

CANBERRA AMATEUR
SWIMMING CLUB INC

BY-LAWS

VERSION 4 | SEPTEMBER 2022

BY-LAWS OF

CANBERRA AMATEUR SWIMMING CLUB INC

APPROVAL

The By-Laws (version 4, September 2022) of the Canberra Amateur Swimming Club (the Club) were finalised by the Committee on 14 September 2022.

CONTENTS

1.	Status of By-Laws	4
2.	Definitions	4
3.	Membership Applications	4
4.	Fees	4
5.	Conduct and Welfare	5
6.	Hearing Tribunal	5
7.	Office Bearers.....	6
8.	Rules of Competition.....	6
9.	Club Uniform	6
10.	Coaching at Meets.....	6
11.	Club Championships.....	7
12.	Club Improvement Point Score	7
13.	Rewards and Recognition.....	8
14.	Club Records.....	9
15.	Presentation Day.....	10
	ATTACHMENT A: OFFICE BEARERS	11
	ATTACHMENT B: COACHING AT MEETS	16

REVIEW HISTORY OF CANBERRA ASC'S BY-LAWS:

VERSION	AUTHOR/S	CHANGE SUMMARY	DATE DRAFTED	DATE ADOPTED
v2	Ash Smith, President Steven Donaldson, Vice President Alison Smith, Team/Web Manager	Removed reference to Civic pool operation, revised Swimming Competitions, corrected typographical errors and revised formatting.	Jul-2015	Oct-2015
V3	Murray Smith, President Mark Piva, Treasurer	Amend race secretary/team manager role with reference to relays Amend presentation of trophies	Jun-2016	Jun-2016
V4	Karl Willett, President & Race Secretary	Amendment at 11.2 and 11.6 to age groups for club championship awards	Sep-2022	Sep-2022

1. Status of By-Laws

- 1.1 In the event of a conflict between these By-Laws and the Constitution, the Constitution will prevail.

2. Definitions

- 2.1 The definitions and interpretations in the Constitution apply to these By-Laws.
- 2.2 In these By-Laws, 'Clause' means a clause of the Constitution.

3. Membership Applications

- 3.1 All applications for membership are to be made using the Swimming NSW Online Member Portal.
- 3.2 Swimmers who apply for membership must to be willing to train with a Club associated training program provider, unless the Committee determines otherwise for a particular swimmer.
- 3.3 Applications will be considered by the Committee and approved or rejected in accordance with the Constitution.

4. Fees

4.1 Membership Fees

- (a) The annual membership fees payable to the Club for each Member (except Life Members) will consist of a Swimming Australian Limited (SAL) and Swimming NSW component, which includes registration and insurance cover and a Club fee determined by the Committee from time to time.
- (b) The Committee may determine a pro rata annual membership fee for new members joining after 1 April each year.
- (c) The Committee may determine a fee payable by new members transferring from another club.
- (d) All annual membership fees are due on the first day of October in each year and are to be paid through the Swimming NSW Online Member Portal.

4.2 Training

- (a) Training fees are payable to the providers of the respective training programs with which Club members participate.

5. Conduct and Welfare

5.1 Code of Conduct, policies, procedures and rules

- (a) The Club adopts the SAL Codes of Conduct as published by SAL from time to time.
- (b) The Club adopts all SAL policies, procedures and rules regarding conduct and welfare as published by SAL from time to time.
- (c) The Club may also adopt additional Codes of Conduct, policies, procedures and rules regarding conduct and welfare as agreed by the Committee from time to time.
- (d) In the event of a conflict between Club issued codes, policies, procedures and rules regarding conduct and welfare and those published by SAL, the SAL codes, policies, procedures and rules regarding conduct and welfare will prevail.
- (e) Members of the Club must comply with all Codes of Conduct, policies procedures and rules adopted by the Club.
- (f) The Committee undertakes to enforce all Codes of Conduct, policies procedures and rules adopted by the Club from time to time.
- (g) All policies, procedures and rules adopted by the Club in relation to the conduct and welfare shall be published on the Club's website and a copy will be provided to all new members upon joining the Club.

5.2 Complaints Procedures

- (a) If the Committee becomes aware of, or receives a complaint that, a Member has allegedly breached:
 - (i) one of the Codes of Conduct, policies, procedures or rules referred to in By-Law 5.1;
or
 - (ii) a provision of the Constitution or these By-Laws,the Committee will deal with the matter in accordance with the procedures adopted from the SAL Member Welfare General Information and Procedures or the Child Welfare General Information and Procedures, as updated from time to time and available on the SAL website, depending on the nature of the allegation.

