



FALSE BAY SURF LIFESAVING CLUB

CONSTITUTION

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Constitutional Amendment History:

First 2 June 1996	Second 3 June 2001	Third 2 June 2002	Fourth 8 June 2003	Fifth 22 June 2008
Sixth	17 June 2012	<ul style="list-style-type: none"> • NPO Registration (rejected for non-compliance) 		
Seventh	26 October 2013	<ul style="list-style-type: none"> • NPO Registration (rejected for non-compliance) • Change: Legal age reduced to 18 years old • Addition: Temporary Membership Class • Addition: Vice-Chairman Role • Addition: Size of Executive Committee • Addition: Power of Executive Committee • Addition: Executive Meeting protocols • Addition: Management have no right to Club property • Change: Petty Cash amount • Addition: Constitution change protocols Removal: Honorary Medical Advisor role 		
Eighth	16 February 2014 (SGM)	<ul style="list-style-type: none"> • NPO 137-145 (successful) • Change: Dissolution Clause 		
Ninth	20 July 2014	<ul style="list-style-type: none"> • Addition: Mission and Vision Statements • Addition: Indemnity • Addition: Active members to sign Voluntary Lifeguard Agreement • Addition: Handling of sibling-member accounts • Addition: Inclusion of Nipper Committee Role and Responsibilities • Addition: Voting by Proxy at AGM • Update: Executive Committee roles and responsibilities • Addition: Inclusion of Junior Captain position on Executive Committee • Financial Year-ed date changed (31 March) for SASCOC compliance • Addition: Public Benefit Registration requirements: <ul style="list-style-type: none"> - Decision making powers - Resource usage - Fiduciary Responsible Officers - No funds for private business activities - No Revocable Donations - No political party affiliation • Constitution Update submission protocols • Dissolution Clause 		
Tenth	12 June 2016	<ul style="list-style-type: none"> • Addition: Arbitration Clause • Change: AGM Quorum 		
Eleventh (1)	28 July 2019 AGM: Discussed and Workshopped for inclusion	<ul style="list-style-type: none"> • Change: Governing Body – generic names • Addition: Objects of Organisation • Remove: Specifics of JLA and LA qualification criteria • Addition: Inclusion of JQC and QC qualification types • Addition: Inclusion of Competitive Member class • Addition: Mechanism for Executive Committee re-election • Addition: Executive Representation at Council or Provincial or National level • Addition: Executive Committee Post period • Addition: Combined voting rights for related persons serving on the Executive Committee • Addition: Appointment of honorary auditor • Addition: Signing protocol for financial and other documents 		
Eleventh (2)	04 October 2020 AGM: Discussed and Workshopped for inclusion	<ul style="list-style-type: none"> • Addition: Provision for AGM timeframes & postponement • Addition: Provision for AGM hosting mechanisms (e.g. virtual meeting) • Change: Voting Mechanisms • Specify Reference to Income Tax Act 		

1. **NAME**

The Club shall be called the FALSE BAY SURF LIFESAVING CLUB, and shall consist of all persons duly elected as Members, and shall be affiliated with the Provincial and/or District Lifesaving Association Body and/or National Lifesaving Association Body, and shall be an amateur body as laid down by F.I.N.A.

2. **OBJECTS**

The objects of the Club shall be: -

- a) to study and practice the methods of Surf and Stillwater Lifesaving as prescribed by Lifesaving South Africa or National Lifesaving Association Body;
- b) to minimize the loss of life from drowning by providing efficient lifesaving apparatus and lifesaving services;
- c) to promote demonstrations and arrange classes of instruction, and to further generally the best interests of surf bathing and surf and stillwater lifesaving;
- d) To organize and conduct carnivals and social functions for the benefit and assistance of the Club in attainment of the above objects.
- e) The Club's mission statement:
"To prevent the loss of life within our patrolled area."
- f) The Club's vision statement:
"To become an integrated part of the community we serve, and through education and a high standard of lifesaving practice; to enable our community to enjoy the beach with peace of mind."

3. **NEW MEMBERS**

- a) New members must be proposed and nominated in writing by at least two members in good standing and the application and indemnity must be signed by the nominee. If such nominee be under the age of 18 years, the application and indemnity must be countersigned by a parent or guardian.
- b) The application must be dealt with at the next meeting of the Executive. If the applicant is successful he will be a probationary member for three months, in which time he must:
 - i) Complete a prescribed swimming test in a pool in the time required as stated in the requirements for the Junior Lifeguard Award and Lifeguard Award.
 - ii) Be ready to attempt the Junior & Lifeguard Award Examination.
- c) The Committee may reject the application without giving any reason for such rejection.

