

By-laws of Immanuel Piranhas Swim Club Inc.

Version 1.1
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Document Control

Date	Version	Comment
05/08/2021	1.0	Development of By-law # 1 to setup the sub-committee structure and how it is governed.
01/08/2023	1.1	Introduction of By-law #2 – Complaints, Disputes and Discipline & By-Law #3 – Proxy Voting & By-law #3 – Proxy Voting

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By-law # 1

of

Immanuel Piranhas Swim Club Inc.

1. BY-LAW NAME

By-law # 1 - Formation of Subcommittees

2. AUTHORITY

- 2.1. This By-law has been formulated, approved and adopted under the authority of the Immanuel Piranhas Swim Club Inc. (IMSC) Constitution (version 4.0), clause 19.1. This By-law comes into effect on the 5th August 2021
- 2.2. In accordance with the Immanuel Piranhas Swim Club Inc Constitution (version 4.0), clause 19.2, this By-law is binding on all Members.

3. PURPOSE

- 3.1. This By-law is created to support the proper advancement, management and administration of the Club along with the advancement of the Objects of the Club.
- 3.2. Specifically, this By-law is for the creation of three Subcommittees as detailed below:
 - a) Competitions Subcommittee
 - b) People, Club Culture and Social Subcommittee
 - c) Strategic Planning, Grants and Fundraising Subcommittee

4. INTERPRETATIONS AND DEFINITIONS

- 4.1. References to the IMSC Constitution shall be read as references to the Immanuel Piranhas Swim Club Inc Constitution (version 4.0)

5. OBJECTIVES OF THE SUBCOMMITTEES

- 5.1. **Competitions Subcommittee:** The focus of this subcommittee is to work with the coaching staff to identify targeted meets for the Long Course (LC) and Short Course (SC) season; organise and plan for the annual Immanuel Piranhas Meet; planning for States Championship events; planning for National Championship events, organising targeted coaching clinics or planning for attendance at interstate meets.
- 5.2. **People, Club Culture and Social Subcommittee:** The focus of this subcommittee is to organize the club social agenda that will help build a positive strong club culture. It may include organising the States post relays dinner, awards night, the Christmas get together and other fun club activities throughout the year that build a positive, engaging and strong club culture.
- 5.3. **Strategic Planning, Grants and Fundraising Subcommittee:** The focus of this subcommittee is to ensure that the Clubs vision statement and strategic goals are reflective of the IMSC Committee's vision for the Club. To ensure that the Club's Strategic Plan is developed by the subcommittee and reviewed and endorsed by the IMSC Committee. This subcommittee, with the direction of the IMSC Committee, will also assist with the implementation of the initiatives that achieve the goals of the strategic plan. It will also be responsible for pursuing fundraising opportunities (i.e. community lottery, BBQ's, sponsorships, government grants etc.) for the Club that will support

the implementation of additional training opportunities (i.e. clinics), social events, and coaching support at targeted meets or State and National Championship events.

6. RULES AND GOVERNANCE

- 6.1. Each subcommittee will be chaired by a member of the IMSC Committee.
- 6.2. The subcommittees will be comprised of financial Members of the Club who are eligible to vote at the Club Annual General Meeting (AGM) or Special General Meeting (SGM).
- 6.3. The subcommittee will be responsible to the IMSC Committee and will act on the directions from the IMSC Committee.
- 6.4. The subcommittee may be stood down or dissolved at the convenience and discretion of the IMSC Committee.
- 6.5. The subcommittee shall meet on an ad-hoc basis as required to ensure that the objectives of the subcommittee are being advanced. Meetings may be face to face or via video conference facility.
- 6.6. The subcommittee shall provide written reports back to the IMSC Committee not less than quarterly. The reports shall summarise in a concise manner the progress made on certain initiatives, actions closed out, actions in progress and future actions, along with any request for support from the IMSC Committee in order to develop initiatives of the subcommittee further.
- 6.7. The subcommittee has no authority to bind or commit the IMSC Committee or Club in anyway whatsoever.
- 6.8. The subcommittee is established to provide advice and support to the IMSC Committee on those matters related to its Objectives, and to assist with the planning and implementation of these Objectives.
- 6.9. The Club shall indemnify its subcommittee Members against all damages and costs (including legal costs) for which any such Subcommittee Member, employee or agent may be or become liable to any third party in consequence of any act or omission except wilful misconduct.
- 6.10. Appointment to a subcommittee shall be on a casual basis and membership to a subcommittee shall be determined by a vote of the IMSC Committee up.

By-law # 2

of

Immanuel Piranhas Swim Club Inc.

