMENT OF PROXY

I,.....

(name)

of.....

(address).

being a member of.....

(name of Incorporated Association)

appoint

(name of proxy holder)

of.....

(address of proxy holder)

being a member of that Incorporated Association, as my proxy to vote for me on my behalf at the annual/special* general meeting of the Association to be held on

.....

(date of meeting)

and at any adjournment of that meeting.

.....

Signed.

Date.....