4. **MEMBERSHIP**

The Membership shall consist of the following:

- a) Probationary
All members who have been accepted by the Club, as in clause 3 who have not yet been accepted for full membership. Probationary Members must do duties on the beach and all other reasonable duties as may be instructed by a Senior Active Member appointed by the Club Captain.
- b) Active
All Active members are required to sign a working and/or voluntary Code of Conduct Agreement with the Club, outlining their roles and responsibilities.

i) Junior Active (under 16 years)

Junior Active Membership - A Junior Active member is one who has done a three month probationary period and who has passed his/her Junior Lifeguard Award Examination and who is under the age of 16 years. To maintain his/her voting rights, a Junior Active member must have completed thirty hours duty during the previous season, a season being from 1 November to 31 March each year.

ii) Junior Active

Junior Active Membership – A Junior Active member is one who has done a three month probationary period and who has passed his/her Lifeguard Award Examination and who is under the age of 19 years. To maintain his/her voting rights, a Junior Active member must have completed thirty hours duty during the previous season, a season being from 1 November to 31 March each year.

iii) Senior Active

Senior Active Membership - A Senior Active Members is one who has the same qualifications as a Junior Active Member, but who is over eighteen years of age. To maintain his/her voting rights, a Senior Active member must have completed thirty hours duty during the previous season.

iv) JQC or QC (Junior Qualifying Certificate or Qualifying Certificate)

A JQC or QC member has passed his Junior Qualifying Certificate or Qualifying Certificate examination and/or current retest. To maintain his/her voting rights, a JQC or QC must have completed 30 hours duty as part of a duty squad and must be a member in good standing. An active JQC or QC will be subject to all the rules, regulations, bye-laws and items pertaining to active members as stated in the Club Constitution.

v) Competitive

A membership class for a qualified lifeguard wishing to join the Club as a competitive member by means of dual membership with another Club. False Bay Surf Lifesaving Club would be the lifeguard-athlete's primary Club of association, where the lifeguard-athlete would wear False Bay Club colours at competitions, but may not necessarily do active lifeguard duty through the Club. Written request for duty concession must be made to the Executive for their consideration. He/she shall be amenable to all other Rules and Regulations of the Club, and be eligible for election to any official position in the Club, and/or at their Club of dual membership. He/she will not have voting rights.

c) Senior Non-Active

A Senior Non-Active Member is one who is over 28 years of age, with ten years service and is not required to do duties on the beach. Written request for duty concession must be made to the Executive for their consideration. He/she shall be amenable to all other Rules and Regulations of the Club, and be eligible for election to any official position in the Club.

d) Honorary and Honorary Life

i) An Honorary Member shall be one who is elected by a two thirds majority of the members present at an Annual General Meeting in recognition of services rendered. Members who are elected to serve on the Executive Committee of the Club shall be Honorary Members during their term of office.

ii) An Honorary Life Member shall be one who is elected by a two-thirds majority of those present at an Annual General Meeting or those present at a Special General Meeting, convened in terms of the Constitution, in recognition of services rendered. Honorary Life Membership will be awarded to a member who has completed ten years active service and who is 28 years of age or older.

e) Other Members:

In addition to the membership as stated above, membership shall also consist of the following members who will have no voting rights in the Club other than that stated below:

i) Nipper Members

These members shall be of an age as determined by relevant Lifesaving South Africa rulings at the time. A person under the acceptable age cannot be accepted to membership under the circumstances.

Nipper members may not do duties. Use of any Club facilities is permitted only under the Nipper Committee supervision.

ii) Family Members

This membership is available to siblings and parents of Nippers and Junior Active members and to the spouse and children of a Senior Active member, an Honorary Member or an Honorary Life Member.

iii) Sibling Membership

Directly related siblings may apply for a sibling membership for ease of account system but are required to first belong to a membership category as stated in (4).

