

TEMORA SHIRE COUNCIL



TEMORA
The Friendly Shire

BY-LAWS AND REGULATIONS FOR USE OF LAKE CENTENARY

ACTIVE

Review Details

ABOUT THIS RELEASE

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REVIEW

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31 August 2018	Refresh	1	N/A	GCL

PLANNED REVIEW

Planned Review Date	Revision Description		Review by
October 2021	Review		General Manager

- 1 The operators of all power boats must hold the required licence and must observe all regulations to the towing of skiers required by the Roads & Maritime Services.
- 2 Power boats operating from the southern side of the Lake, in the vicinity of the ramp, must observe the ski drop-off and pick-up area rules.
- 3 When more than three power boats are operating on the Lake only one skier is to be towed.
- 4 All power boats must be launched from the launching ramp.
- 5 All power boats must operate in an anti-clockwise direction.
- 6 All turns by power boats should be to the left-hand side.
- 7 Sailing craft should avoid operating within thirty (30) metres of the banks of the Lake.
- 8 There is to be no swimming in the main body of the Lake. The only designated swimming area is the particular area behind the islands.
- 9 Boats and craft not under power or sail should not operate in the main lake when power craft are operating.
- 10 Skiers must wear approved life-jackets. Children in any craft should also be fitted with life-jackets or buoyancy vests.
- 11 Vehicles entering the lake reserve should keep to the designated road, and park vehicles in the parking area.
- 12 Sailing boats should not be rigged on the ramp. The point east of the ramp has been designated as a Sail Boat Area.
- 13 The Lake Centenary Management Committee (LCMC) has the right to deny any person from using the facilities of the Lake.
- 14 The LCMC has the right to charge a launching fee for vessels which are not registered with the Club.
- 15 All persons taking part in any event organised by the LCMC do so at their own risk and responsibility. The LCMC is not responsible for the seaworthy condition of any boat or the sufficiency or adequacy of its equipment.
- 16 Conditions of exclusive use of the Lake outside normal hours shall be under the following conditions:-
 - (a) Application specifying the proposed activity must be submitted to Council for approval;
 - (b) No marquee of similar type of structure to be erected on the area under the sprinkler irrigation;
 - (c) The total glass ban be strictly applied;
 - (d) A fee of \$181.50 and damages and cleaning bond of \$500.00 be imposed.

Constitution and By-Laws of the Temora Aquatic Club

TITLE

- 1 The name of the Club shall be "Temora Aquatic Club".

OBJECTS

- 2 The objects of the Club are:-
 - (a) To encourage and foster the sport of sailing and the use of all classes of power boats and generally boating of all types and such aquatic sports as determined by the General Committee.
 - (b) To encourage sailing and boat races by the promotion of regattas and the giving of prizes and by any other means which may from time to time be determined by the General Committee, and to charge admission prices to any such races or regattas and to donate such proportion of the proceeds as may be determined by such Committee.
 - (c) To encourage all types of Aquatic Sports by Junior Members for the purpose of training efficient Senior Members.
 - (d) To administer the rules and regulations as set down by the General Committee in relation to the use of Lake Centenary and to generally promote Water Safety.
 - (e) Generally to promote fellowship among its members.

MEMBERSHIP

- 3 Members of the Club shall be bound by the rules of the Club and shall consist of all persons duly elected in accordance with the rules.
- 4 Members shall be divided into the following classes:
 - (a) Honorary Members
 - (b) Life Members
 - (c) Active Members
 - (d) Junior Members
 - (e) Social Members
- 5 Honorary Member shall include any person elected to the honorary position of Patron, Honorary Legal Advisor, or Honorary Auditor and such honorary membership shall be for the year in which he holds such office. The Flag Officers or Secretary may elect any person to honorary membership for a period of 24 hours, which period may be extended for further periods of 24 hours.
- 6 All members not hereinafter otherwise defined and all members paying the subscription hereinafter provided for an Active Member, shall be deemed Active Members. Active Members shall be entitled to all the privileges of the Club.
- 7 All active members under the age of 18 years shall be deemed Junior Members. Junior Members shall be entitled to all the privileges of the Club except voting at meetings, nominating candidates for membership of office or holding any office other than as a member of a sub-committee.