6. Hearing Tribunal

6.1 Discipline

- (a) A Hearing Tribunal of three persons shall be appointed by the Committee for the purpose of hearing disciplinary actions and matters under clause 14.1 of the Constitution. The Committee shall appoint one of the members of the Hearing Tribunal as chair who, in the opinion of the Committee, is competent in dealing with disciplinary matters.

- (b) A person must not be appointed to the Hearing Tribunal if that person or a member of their family is a party to a matter before the Hearing Tribunal.
- (c) Three members of the Hearing Tribunal shall constitute a quorum.

6.2 Disciplinary Tribunal Procedures

- (a) The Hearing Tribunal will follow the SAL procedures referred to in By-Law 5 when dealing with any matters referred to it by the Committee.
- (b) Each party shall be responsible for their own costs associated with the Disciplinary Tribunal hearing. The Disciplinary Tribunal has no power to award costs to a party.

7. Office Bearers

- 7.1 The Office Bearers of the Club and their roles and duties are set out in **Attachment A**.
- 7.2 All positions of Office Bearer may be shared by two or more people, except for those Office Bearer positions that form part of the Committee under clause 16.1 of the Constitution.
- 7.3 All Officer Bearers must undergo a background check under the *Working with Vulnerable People (Background Checking) Act 2011 (ACT)*.
- 7.4 A Club Member who is also an employee of a Club associated training program provider, may be permitted to hold an Office Bearers position within the Club but shall not be eligible to be a member of the Committee under clause 16.1 of the Constitution.

8. Rules of Competition

- 8.1 Swimming NSW Rules apply to Club Nights and Club Championships.

9. Club Uniform

- 9.1 Members who compete for the Club at swimming meets at area, state or national level must wear the Club cap for both warm up and competition, unless the Committee has determined otherwise for a particular swimmer.
- 9.2 A swimmer who receives a medal or other award at a swimming meet at area, state or national level must wear the Club representative top or other Club uniform for the presentation ceremony.

10. Coaching at Meets

- 10.1 The Club is committed to providing coaching support for swimmers at all Swimming ACT meets, NSW Country and NSW State Age meets, subject to the guidelines at **Attachment B**.
- 10.2 The Committee will determine and publish, the travel expense rates to be reimbursed to coaches for attending meets.

- 10.3 It is proposed that the travel expense rates will be reviewed annually to ensure effective coverage of all reasonable costs incurred by coaches attending meets.

11. Club Championships

- 11.1 Club Championship rules as determined by the Committee, shall apply to all Club Championship events.
- 11.2 The rules relating to Club Championships, including the age groups to be awarded, will be published by the Club on its website prior to the Club Championship program for the year commencing.
- 11.3 Club Championship rules may only be amended prior to the commencement of the first, and after the last, Club Championship event in a swimming year.
- 11.4 The program, competition rules and conditions and method of entry for Club Championships will be advertised on the Club website, giving as much notice as possible to Members.
- 11.5 The Club Age Champions are the male and female in each age group who accumulates the most points at the Club Championships and who is an approved financial member of the Club as at 30 September for that swimming year, excluding second claim members.
- 11.6 The age groups are 8 years & under, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 years & over unless varied by the rules published under 11.2.
- 11.7 Swimmers who win a Club Age Championship will receive a medallion at presentation day. There are no awards for second or third place or individual races.
- 11.8 In the event that a Club Age Champion has transferred to another club after 30 September but before the Club's Annual Presentation Evening, the Club Age Champion recipient will be at the discretion of the Committee, taking into account all circumstances relevant to the transfer that has occurred.

12. Club Improvement Point Score

- 12.1 The Club Improvement Point Score awards reward consistent effort and improvement over the swimming year (generally 1 October to 30 September). At presentation day (see By-Law 15), an award is given to the male and female in each age group, who scores the most points over the year.
- 12.2 The recipient of Club Improvement Point Score award must be an approved financial member of the Club as at 30 September of the swimming year in which the points have been accumulated.
- 12.3 In the event that a Club Improvement Point Score Award Champion has transferred to another club after 30 September but before the Club's Annual Presentation Evening, the Club Improvement Point Score Award recipient will be at the discretion of the Committee, taking into account all circumstances relevant to the transfer that has occurred.