5. NIPPER BRANCH OF THE CLUB

- a) The Club shall have a Nipper body that will cater for the Nipper members. The Nipper body will be run by a Committee chosen by Nipper parents and Honorary Members of the Club. Nipper parents will be entitled to one vote per family. This Committee will be elected at a Special General Meeting of Nipper Parents and Honorary Members 2 weeks prior to the Annual General Meeting of the Club. This Special General Meeting will be held in accordance with Clause 12 of this Constitution.
- b) Nominations for the Nipper Committee to be submitted in writing to the club secretary at least 10 (ten) days prior to the meeting. Nominations received after the 10 (ten) day period will only be accepted if no other written nominations have been received.
- c) The following Office bearers will be elected to the Nipper Branch Sub-Committee:
 - i) Nipper Officer
 - a. The Nipper Officer will have a seat and a vote on the Executive Committee
 - b. Represent and champion the False Bay Surf Lifesaving Club Nippers
 - c. Pass on all relevant communication to the Nipper Committee
 - d. Attend all relevant external meetings including meetings held by governing bodies
 - e. Coordinate and act as the chairperson for all Nipper Committee meetings
 - f. Coordinate all special meetings
 - g. Prepare a monthly report on Nipper matters, to be presented at the monthly Executive Committee Meeting.
 - h. Be up-to-date about Nipper financial matters and present current financial status at Committee meeting and the Special General Meeting for Nippers
 - ii) Nipper Secretary
 - a. Act as a main point of contact for the Nippers, maintain records and information in relation to queries, all administration and communications including competition events, affiliations, subscriptions, memberships, bookings, training of volunteers and mailings.
 - b. Deal with the day to day running of the Nippers, including all correspondence (both internally and externally)
 - c. Keep a register of all nipper members
 - d. Circulate notices and agendas of meetings
 - e. Keeping minutes during meetings and circulating minutes after meetings
 - f. Communication with members in the form of a newsletter or circulars
 - g. Other duties as may be specifically designated to him/her from time to time
 - h. Preparing and distributing timeously, any returns which are required by Lifesaving SA and Lifesaving Western Province Surf Association

- iii) Nipper Equipment Officer
 - a. Keep a record of all Nipper equipment
 - b. Maintain all Nipper equipment
 - c. Liaise with Equipment Officer
 - d. Handle acquisition on new Nipper equipment

- iv) Nipper Public Relations Officer and Fundraiser
 - a. Develop a marketing and promotions plan for the club in association with the club's strategic plan
 - b. Develop and maintain/update the Nippers section of the Club's website
 - c. Promote and publicise all aspects of the Nippers, in a positive and equitable way through the production of informative and unbiased newsletters, website updates and regular media releases
 - d. Report on club events (internally and externally)
 - e. Assist in promoting non-lifesaving social events for the relevant members of the club as requested/approved by the management committee
 - f. Create and nurture relationships with media local to the club
 - g. Identify and target sources of funding for the club in association with the Nippers' development plan
 - h. prepare funding bids on behalf of the Nippers in partnership with executive committee members and Vice-Chairperson
 - i. Establish and develop effective working relationships with key local funding providers
 - j. Develop a sponsorship proposal(s) for the Nippers in association with the club's strategic plan
 - k. Promote and publicise any funding and/or sponsorship secured for the club through the club newsletters, website and notice board, in association with the marketing/promotions and press officer

- v) Nipper Coach
 - a. Plan and run all Nipper training sessions
 - b. Communicate with Nippers about Nipper competitions
 - c. Handle all entries for Nipper competitions
 - d. Handle payments for competitions
 - e. Consult with Junior Officer about competition requirements

- vi) Nipper Trainer
 - a. Coordinate and facilitate teaching and preparation of nippers for qualification
 - b. Handle Nipper testing and qualification
 - c. Schedule Nipper exams
 - d. Handle costs of Nipper exams
 - e. Stay relevant with teaching material

6. USE OF FACILITIES

- a) Unrestricted use of Club facilities and equipment is limited to all active members.
- b) Use of Club facilities such as showers and ablutions is open to all classes of membership.

7. MEMBERSHIP FEES

The Subscriptions payable by each member shall be fixed at the Annual General Meeting or by the Executive Committee if the Annual General Meeting so decide. The subscriptions shall be due and payable on the 1st day of November each year (or on the date when a candidate for membership is accepted by the Executive Committee). A member who has failed to pay the subscription by 30 November (or within two months of acceptance as a member) shall forthwith cease to be a member, but the Executive Committee shall have the power to reinstate such person as a member on receiving payments of the subscription and a reasonable explanation acceptable to such Committee. By ceasing to be a member a person shall not be released from liability for payment of the arrear subscription nor from liability for any acts done or liabilities incurred by the Club while such person was still a member.

8. ANNUAL GENERAL MEETING

- a) The Annual General Meeting of the Club shall be held within the first three months of the end of the lifesaving season. Under exceptional circumstance, the Executive Committee have the right, via notice to members, to postpone the AGM until a suitable date, and if possible, at least one month before the start of the new season.

Members not in good standing shall not be allowed to vote at the Annual General Meeting.

Forty-five (45) days prior to the Meeting, all members shall receive notification of same by circular. Failure of any member to receive his notice shall not invalidate the meeting.