- 8 A Social Member shall be any person who shall pay special subscription as may be determined by the Club for persons taking part only in the social activities of the Club and not engaging in the boating, sailing or racing activities of the Club, and such Social Members shall have no voting power nor right to receive notices, nor shall be eligible to hold any office except as a member of a sub-committee, but shall nevertheless be subject to the Constitution and by-laws of the Club and shall be elected and may be compelled to resign in manner hereinafter provided for all members.
- 9 An Active, Junior or Social Member ceases to be a member of the Club if he or she becomes un-financial or is expelled from membership of the Club.
- 10 Proposals for membership must be made in writing signed by two financial Active Members of the Club, and by the person proposed for membership. The membership proposal form as set out in Rule 45 shall be used for all purposes of membership.
- 11 A proposal for membership must be lodged with the Honorary Secretary who shall place it before the first General Meeting, when voting on the admission of the person proposed shall be by secret ballot. Not less than six votes shall be recorded at such a ballot, and not less than at least two-thirds of the votes recorded shall be in favour of the admission of any person proposed for membership.
- 12 Every proposal for membership shall be accompanied by the entrance fee and the current year's subscription, or part thereof at the discretion of the committee. If the proposal for membership is rejected then the subscription fee and entrance fee shall be returned.
- 13 Upon election each member shall be notified by the Secretary of his or her election and shall be entitled to the loan of a copy of the Constitution and By-Laws of the Club.
- 14 It shall be in the power of the General Committee in consideration of the special services rendered to the Club by a member, to nominate such member as a Life Member. Such nomination (not exceeding two in any one year of office of the General Committee) shall be submitted to a General Meeting of them members and if approved by a majority of the members present voting, the nominee shall be declared a Life Member, and be entitled to all the privileges of the club without payment of any further subscription.

EXPULSION

- 15 If the General Committee be of the opinion:-
 - (a) That the alleged conduct of a member whether at the Club or elsewhere is or is likely to be injurious to or is not desirable in the interests of the welfare of the Club;
 - (b) That the member has been convicted of a felony;
 - (c) That the member has committed a breach of the Constitution of the Club, or any of the Rules, Regulations or By-Laws of the Club or any statutory provisions whereby the Club will or might be prejudiced in any way;
 - (d) That the member has been expelled, disqualified or suspended by any recognised Club; or

- (e) That the member has not correctly disclosed particulars required as set out in the application for membership.

Such member shall be informed of the matter alleged against him and afforded an opportunity of being heard by the General Committee and calling witnesses in his own defence and if in the opinion of not less than two-thirds of the General Committee at a meeting or meetings of the General Committee duly convened, the explanation is unsatisfactory, or if such member does not avail himself of such opportunity of making an explanation, then such member may be expelled from the Club by resolution of the General Committee provided, however, that the General Committee in their absolute and uncontrolled discretion may, if they so desire, first request the member in writing to resign, and if such member shall not resign within fourteen days after the posting to him at his last known address, or delivery to him of such request, expel him from the Club by the same or other resolution. Upon a motion of expulsion being duly carried, the members name shall be removed from the Register of Members and such member shall thenceforth cease to be a member of the Club and shall forfeit all right in and claim upon the Club and its property, but he shall remain liable for the payment of any debt or dues owing by him to the Club, and unless all his property is removed from the Club premises within 14 days, such property becomes the property of the Club.

- 16 Instead of expelling as provided in Clause 15 hereof, the General Committee by the same majority as provided for in the said Clause, may suspend a member for a period not exceeding twelve (12) months and/or impose a fine not exceeding ten dollars (\$10.00) but no member shall be suspended for a longer period than fourteen (14) days without being afforded an opportunity of being heard by the General Committee and calling witnesses in his own defence provided, however, that the General Committee by the said majority may suspend a member for a period of fourteen (14) days without affording such opportunity to a member.

