



(Incorporation No. A0008250N)

# **By-Laws**

**TigerSharks Swimming Club Inc.**

(known as Casey TigerSharks)

**December 2016**

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## Related Documents

This document should be read in conjunction with the following artefacts.

Artefact
Constitution of TigerSharks Swimming Club Inc. Current TigerSharks Policies, Procedures and Rules Current Swimming Australia Policies, Procedures and Rules including but not limited to: Safe Sport Framework Privacy Policy Gambling and Betting Policy Anti Doping Illicit Drugs in Sport Policy Code of Conduct

## Interpretation

Term	Meaning
“The Club”	TigerSharks Swimming Club Inc.
“SAL”	Swimming Australia Limited
“The Constitution”	The constitution of the Club.
“The Committee”	The Committee of Management as prescribed in the Club Constitution.
“Senior Financial Member”	A member eligible to vote and not owing any outstanding fees or charges levied by the Club.
“Immediate Past President”	The member who occupied the position of President immediately prior to an Annual General Meeting.
“Office of the Club”	A Committee member or member of the Coaching staff.
“General Meeting”	An Annual General Meeting or a Special General Meeting.
“website”	<a href="http://www.caseytigersharks.com.au">www.caseytigersharks.com.au</a>

Words implying any gender include the other gender.

Words implying the singular shall include the plural and vice versa.

## 1. Preamble

These By-Laws are made by the Committee of TigerSharks Swimming Club Inc (hereinafter referred to as “the Club”) under Clause 9 of the Club Constitution. They are binding on the Club and all its members, and are to be interpreted in accordance with the Club Constitution. In the event of a conflict between these By-Laws and the Club Constitution, the Constitution will prevail.

## 2. Alteration of By-Laws

As prescribed in the Constitution, the Committee elected shall have the power to create or amend By-Laws for the efficient operation of the Club. Such By-Laws shall be published to the members from time to time for their information.

## 3. Code of Behaviour

The Club, its members, parents of members, employees, committee, and spectators shall at all times abide by the codes of behaviour prescribed in the SAL Safe Sport Framework and the Constitution.

## 4. Membership

4.1. A person may apply for one of the following membership classes:

- (a) **Competitor Member.** Competitor membership is available to those persons aged six years and over who wish to swim with the Club as a competitive swimmer.
- (b) **Non-competitor Member.** Non-competitor membership is available to those persons aged 4 years and over who wish to join the club, but not as a Competitor Member.

4.2. On acceptance as a member to the Club, whether as a Competitor Member or Non-competitor Member; and provided that the member has attained the age of 18 years, he/she will assume the following rights:

- (a) The right to cast one vote only upon any matter that is decided by vote at a General Meeting of members. In casting a vote, the member must be present at the General Meeting and must cast the vote in person.
- (b) The right to nominate for any position on the Committee of the Club.

4.3. Members of the Club are required to pay the fees and charges as detailed in Appendix 1 of these By-Laws, in addition to any other fees or charges levied by the Club from time to time, which include but is not limited to swimming development and training fees.

4.4. All other matters relating to membership of the Club shall be dealt with in accordance with the relevant clauses prescribed in the Constitution.

## 5. Club Management

### 5.1. Committee of Management (*The Committee*)

- 5.1.1. All business and operational affairs of the Club (including, but not be limited to matters associated with finance, business planning, administration, employee management and public relations) shall be managed by a Committee of Management (hereinafter referred to as “the Committee” and constituted as prescribed in the Constitution) in accordance with any statutory regulations or codes that apply to the Club by virtue of affiliation with any registered association.
- 5.1.2. The Committee shall consist of no more than seven elected Senior Financial Members of the Club.
- 5.1.3. Members of the Committee will have their Annual Membership Fee reimbursed following their election to the Committee.
- 5.1.4. The Executive Committee of the Club shall comprise the following:
- (a) a President;
  - (b) a Vice President;
  - (c) a Public Officer/Secretary;
  - (d) a Treasurer.
- 5.1.5. The Executive Committee together shall make any urgent decisions, or carry out any action it considers necessary, provided that such decisions shall be submitted for ratification at the next meeting of the Committee.
- 5.1.6. The Immediate Past President shall at his/her discretion be eligible to occupy a position other than that of an Executive Committee position on the new Committee if he/she so desires. This does not preclude the Immediate Past President from standing for any of the positions of the Executive Committee.
- 5.1.7. Voting at Committee meetings shall be in accordance with relevant clauses prescribed in the Constitution.
- 5.1.8. Any Committee person absenting themselves from three consecutive meetings without an acceptable apology or leave shall forfeit their position on the Committee.
- 5.1.9. All Senior Financial Members are eligible to participate as members of sub-committees, subject to the requirements as prescribed in the Constitution.
- 5.1.10. Delegates to the Metropolitan District South Inc. of Swimming Victoria (hereinafter referred to as “District South”) shall be appointed by the incoming Committee from the elected Committee Members.