The AGM may be held physically (e.g. at the Clubhouse Building), electronically (e.g. over a webinar-style conference call) or a hybrid of the two. Members attending the meeting via electronic means shall constitute attendance towards reaching a meeting quorum. Notice of the AGM hosting mechanism will be delivered to members at least seven (7) days before the AGM.

- b) Notice of any amendments to the Constitution, together with nominations for the Executive Committee shall be submitted in writing to the secretary at least thirty (30) days prior to the meeting. Nominations received after the thirty (30) day period will only be accepted if no other written nominations have been received.

- c) At each Annual General Meeting 100% of the Club Officers will step down and new Club Officers will be elected to serve as the Club's Management Committee. Club Officers who step down shall be eligible for re-election or co-option, subject to clause 8b.

Voting shall be anonymous and confidential; by physical or electronic ballot, or a hybrid system.

- d) Appointment of Proxies

i) A member entitled to attend and vote at a meeting shall be entitled to appoint a proxy to attend, speak and vote on behalf of the member;

ii) The right of a member of the Club to appoint persons concurrently as proxies- is limited to the proxy-holder being a member who is in good standing with the Club and only one proxy attending and voting at the meeting;

iii) Every proxy shall continue in force for the particular meeting for which it is given and for every adjournment thereof;

iv) The name of the member appointed to act as such proxy holder shall be filled in the handwriting of the member signing the proxy and the format of the instrument shall be determined by the Club;

v) The instrument appointing a proxy shall be delivered to the Secretary of the Club not less than 48 (forty-eight) hours prior to the hour fixed for the meeting for which the same are intended to be acted upon. If the member is in default of complying herewith the instrument of proxy shall not be treated as valid;

vi) No instrument appointing a proxy is valid after the expiration of 1 (one) year from the date when it was signed, unless so specifically stated in the proxy itself, and no proxy shall be used at an adjourned General Meeting which could not have been used at the original General Meeting;

- vii) A Member's proxy shall not have the authority to further delegate such proxy's powers to another person;
 - viii) Unless specifically instructed by the member a proxy may vote as he thinks fit.
- e) Quorum for the AGM:
- i) The quorum for the AGM shall be one quarter of the members of the club, including those members present and those members voting by proxy, or if any constitutional changes are required for voting, the quorum shall be two-thirds of the club members according to Clause 12;
 - ii) If a quorum is not present within fifteen minutes of the appointed time of the meeting, the meeting must be adjourned to another date, within fourteen days thereafter. Notice, as provided for under the constitution, must be given to all members of the Association of such adjournment;
 - iii) If no quorum is present at the reconvened meeting within fifteen minutes of the appointed time, the members present, or represented by proxy, shall deem to constitute a quorum for that meeting.
- f) Club Officers
- i) The officers of the Club shall consist of persons elected by the Members as follows:
 - a) Chairperson
 - b) Vice-Chairperson
 - c) Club Captain
 - d) Vice-Club Captain
 - e) Secretary
 - f) Treasurer
 - g) Equipment Officer
 - h) Lifeguard Trainer
 - i) Coach
 - j) Power Craft Officer
 - k) Junior Captain
 - l) Nipper Officer
 - ii) The following shall also be elected:
 - a) Honorary Auditor
 - iii) A Nipper Officer will represent the Nipper Branch of the Club as an Honorary member on the Committee.
 - iv) Two members of the Executive Committee will be chosen as delegates to represent the Club at Council Meetings of the Provincial and/or District Lifesaving Association Body and/or National Lifesaving Association Body.
- h) Club Officers shall commit to serve and remain in office for a minimum of a two (2) year period.
- i) There shall be no more than two (2) people who are directly related serving on the committee at any given period. Executive Committee Members who are directly related shall have a combined vote such that there is only one vote per family.

9. RESPONSIBILITIES OF OFFICERS

a) Chairperson

- i) Ensure that the executive committee is effective in its tasks of setting and implementing the Club's direction and strategy, including championing the Club's mission and vision.
- ii) Act as the Club's leading representative which will involve the presentation of the Club's aims and policies to the outside world
- iii) Take the chair at general meetings and at committee meetings and Annual General Meetings - this will involve: the determination of the order of the agenda; ensuring that the committee receives accurate, timely and clear information; keeping track of the contribution of individual committee members and ensuring that they are all involved in discussions and decision making.
At all meetings the chairman should direct discussions towards the emergence of a consensus view and sum up discussions so that everyone understands what has been agreed;
- iv) Take a leading role in determining the composition and structure of the committee.
This will involve regular reviews of the overall size of the committee and the balance of age, experience and personality of the committee members.
- v) Setup and run all special meetings, including internal meetings e.g. Stakeholder meetings, Disciplinary Committee
- vi) Ensure effective communication with all stakeholders