1. BY-LAW NAME

By-law # 2 – Complaints, Disputes and Discipline

2. AUTHORITY

- 2.1. This By-law has been formulated, approved and adopted under the authority of the Immanuel Piranhas Swim Club Inc. (IMSC) Constitution (version 4.0), clause 19.1. This By-law comes into effect on the DD MONTH YEAR
 - 2.2. In accordance with the Immanuel Piranhas Swim Club Inc Constitution (version 4.0), clause 19.2, this By-law is binding on all Members.
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3. PURPOSE

- 3.1. This By-law is created to support the proper advancement, management and administration of the Club and strengthen section 11 Discipline of Members of the Club Constitution (version 4.0).
 - 3.2. Specifically, this By-law is to reference Swimming Australia's National Integrity Framework (NIF) Complaints Disputes and Discipline Policy.
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4. INTERPRETATIONS AND DEFINITIONS

- 4.1. References to the IMSC Constitution shall be read as references to the Immanuel Piranhas Swim Club Inc Constitution (version 4.0)
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5. OBJECTIVES

- 5.1. Subject to Rules and Governance below, the Club will abide by Swimming Australia's National Integrity Framework (NIF) Complaints Disputes and Discipline Policy.
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6. RULES AND GOVERNANCE

- 6.1. The Club will refer and abide by Swimming Australia's National Integrity Framework (NIF) Complaints Disputes and Discipline Policy in such matters.
 - 6.2. Any member who is found to have breached Clause 11 of the Constitution may be liable to a disqualification, caution, reprimand, fine, or suspension as determined by the Committee (or a tribunal), or to permanent disqualification or expulsion or any combination of the above.
 - 6.3. All sentences of suspension or permanent disqualification or expulsion imposed by the Club shall be binding.
 - 6.4. Any member knowingly competing against or training with a person who has been disqualified from membership, or suspended, or expelled may themselves be suspended for such period as the Club may determine.
 - 6.5. Any complaint made pursuant to By-Law #2, section 6.2 by a member shall be in writing and directed to the President or Member Protection Officer of the Club. The Club shall at first instance consider the complaint, and if necessary, request further particulars.
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- 6.6. The complaint shall particularise the date, person and nature of the complaint. A copy of the complaint shall be sent by the Club (maintaining privacy of all parties that may be involved) to the other party who shall have 14 days to reply in writing to the Club.
- 6.7. The Club may investigate and determine the complaint and any penalty to be imposed (if any) or alternatively refer the matter to a tribunal for investigation and determination.
- 6.8. Responsibility for initiating disciplinary action under this By-Law shall lie with the Committee.
- 6.9. Before a member is cautioned, reprimanded, fined, suspended, permanently disqualified or expelled by the Committee such member shall be given notice in writing by the Club of the proposed action and shall be obliged to appear in person in defense before the Committee.
- 6.10. Any member who does not appear, having been given such notice, shall be suspended until an appearance is made.
- 6.11. Any Committee or tribunal decision shall be final and binding on all parties.
- 6.12. Where a member has been suspended, permanently disqualified or expelled by the Club, notice shall be given promptly to Swimming SA.

By-law # 3

of

Immanuel Piranhas Swim Club Inc.

1. BY-LAW NAME

By-law # 3 – Proxy Voting

2. AUTHORITY

- 2.1. This By-law has been formulated, approved and adopted under the authority of the Immanuel Piranhas Swim Club Inc. (IMSC) Constitution (version 4.0), clause 19.1. This By-law comes into effect on the DD MONTH YEAR
 - 2.2. In accordance with the Immanuel Piranhas Swim Club Inc Constitution (version 4.0), clause 19.2, this By-law is binding on all Members.
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3. PURPOSE

- 3.1. This By-law is created to support the proper advancement, management and administration of the Club and strengthen section 12.11(b) Delegates as Representative of the Club Constitution (version 4.0).
 - 3.2. Specifically, this By-law is to stipulate the rules and governance around Proxy Voting at the Club Annual General Meeting (AGM).
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4. INTERPRETATIONS AND DEFINITIONS

- 4.1. References to the IMSC Constitution shall be read as references to the Immanuel Piranhas Swim Club Inc Constitution (version 4.0)
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5. OBJECTIVES

- 5.1. Subject to Rules and Governance below, the Club will abide by any laws, regulations, state and national associations guidelines as appropriate.
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6. RULES AND GOVERNANCE

- 6.1. A member is entitled to appoint another member to be their proxy to vote or speak on their behalf at an annual general meeting.
 - 6.2. The appointment of a proxy must be in writing (by completing a Proxy Form) and signed by that member making the appointment at the annual general meeting of the Club.
 - 6.3. A proxy may only be given by a member of the Club who has the right to vote at an annual general meeting and may be given to any named eligible voting member. A proxy cannot be transferred.
 - 6.4. The member appointing the proxy may give specific directions as to how the proxy is to vote on their behalf, otherwise the proxy may vote on behalf of the member in any matter as they see fit.
 - 6.5. Notice of an annual general meeting given to a member under section 12.3 must:
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- a) state that the member may appoint another member as a proxy for the meeting; and
 - b) include a Proxy Form that the Committee has approved for the appointment of a proxy.
- 6.6. The appointment of a proxy is effective only if the voter or the holder of the proxy gives, by hand, by post or by email, a properly completed proxy form to the Secretary, no later than 24 hours before the start of the annual general meeting where the proxy is to be exercised.
- 6.7. The appointment of a proxy relates solely to that particular annual general meeting or any adjournment of that meeting only. The proxy will only be valid until the annual general meeting is declared closed.