## **5.2. Job Descriptions: Committee/Sub Committee Roles**

- 5.2.1. In fulfilling the prescribed responsibilities, the incumbent to the position may seek assistance from time to time from other Committee Members. Such assistance shall not be unreasonably denied.
- 5.2.2. The incumbent assumes the responsibilities prescribed in the Constitution as listed.
- 5.2.3. Committee/Sub Committee Job Descriptions/Roles are documented on the Club website and listed but not limited to as follows:
- (a) President
  - (b) Vice President
  - (c) Treasurer
  - (d) Public Officer/Secretary
  - (e) Club Meets & Team Manager
  - (f) Corporate Sponsorship
  - (g) District South Delegate
  - (h) Fundraising
  - (i) Go Club
  - (j) Grants
  - (k) Grievance Officer
  - (l) Membership Registrar
  - (m) Presentation Night
  - (n) Publicity
  - (o) Recruitment
  - (p) Social Activities
  - (q) Time Keeping
  - (r) Uniforms

## **5.3. Finance**

- 5.3.1. The Club shall maintain bank accounts and investments with a reputable and secure financial institution.
- 5.3.2. The Committee, or the Executive Committee shall make all decisions relating to the investment of accumulated funds.
- 5.3.3. In respect to the signing authority attaching to all bank accounts and investments, all cheques and requisitions shall be signed by at least two members of the Executive Committee.
- 5.3.4. All expenses incurred in the course of the operations and activities of the Club must first be approved by The Committee, except otherwise

provided for in clause 5.1.5.

- 5.3.5. An 'Expense Approval Form' is documented on the Club website which must be completed for each Club purchase over \$250. The form is to be completed on each and every occasion and signed off for initial approval by both the residing President and one member of the Executive Committee. The request will be presented to the Executive Committee for final approval allowing the spend to be added onto necessary cash flow, asset register and budget documentation.
- 5.3.6 Any expenditure above \$250 not approved on the 'Expense Approval Form' will result in non-payment by the Club of the items purchased and or reimbursement back to the Committee member/Coach concerned.
- 5.3.7. Any approved expenses incurred by an Officer of the Club shall be submitted to The Treasurer for re-imbusement of same.

## **6. General Rules**

- 6.1. The Committee shall decide coaching Fees and payment frequency from time to time. The resulting fee structure is to be widely publicised throughout the Club and published to the website.
- 6.2. Members must at all times obey the Pool Rules as displayed at the locations used by the Club for training, or at any competition that members may enter.
- 6.3. Punctuality is a necessity for the smoothness of training. Swimmers must make every endeavour to arrive to training and other club activities by the designated time.
- 6.4. Whilst participating in training, competitions or other swimming activities organised by the Club, members are not permitted to swim in any public area, unless otherwise advised by a Committee member or Head Coach.
- 6.5. All swimmers shall be graded when they first join, when rejoining after a prolonged absence or as specified by the Head Coach or his assistant(s).

## **7. Club Activities**

- 7.1. Club activities may include but not be limited to the following:
  - (a) Swimming competitions as selected by the Head Coach including inter-club, district, state, national and international competitions.
  - (b) Any training activity approved by the Head Coach away from the usual training locations.
  - (c) Social activities for members and parents arranged throughout the year by a Social Committee.