b) Vice-Chairperson

- i) In the absence of the chairman, the vice-chairman shall chair all meetings of the club. The vice-chairman will also assist the chairman in any which way is required to fulfil their role.
- ii) Will be responsible for coordinating and managing any fundraising initiatives taken by the club by appointing the appropriate individuals to oversee specific tasks and ensuring that a strategic plan is implemented.
- iii) Manage all facets of public relations of the club including governing FBSLC website content and all social media accounts to promote the club on public platforms.
- iv) Responsible for organizing all social events hosted by the club throughout the season. Including preparing all logistical aspects of events as well as liaising with the treasurer to ensure financial matters are in order. Events may include preseason team-builders, senior/nipper events, end of season functions and training workshops or clinics that the club may host.
- v) Manage clubhouse rentals and third party events.
- vi) Implementing and managing the education and promotion of lifesaving as a whole, including community development events and social-awareness projects.
- vii) Handle all intra-club relations pertaining to members who may have any suggestions, issues or recommendations for the club and its management.

c) Club Captain

- i) The Club Captain shall be responsible for the full operational side of the Club activities and in particular:
- ii) duty squad leaders
- iii) will be chairman of the duty committee. The duty committee will consist of
Club Captain, Vice-Club Captain and squad leaders.
- iv) Assisting the secretary in preparing and distributing any returns which are required by Lifesaving SA and Lifesaving Western Province Surf Association
- v) Clubhouse maintenance and cleanliness
- vi) Implement and maintain disaster and risk management protocols, including post-incident debriefs
- vi) Any other duties which may be specifically designated to him/her from time to time

vii) In his/her absence the Vice-Captain will assume these responsibilities.

d) Vice-Club Captain

- i) The Vice-Club Captain will be responsible for assisting the Club Captain in the execution of his duties.
- ii) Coordinating and managing professional lifeguard duties
- iii) Making sure duty squad members are aware of their individual roles when performing duties

e) Secretary

The Secretary shall be responsible for:

- i) Keeping a register of all members
- ii) Circulate notices and agendas of meetings
- iii) Keep and circulate minutes of meetings
- iv) Communicate with members in the form of a newsletter or circulars
- v) Such other duties as may be specifically designated to him/her from time to time
- vi) Preparing and distributing timeously, any administrative returns that are required by Lifesaving SA and Lifesaving Western Province Surf Association
- vii) Submitting annual financial statements to Lifesaving Western Province Surf Association after approval at the Annual General Meeting.

f) Treasurer

The Committee shall be responsible for the overall control of all the financial affairs of the Club.
The Treasurer will -

- i) **General Financial Oversight:**
 - a. Oversee and present budgets, accounts and financial statements to the committee
 - b. Liaise with members about financial matters
 - c. Ensure that appropriate financial systems and controls are in place
 - d. Ensure that record-keeping and accounts meet the conditions of funders or statutory bodies
 - e. Ensure compliance with relevant legislation.
- ii) **Funding, fundraising and sales**
 - a. Advise on the organisation's fundraising strategy
 - b. Ensure use of funds complies with conditions set by funding bodies
 - c. Ensure fundraising and sales complies with relevant legislation and is bound by effective financial systems and controls
 - d. Ensure effective monitoring and reporting
 - e. Handle cash from sales items, including electronic fund transfers (EFT's), for purchased club items
- iii) **Financial planning and budgeting**
 - a. Prepare and present budgets for new or ongoing projects
 - b. Advise on financial implications of strategic and operational plans
 - c. Present revised financial forecasts based on actual spend.
- iv) **Financial Reporting**
 - a. Present regular reports on the organisation's financial position
 - b. Prepare accounts for audit and liaising with the auditor, as required
 - c. Present accounts at the AGM
 - d. Advise on the organisation's reserves and investment policy.