12.4 Club Improvement Point Score rules will be determined by the Committee and may only be amended prior to the commencement of the swimming year.

12.5 Club Improvement Point Score rules will be published on the Club website.

13. Rewards and Recognition

13.1 Representative Tops

- (a) The Club representative rugby top is distinctive blue and white striped cotton knit rugby top.
- (b) The tops are presented to swimmers when they first represent the Club at a Swimming NSW championship or SAL championship (pool or open water), that is:
 - (i) NSW Country Championships
 - (ii) NSW State Age Championships
 - (iii) NSW Open Championships
 - (iv) Australian Age Championships
 - (v) Australian Open Championships
- (c) To receive a top, swimmers must qualify for an individual event and attend and swim for the Club at one of the meets listed in By-Law 13.1(b).
- (d) A swimmer who participates in a relay event only at one of the meets listed in By-Law 13.1(b), shall receive a top at the discretion of the Committee.
- (e) The first top is given to the swimmer free of charge but swimmers will need to buy replacement tops if they need one, for example, the original top is lost or outgrown. If the swimmer wishes to have previous meets embroidered on the new top, this will also be at the swimmer's own expense. It is not possible to buy a top unless a swimmer has previously 'earned' one.
- (f) The tops are embroidered with the swimmers name and any Australian State or National level meet (pool or open water) that the Member swims at (provided the swimmer is a financial member of the Club at the time), that is,
 - (i) NSW Country Championships
 - (ii) NSW State Age Championships
 - (iii) NSW Open Championships
 - (iv) Other State equivalents of the NSW Championships
 - (v) Australian Age Championships
 - (vi) Australian Open Championships

- (g) No other meets are embroidered on the tops, that is, school championships, overseas meets, district or area level meets, for example, Speedo sprints, Brophy meets, and Australian Schools Championships.
- (h) The meets referred to in section By-Law 13.1(g) are not embroidered on the tops because the swimmer represents their school or other team rather than the Club. Swimmers receive a team uniform for these meets, which can be embroidered with their name and details of the meet, at the swimmers own expense.
- (i) Each level meet is only embroidered on the top once, e.g., if a swimmer swims at both summer and winter country for 2009 then 'NSW COUNTRY 2009' is embroidered on the top only once.
- (j) No distinction is made between pool and open water swimming so, for example, if a swimmer swims at both pool and open water events at National age level then only one line of embroidery is put on the top (i.e., AGE NATIONALS 2009).
- (k) Tops are collected by the Uniform Manager at a minimum once per year, for embroidery to take place. Details of collection arrangements shall be published on the website at that time. The Club meets the cost of embroidery.

13.2 NSW State Level Representative

A swimmer shall be presented with a personalized State Team Club swimming cap each year that they represent the Club at a Swimming NSW State championship meet (Age or Open, pool or open water).

13.3 National Level Representative

- (a) A swimmer shall be presented with a swim bag/back pack embroidered with the Club logo and personalized with their name when they first represent the Club at a SAL championship (Age or Open, pool or open water).
- (b) A swimmer shall also be presented with a personalized National Team Club swimming cap each year that they represent the Club at a SAL National championship (Age or Open, pool or open water).

14. Club Records

14.1 The Club will keep records for male and female swimmers:

- (a) Club Records: the fastest swims by Club Members since the introduction of electronic records in the ACT in approximately 2000 for the following events:
 - (i) 50, 100 and 200 metre freestyle and form strokes
 - (ii) 100, 200 and 400 metre individual medley
 - (iii) 400, 800 and 1500 metre freestyle

- (b) Club Championship Records: the fastest swims by Club Members at Club Championships for the following events:
 - (i) 50, 100 and 200 metre freestyle and form strokes
 - (ii) 200 metre individual medley
 - (iii) 400 metre freestyle and individual medley (may not be included in the program each year)
- (c) The age groups for the records will be:
 - (i) 8 years & under, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 years & over;
 - (ii) For the Club Championship records: 8 years & under, 9, 10, 11, 12, 13, 14, 15, 16 and 17 years & over.