## **8. Club Championships**

- 8.1. The Club shall provide a series of annual Club Championship events.
- 8.2. The structure, format and rules of Club Championship events shall be determined by the Head Coach and approved by the Committee.
- 8.3. Club Championship events shall form the basis, but not the entire qualification for specific awards and presentations to be made to members at the conclusion of each swimming year. Such awards may include those for stroke / distance records, most improved and encouragement.

## **9. Limbrick Family Perpetual Trophy in Memory of Howard**

**(For the most “Outstanding swimmer of the Season”)**

- 9.1. To be awarded to the swimmer with the most outstanding swimming achievements for the current swimming year. To be nominated by the Executive Committee and Coaches.
- 9.2. Trophy to be displayed in an appropriate and secure location at either Casey ARC or Casey RACE facilities.

## **10. Club Swimming Event Records**

- 10.1. Club Records may only be established by Financial Members registered with Swimming Victoria as Competitor members at Club Championship swims, Time Trials or as designated by the Head Coach within the swimming development program.
- 10.2. Three timekeepers are required to record the time and validate the establishment of the record.
- 10.3. Members wishing to establish or break Club Record must give one week's notice to the Head Coach, who will then advise the Committee.

## **11. Club Travelling Policy**

- 11.1. Where travel is arranged for members of the Club, all swimmers 16 years and under are to be accompanied by an adult/guardian.
- 11.2. Travel arrangements shall be for the exclusive use of members only.



## **12. Miscellaneous**

### **12.1. Colours**

12.1.1. The Club colours shall be dark blue, white and orange. When representing TigerSharks, if a swimming cap is worn, then it must be a TigerSharks Club Cap.

### **12.2. Uniform**

12.2.1. Competitor Members of the club are to wear the Club uniform as determined from time to time, to all competitions, training sessions and other occasions as directed.

12.2.2. Non-competitor members are encouraged to also wear items of the Club uniform as appropriate.

### **12.3. Training Locations**

The Club shall train at venues within the locality of the City of TigerSharks or such other locations as determined appropriate by the Committee or Head Coach.

### **12.4. Club Sanctioned Meets**

Club sanctioned TigerSharks meets encompass all Encouragement, Club Night, State Qualifying and Club Championships. It is a Club requirement that all swimmers 16 years and under are to have a parent/guardian over the age of 18 with them at all times whilst attending TigerSharks sanctioned swimming meets. Any swimmer 16 years and under without a parent/guardian will not be permitted to participated. Should this occur the following measures will be taken:

12.4.1. Swimmers 16 years and under without supervision will be asked to either remain seated on pool deck or sit at the Club Officiating table

12.4.2. Parents will then be called and advised:

- (a) their swimmer is not permitted to participate until they attend the venue; or
- (b) their swimmer is not permitted to participate until they have a guardian over 18 attend the venue; or
- (c) arrangements are to be made for the swimmer to be collected from the venue if a parent/guardian cannot attend the entire meet.
- (d) This will be adhered to without compromise.

## **13. Authority to Make Public Statements**

13.1. Authority to make public statements on behalf of TigerSharks is vested in the President and Head Coach in accordance with the Club Media Policy (refer Swimming Australia Media Toolkit until such time as Club Policy is documented).

## **14. Life Membership**

- 14.1. A Club Member may be nominated for Life Membership by another member and seconded by another member justifying in writing to the Committee reasons for consideration.
- 14.2. For Life Membership the emphasis is on outstanding service or contribution directly to the Club and the sport of swimming which requires more than the holding of office(s) and the routine performance of that office(s). The Committee shall consider the following important factors; quality, length and level of service. For the Committee to recommend a nomination, the nominee should have met one or more of the following guidelines:
  - 14.3. Served at least ten (10) years as a member of the Committee or its antecedent bodies.
  - 14.4. Have competed successfully nationally as a member of the Club team for a minimum of six (6) consecutive years.
  - 14.5. Other service to the Club over a period of time and involvement considered comparable to the above.
  - 14.6. If recommended by the committee the full details of the nomination shall be presented to the AGM for approval by the Club members.
  - 14.7. The name of the Life Member will be added to the Club Honour Board and or Club Website.

## Appendix 1 – Club fees and Charges

### Membership Fees

The following membership fees are applicable from 1<sup>st</sup> July, 2016.