- v) Banking, book-keeping and record-keeping
 - a. Manage bank accounts
 - b. Set up appropriate systems for book-keeping, payments, lodgments & petty cash
- vi) Control fixed assets and stock
 - a. Ensure proper records are kept
 - b. Ensure required insurances are in place
- g) Equipment Officer
 The Equipment Officer shall be responsible for:
 - i) All maintenance of the clubhouse and Club equipment
 - ii) Presenting an Equipment Report at each Committee meeting
 - iii) Coordinating implementing proper equipment usage guidelines
 - iv) Implementing and maintaining security, evacuation and risk mitigation protocols
 - v) Any other duties that may be specifically designated to him from time to time
- h) Lifeguard Trainer
 The Lifeguard Trainer shall be responsible for:
 - i) Welcoming prospective members to the club
 - ii) Serving as a point of contact for new members, including answering any questions directed by new members
 - iii) Training JLA/LA/QC candidates via the approved LSA method, in preparation for the exams: both practical and theoretical aspects of lifesaving
 - iv) Collecting necessary paperwork from candidates for application of exam vouchers from LSA or examination authority, as well as arranging a testing date
 - v) Arranging JLA/LA/QC Retest dates, and extending invitations to current club members to attend these retests
 - vi) Arranging advanced qualifications for members (e.g. Advanced First Aid Course)
 - vii) Assist in recruitment of new members where necessary
 - viii) Responsible for ordering new first aid stock, as required
- i) Coach
 - i) The Coach will ensure that Nippers coming up will have a smooth transition into the Junior section and active lifesaving.
 - ii) Draw and distribute a season training plan
 - iii) Responsible for all training of members and preparing them for Carnivals.
 - iv) Head the team selection committee, assisted by the Club Captain, Vice-Club Captain and Junior Captain.
 - v) Keep a record of Club Members training attendance
 - vi) Initiating invitation and arranging for special guest coaches and motivational speakers, as required.
 - vii) Handle all competition entries and related administration
 - viii) Keep up to date with competition manuals and competition rules
 - ix) Liaise with Club Members to find competition officials

- j) Power Craft Officer:
 - i) Manage, maintain and keep all power craft in good working condition, including all related registrations, seaworthy certifications, and related equipment.
 - ii) Maintain power craft usage logs and submit records to Lifesaving Western Province
 - iii) Coordinate and administer all Inflatable Rescue Craft (IRB) and other power craft classes and qualifications, in particular the IRB Crewman and IRB Drivers License awards
 - iv) Arrange IRB and other power craft tests and exams as required, and in particular the IRB Crewman and IRB Drivers License awards, and related retests
 - iv) Handle all internal and third-party IRB and power craft rental and usage requests
 - v) Maintain a record of all IRB and other power craft Drivers' qualifications and retests
 - vi) Ensure all power craft users adhere to governing body rules and regulations
- k) Junior Captain
The Junior Captain will be responsible for all Junior matters of the club, including the distribution of relevant correspondence and arranging safety officers for events and nipper competitions.
- l) Nipper Officer
 - i) The Nipper portfolio shall consist of a Nipper Parents Committee of at least six members as listed under Clause 5(b), one of which shall be the Nipper Officer. The Nipper Officer will have a vote on the Executive Committee on behalf of the Nipper Branch.
 - ii) The Chairman or Vice-Chairman of the Executive Committee will be appointed to attend the Nipper Parents sub-Committee meetings from time to time or as deemed necessary by the Executive Committee.
 - iii) The Nipper Parents sub-Committee will be responsible for all Nipper matters.
 - iv) All funds will go through the Club Treasurer.
 - v) A monthly report on Nipper Matters is to be presented at the monthly Executive Committee Meeting.

10. MANAGEMENT AND MANAGEMENT MEETINGS

- a) The Management of the Club will be vested in the Executive Committee, consisting of not less than 10 members, who are office bearers of the organization, and who shall also have the power to co-opt ex officio members and appoint sub-committees.
No single person may have the ability or authority, directly or indirectly, to control the decision-making powers of the organisation.
- b) The Executive Committee may take on the power and authority that it believes it needs to be able to achieve the objectives of the organization.
- c) The Committee shall meet once in each month.
Four shall form a quorum.
The Chairman will act as Chairperson for the meetings, and will have the casting vote. In the chairperson's absence, the Vice-Chairperson or other appointed person may chair the meeting, as decided by the Committee before the start of the meeting.
14 days notice must be given of meetings of the Committee, along with a meeting agenda.
Time and place of meetings shall be left to the Committee to decide from time to time.
Minutes of all meetings must be kept safely and must always be on hand for members to consult.
- d) Issues are to be brought to meetings by Committee Members as discussion points, according to their portfolio responsibilities, and an agenda will be established through these points before the meeting.
Committee members then voice their concerns at meetings and the committee decides on the best possible

outcome by way of majority vote when resolving any issues. This decision will form an action-related outcome for the Committee Members to perform.