15. Presentation Day

- 15.1 Presentation Day will be held within two months of the end of the swimming year, at a venue and time to be determined by the Committee.
- 15.2 The awards to be presented to Club Members at Presentation Day and the criteria for each award will be published on the Club website.
- 15.3 Swimmers who do not receive an individual trophy will receive a team award, as determined by the Committee each year.
- 15.4 Perpetual trophies remain the property of the Club. Winners of individual perpetual trophies will be presented with the perpetual trophy on Club Presentation day/evening. The perpetual trophy is to be returned to the club prior to the Canberra Pentathlon event the following year. Each winner of a perpetual trophy also receives a small trophy to retain.
- 15.5 Trophies will be inspected prior to presentation and upon return, and any damage or loss will be the responsibility of the swimmer. Any transfer application received by the club will only be approved upon return of any perpetual trophy(s) held by a swimmer.

ATTACHMENT A: OFFICE BEARERS

16. President

The President:

- (a) Chairs General Meetings and Committee meetings;
- (b) promotes the image of the Club at all times and lead the pursuit of the Objects;
- (c) carries out such duties as requested by a General Meeting and the Committee;
- (d) is responsible for the leadership and overall administration of the Club;
- (e) represents the Club on external bodies as determined by the Committee;
- (f) co-ordinates the Committee activities and ensures that the Committee properly undertakes its governance role; and
- (g) manages the Club's relationship with the training programs management as required.

17. Vice President

The Vice President:

- (a) assists the President in carrying out his or her duties;
- (b) attends general meetings of Swimming ACT, as a Club delegate; and
- (c) attends to matters as the President may, from time to time, request.

18. Secretary

The Secretary:

- (a) as soon as practicable after being elected as secretary, lodges notice with the Registrar-General, Area Association and Swimming NSW of contact details for the Committee;
- (b) prepares notices of meeting and agenda for meetings;
- (c) makes full and accurate minutes of all members in attendance, questions, matters, resolutions and other proceedings of each Committee meeting and General Meetings;
- (d) follows up from meetings to make sure tasks are completed;
- (e) has custody of all documents and records of the Club, except the accounts; and
- (f) monitors Club correspondence.

19. Treasurer

The Treasurer:

- (a) collects all money due to the Club;
- (b) ensures that all payments authorised by the Club are made;
- (c) using a financial/accounting software as determined by the Committee from time to time, keeps correct books and accounts showing the financial affairs of the Club, including full details of all receipts and expenditure connected with the activities of the Club; and
- (d) as soon as practicable after the end of each financial year, prepares a statement of:
 - income and expenditure for the financial year just ended, and
 - the Club's assets and liabilities at the close of the year.

20. Registrar

The Registrar:

- (a) is Club administrator for Clubs Online (the Swimming NSW online membership database);
- (b) sends emails to Club members using Clubs Online, as required;
- (c) ensures that all Members are advised when membership renewals are due; and
- (d) issues membership cards to members.

21. Race Secretary

The Race Secretary:

- (a) uses Team Manager and Meet Manager software, or any other appropriate software determined by the Committee, (training necessary);
- (b) processes Club entries to swim meets hosted by other Clubs, except where online entries are available;
- (c) sets up entry procedures for Club Nights, Club Championships, the Pentathlon and Christmas Classic and any other meets hosted by the Club, using the Swimming NSW Clubs Online Portal if possible;
- (d) using Team Manager and Meet Manager software, and in consultation with Club coaches, compiles and co-ordinates Club relay teams at ACT, NSW and National Championships, to achieve the best outcomes for the Club;
- (e) keeps a record of the fastest swims by Club Members at all meets uploaded to the National Results Database;
- (f) keeps the Club Improvement Point Score;

- (g) calculates the Club Age Champions.

22. Team Manager

The Team Manager:

- (a) coordinates the Club's swimmers at swim meets and is the point of contact for the Club conducting the meet;
- (b) if the Team Manager is not attending a meet, the Team Manager must ensure that another person is able to take on the role of Team Manager at the meet;
- (c) organises the Club's timekeeping roster at all Swimming ACT meets.

23. Fundraising Manager

The Fundraising Manager:

- (a) seeks out sponsorship and fundraising opportunities;
- (b) completes sponsorship and grant applications on behalf of the Club, including the annual Go Club application; and
- (c) co-ordinates fundraising activities approved by the Committee.

24. Catering Manager

The Catering Manager:

- (a) co-ordinates catering at meets hosted by the Club (usually 3- 4 days per year) and at one ACT Swimming meet (usually 1 day per year) and other events, as required;
- (b) co-ordinates catering at Club Nights, as required;
- (c) ensures Members are aware of the need to contribute food to the catering effort; and
- (d) leads a small team to prepare and distribute food and drink during the day.