<b>Membership Fee – 12 months (July 1st 2016 – June 30th 2017)</b>	
Swimmer – competitor	<b>\$165.00</b>
Recreational Swimmer 9 plus	<b>\$125.00</b>
Junior Dolphin (8) competitor	<b>\$ 95.00</b>
Junior Dolphin (7 under) competitor	<b>Free</b>
Non Swimmer - Adult Membership	<b>\$ 40.00 (Compulsory with first child competitor membership)</b>
Official	<b>\$ 20.00</b>

#### **Swimmer Membership – for all members of A squad, B squad, C squad, Development & Junior Gold**

Swimmer membership is required for all Members of A squad, B squad, C squad, Development & Junior Gold. Highly recommended for Junior Silver & Junior Bronze squads.

This Annual Membership fee includes registration and insurance with Swimming Victoria and the opportunity for competitor members to compete at State, District, Club and all Swimming Victoria sanctioned meets. Junior Silver and Junior Bronze squad members are highly encouraged to register as a full "Swimmer" membership, especially swimmers aiming at progressing up a squad.

#### **Recreational Swimmer – Junior Silver and Junior Bronze squads only**

Junior Silver and Junior Bronze members only. Can compete at Encouragement/Novice Meets and participate in Club Nights.

#### **Junior Dolphin 8**

Swimmers 8 years old as at 1st July 2016. This is a competitor membership which allows swimmers to compete at District, Club and all Swimming Victoria sanctioned meets, encouragement/novice meets and Club Nights. This membership stands for the 12 month period.

#### **Junior Dolphin 7 and under**

Swimmers 7 and under as at 1st July 2016. This is a competitor membership which allows swimmers to compete at District, Club and all Swimming Victoria sanctioned meets, encouragement/novice meets and Club Nights. This membership stands for the 12 month period.

### Squad Fees

Squad fees are additional to Membership Fees. Squad Fees apply to all activities covered by the swimming programme conducted by the coaching staff of the Club. This includes but is not limited to:

- All squad training and coaching sessions
- Any additional and regular out of water training, for which additional fees do not apply.

Squad fees shall be managed as follows:

- The fees are set by the committee from time to time and advised to members via newsletter, information handout, and/or via the website.
- The fees are based on a per annum fee amount for each squad level that is sufficient to maintain the financial sustainability of the Club.
- The annual fees that are applied from time to time are payable and invoiced in the form of 12 installments.
- Each monthly squad fee Installment payment is due and payable on the 1<sup>st</sup> day of the month for which the installment applies. (E.g. The installment for January is payable on the 1<sup>st</sup> of January).
- The preferred payment method is Direct Debit. Any other form of fee payment must be negotiated with the Club Treasurer and will incur a \$5.00 per month administrative fee.
- Ezidebit handle the payments and transactions on our behalf. There is a one off set up fee of \$2.20 for new accounts and a monthly \$1.10 transaction fee for bank accounts which will be added onto monthly swimming fees to cover the costs of the direct debit system. There is a % charge for all credit card users pending which credit card is used.
- An incremental dishonor transaction fee will apply for 1<sup>st</sup>/2<sup>nd</sup> and subsequent unsuccessful attempts on securing funds from your nominated account on the 1<sup>st</sup> of each month.
- All members are assured of Strict Privacy measures at all times in relation to the handling of member bank account details. All Direct debit forms will be handled as per the Privacy Laws governing and are **NOT** accessible to committee members only the Treasurer in this instance. In line with rules governing, the Club does not in any circumstances keep private banking details of members on file.
- Failure on the part of the member to pay the monthly installment within 5 days of the due date, without notification to the Treasurer, will result in the exclusion of the member from all activities of the swimming programme.
- Continual abuse of squad fee payments may result in the member being suspended or expelled from the Club by the Committee in accordance with the current Rules of the Constitution and Fee Policy.
- Assistance may be arranged in genuine cases of financial difficulties upon written submission (which shall remain confidential) to the Committee or the Treasurer.
- In the case of an injury or illness with an absence of more than one month, fees may be adjusted. Please contact the coaching staff and the Treasurer.