- e) Should any member of the Committee absent himself from three consecutive meetings, or otherwise neglect his duties without reasonable excuse, his seat may be declared vacant, and the Committee shall elect another in his stead.
- f) Management and club members have no right over property that belongs to the club solely by virtue of being members or office bearers.
- g) No Junior Member of the Club is eligible to hold any official position in the Club, other than that of Junior Captain.
- h) The Organisation shall have its own juristic personality, meaning that it:
 - i) Exists in its own right, separately from its members.
 - ii) Will continue to exist even when its membership changes and there are different office bearers.
 - iii) Is able to own fixed, movable and intangible property in its own name
 - iv) Is able to sue and be sued in its own name.
- i) The activities and resources of the Club must be exclusively applied in the furtherance of the Club's stated sole or principle objectives as set out in (2).

The word "principal" is used in conjunction with the word "sole" in light of the recognition that a the Club may now conduct trading activities provided such activities form a source of funding for the approved PBAs.

However, this concept means that the sole, main, predominant and foremost aim or objective must remain the carrying on of one or more of the objectives as set out in (2).

It will not be acceptable for the Club to have a sole or principal object of conducting a commercial business activity in order to fund the Club as a Non-Profit Organisation or Public Benefit Organisation.
- j) The activities and resources of the Club must be exclusively applied in the furtherance of the Club's stated sole or principle objectives as set out in (2).

The word "principal" is used in conjunction with the word "sole" in light of the recognition that a the Club may now conduct trading activities provided such activities form a source of funding for the approved PBAs.

However, this concept means that the sole, main, predominant and foremost aim or objective must remain the carrying on of one or more of the objectives as set out in (2).

It will not be acceptable for the Club to have a sole or principal object of conducting a commercial business activity in order to fund the Club as a Non-Profit Organisation or Public Benefit Organisation.

11. CONDUCT OF MEMBERS

- a) The Committee at their discretion may for any period or indefinitely suspend from the privileges of membership, or otherwise deal with or expel, any member who violates the rules, bye-laws or regulations of the Club, or any resolutions of the Committee or who shall be guilty of misconduct.
- b) Should any dispute arise which involves the Club, it's officials, any clubs, organisations or groups affiliated with the Club, and any Club members, officials, lifeguards, competitors or visitors who are subject to the rules of this Constitution, pertaining to any matter arising from the interpretation or implementation of the Constitution, or arising from the sports governed by the Constitution, then such dispute shall be referred to the Arbitration Forum of Lifesaving Western Province, and / or the Arbitration Forum of Lifesaving South Africa, to be dealt with in accordance with the Rules of that Forum.

The provision of Arbitration Act of 1965 shall apply to such arbitration proceedings, save to an extent modified by the Arbitration Forum rules.

12. SPECIAL GENERAL MEETINGS

The Secretary, on the direction of the Executive Committee, or upon the request in writing of ten members of the Club, stating the business to be discussed, shall call a Special General Meeting of the Members. Seven days notice shall be given, and two-thirds of the Club Members shall form a quorum. Failure to attain a quorum at this meeting, a second meeting shall be called and those attending the second meeting shall form a quorum.

13. FINANCE

The financial year-end of the Club will be on 31 March each year.

- a) The Treasurer shall be empowered to receive and acknowledge cash on behalf of the Club.
- b) All moneys received shall be banked in the name of the Club, and all payments made by cheque or EFT. Cheques are to be signed by two Club officers, preferably the Treasurer and Chairman. Accounts must be passed for payment at a Committee Meeting. Any accounts under R100.00 may be paid out of petty cash.
- c) Any fund-raising held in the name of the Club, by any branch of the Club, for any reason other than general Club funds, shall ensure that no less than ten percent of such money raised is put into the Club account towards day to day running costs. The full amount raised at such fund-raising is subject to Clause 13(b).
- d) A registered Honorary Auditor and/or registered accountant shall be appointed at the Annual General Meeting each year, to audit the books of the Club. The appointed Honorary Auditor and/or registered accountant shall be an independent person, and not be directly related to any member(s) of the Club.
- e) A copy of the Annual report and Balance Sheet shall be forwarded each year to the Provincial and/or District Lifesaving Association Body and/or National Lifesaving Association Body.
- f) The organisation may not give any of its money or property to its members or office bearers. The only time it can do this is when it pays for work that a member or office bearer has done for the organisation. The payment must be a reasonable amount for the work that has been done.
- g) Any funds of the Club provided to committee members or office bearers or ex-officio committee members for the specific purpose of furthering the interest of the club is strictly prohibited from being used to finance private business activities.
- h) The Club may not accept any donation that may be recalled by the donor, except where the recipient fails to abide by the conditions of the donation. Furthermore, a donor may not impose conditions which will entitle the donor or a connected person to obtain some direct or indirect benefit from the application of the donation. This prohibition is, however, not applicable where the donor is another approved Public Benefit Organisation, or an entity established by or under law which is exempt from income tax in terms of Section 10(1)(cA)(i) of the Income Tax Act No. 58 of 1962, and which itself is carrying on a Public Benefit Activity.
- i) The Club may not use its resources to directly or indirectly support, advance or oppose any political party.
- j) All cheques, promissory notes, EFT and other documents requiring signature on behalf of the Club shall be signed or authorized as the case may be, by two (2) of the Management Committee members, whereas one of the signatories must be the Chairman, Vice-Chairman or Treasurer.