25. Club Night Manager

The Club Night Manager:

- (a) schedules Clubs Nights and Club Championships in consultation with the Committee;
- (b) sets the program for Club Night and Club Championships in conjunction with the Committee;
- (c) publicises Club Nights and ensures that all Members are aware of the dates and the entry process; and
- (d) organises officials and equipment for Club Nights.

26. Uniform Manager

The Uniform Manager:

- (a) manages the uniform requirements for the Club;
- (b) takes orders and issues clothing;
- (c) recommends stock purchases to the Committee; and
- (d) ensures swimming caps are available for purchase at meets.

27. Property Manager

The Property Manager:

- (a) arranges safe storage for Club property;
- (b) keeps an inventory of Club property;
- (c) organises transport of the property as required;
- (d) subject to approval by the Committee, organises maintenance or replacement or acquisition of equipment, trophies, medals and other awards as necessary;
- (e) organises the engraving of perpetual trophies for the Club presentation day and the delivery of trophies to the presentation day venue; and
- (f) organises safekeeping of the trophies until the next presentation day.

28. Web Manager

The Web Manager:

- (a) keeps the Club website up to date;
- (b) publishes items on the Club website written by other Club Members; and
- (c) compiles and distributes Club newsletters, in conjunction with the other Committee Members and Office Bearers;
- (d) scans other websites such as Swimming ACT and Swimming NSW for items of interest, including upcoming meets and meet results.

29. Swimming ACT Delegate

The Swimming ACT Delegate:

- (a) in conjunction with the Vice-President, attends the monthly Swimming ACT general meeting and represent the Club's interests at those meetings and reports back to the Committee on any outcomes; and

Note: every Club is allowed two delegates and one vote at each general meeting so it is usually only necessary for one delegate to attend.

- (b) attends the Swimming ACT Annual General Meeting (AGM) with the Vice-President.

Note: the Club has two votes at the AGM.

30. Meet Director

The Meet Director:

- (a) attends the monthly Swimming ACT Competition Committee meeting to represent the Club's interests and report back to the Committee on outcomes;
- (b) organises meets hosted by the Club each year (currently the Pentathlon and the Christmas Classic); and
- (c) acts as Meet Director for Swimming ACT Development and Championship Meets, as required by the Competitions Committee (usually one meet per year).

Note: The Competitions Committee determines the ACT meet schedule, program and qualifying times for meets.

31. Other positions

Other Office Bearer positions may be created from time to time, as determined by the Committee to assist with the administration of the Club – for example, an Assistant Race Secretary or a General Duties Office Bearer.

A General Duties Office Bearer shall not be eligible to be a member of the Committee under clause 16.1 of the Constitution.

ATTACHMENT B: COACHING AT MEETS

32. Swimming ACT Meets

32.1 For Swimming ACT approved meets and in accordance with any formal agreement:

- (a) the training program provider(s) shall be responsible for the assignment of a coach (or coaches) for official competition meets referred to above and Club Nights.
- (b) coaching support to Club members attending Swimming ACT meets, incurs no cost to the Club other than for expenses referred to under By-Law 35.
- (c) it is the responsibility of the training program provider(s) to determine which coach (or coaches) from their program attends each meet.

33. Swimming NSW Country and State Age Championships

33.1 For Swimming NSW Country and State Age Championships, provided at least five swimmers who are approved financial members of the Club attend the meet:

- (a) if there are 5 – 10 swimmers entered, one coach shall attend;
- (b) if 10 or more swimmers are entered, two coaches may attend;
- (c) the Committee shall determine, in consultation with the training program provider(s), which coach (or coaches) attends each meet.

34. Swimming NSW State Open and Swimming Australia Championships

34.1 The Committee will consider the individual merits of a coach or coaches attending Swimming NSW State Open and Swimming Australia Championships prior to each meet. The Committee will take into account:

- (a) the number of swimmers attending the meet;
- (b) the distance of travel to the swimming venue; and
- (c) the current financial situation of the Club.

35. Expenses for meets outside the Swimming ACT area

35.1 The Club will support expenses incurred by the approved nominated coach (or coaches) in supporting Club members attending meets outside the Swimming ACT area.

35.2 Expenses will be reimbursed on presentation of receipts and in accordance with the Clubs *Travel Expenses* policy.

35.3 The reimbursement of expenses is limited to 12 meets per calendar year unless agreed upon in writing by the Club.