14. CLUB COLOURS

The Club Colours shall be Red, White and Green. The colours and design of the badge and tie will be determined by the Executive Committee and thereafter may not be altered in any way without a two-thirds majority at an Annual General Meeting or a Special General Meeting held in accordance with clause 12.

15. AWARDS

a) Meritorious Award

A Meritorious Award shall be awarded to a person elected by a two-thirds majority of the members present at an Annual General Meeting, in recognition of outstanding service to the Club.

b) Honours Award

An Honours Award shall be awarded to a Club member who is a competitor and who has achieved status in Provincial, National or President's teams.

c) Victor/Victrix Ludorum Awards

These will be awarded to the best Junior and Senior, Male and Female members who achieve the highest points in the Club during participation in all the Provincial Lifesaving Carnivals, Western Province Lifesaving Championships and South African Lifesaving Championships.

d) Service Awards

These will be awarded to members who have contributed excellent service to the Club. This will take into account a members' duty hours, attitude towards duties and training, attendance at training and scheduled meetings and events.

- Clubmanship Award.
- 20 Year Award: Active service to the club, 38 years of age or older.
- 25 Year Award: Active service to the club, 43 years of age or older.

e) Lifesaver of The Year

This will be awarded to the member who fulfills the criteria for clubmanship and will also incorporate competition.

16. PROVISIO

In the event of an emergency not within the scope of the foregoing rules, the Executive Committee may deal with same at their discretion, and their decision shall be binding upon the Club.

17. ALTERATIONS TO CONSTITUTION

a) This Constitution and those of Lifesaving SA and Lifesaving WP Surf Association shall be the only ones binding upon all members of the Club.

b) No alterations or additions to be made to the Constitution except at the Annual General Meeting or Special General Meeting called in accordance with Clause 12 of the Constitution, and via a special resolution.

c) The resolution has to be agreed upon and passed by not less than two thirds of the club members who are at the Annual General Meeting or special general meeting, as outlined in Clause 12.

Members in good standing must vote at this meeting to change the constitution.

A written notice, including the intended resolution(s) to be discussed at the meeting must go out to club members no less than fourteen (14) days before the meeting.

d) Upon formation of a new or revised constitution, a copy of the new Club Constitution signed by all committee members shall be submitted within fourteen (14) days to relevant boards and governing bodies holding power over the Club, including but not limited to:

- The Directorate for Non-Profit Organisations, Department of Social Development
- The Commissioner of Tax Exempt Organisations, South African Revenue Service

- Lifesaving South Africa
- Lifesaving Western Province
- All current donors
- Any publication (including websites) where the previous version of the constitution may reside.

18. AFFILIATION AND CAPITATION FEES

An Affiliation Fee and Capitation Fee must be paid per Active Member to Lifesaving Western Province annually, on or before the 1st November each year. The amount of this fee will be determined by Lifesaving Western Province from time to time.

19. DISSOLUTION OF THE CLUB

FBSLC may dissolve if at least two-thirds (66%) of members present and voting at a meeting convened for the purpose of considering such matters, are in favour of dissolution.

In the event of closing down or dissolution of FBSLC and winding up thereof, FBSLC shall thereupon liquidate and pay off all its liabilities and debts. Thereafter, if there is property or money left over it should not be paid or given to the members of the organization or the members of the organising committee.

All leftover assets, property and/or money shall be given in some way to another non profit organisation with similar objectives. This organisation shall be decided by the organisation's general meeting, and must include the following prerequisites:

- A similar Public Benefit Organisation formed, incorporated or established in the Republic which has also been approved by the Commissioner as a Public Benefit Organisation in terms of section 30 of the Act.
- An organisation established by or under law which is exempt from tax in terms of section 10(1)(cA)(i) of the Act, whose sole or principal object is the carrying on of any approved Public Benefit Activity.
- A department of state or administration in the national, provincial or local sphere of Government of SA.