GENERAL COMMITTEE

- 17 The following officers, viz - Commodore, one (1) Vice Commodore, one (1) Rear Commodore, (each of whom shall be owners or past owners of a boat on the Club Register). An Honorary Secretary, Honorary Treasurer and Honorary Publicity Officer, shall be elected at the Annual General Meeting and such voting shall take place by secret ballot, and also two representatives from each affiliated committee recognised by the General Committee. The above officers shall constitute the General Committee of the Club and the Commodore, Vice Commodore and Rear Commodore shall be designated Flag Officers. All officers shall be Active or Life Members of the Club. The members may or may not elect a Patron who shall hold office until the next following Annual General Meeting.

EXECUTIVE OFFICERS

- 18 The Executive Officers of the Club shall be the Commodore, Vice Commodore, Rear Commodore, Honorary Secretary and Honorary Treasurer, and shall be ex-officio members of the General Committee and all sub-committees. Any sub-committee formed for any purpose shall have two executive officers on such sub-committee and such sub-committee shall refer all business to the General Committee.

QUORUM

- 19 Any five members of the General Committee shall constitute a quorum and shall have the power to carry on the business of the Club.

DUTIES OF THE GENERAL COMMITTEE

- 20 The General Committee shall have the entire management of the business and affairs of the Club and its powers shall be limited or abridged only by express provision in the Constitution and By-Laws.

No business shall be transacted at any Committee Meeting unless due notice in writing specifying the time and place of such meeting has been given to each Committee member, at least 48 hours prior to the time of such meeting unless the members unanimously agree to less notice.

PROCEDURE FOR COMMITTEES

- 21 (a) Should the position of any office bearer or member of the Committee become vacant during his term of office, such vacancy shall be dealt with by that Committee.
- (b) In the event of any member of a Committee other than the Flag Officers or Secretary, failing to attend three consecutive meetings and not furnishing a satisfactory explanation in writing, such committee at its discretion, may declare that office vacant.
- (c) The Honorary Secretary shall have the power to convene General Committee meetings, which shall be held at the discretion of the Executive officers or any two of them
- (d) No monies shall be expended on behalf of the Club without the sanction of the General Committee.
- (e) All accounts must be submitted to the General Committee and be confirmed or passed for payment and all accounts over \$2.00 in value must be paid by cheque.
- (f) It shall be the duty of each Committee to report proceedings to the members at each General Meeting or any other meeting called for that purpose.
- (g) It shall be competent for the General Committee to postpone any meeting or activity of the Club to such time and place as they deem expedient and the business so transacted shall be as valid as if it had been transacted on the first day appointed.
- (h) The General Committee shall open a bank account into which all money received on behalf of the Club shall be paid and from which all accounts duly passed for payment, shall be paid as herein provided. All cheques drawn on behalf of the Club shall be signed by any two of the Executive Officers.
- (i) Any member who wishes to censure any committee, must notify the General Committee in writing of such complaint, and then the General Committee must notify the Sub-Committee in writing of such complaint, and the General Committee must also notify all Club Members in writing of the date and place where such complaint will be heard.

HONORARY PROFESSIONAL OFFICERS

- 22 The following Honorary Professional Officers, namely an Honorary Legal Advisory, and Honorary Auditor shall be appointed at the Annual General Meeting and shall hold office until the following Annual General Meeting. No office bearer shall be official auditor.

DUTIES OF OFFICE BEARERS AND AUDITORS

- 23 It shall be the duty of the Commodore to enforce the Rules, By-Laws and other regulations of the Club and to preside at all meetings.
- 24 It shall be the duty of the Vice Commodore to assist the Commodore in the discharge of his duties and should the Commodore be not present, to officiate in his stead.
- 25 It shall be the duty of the Rear Commodore to assist the Commodore and Vice Commodore in the discharge of their duties and should these officers be not present, to officiate in their stead.
- 26 It shall be the duty of the Honorary Secretary to keep a Minute Book of the proceedings of the Club, which shall be produced at every meeting; to keep a correct roll of all members; to keep a Register of all boats enrolled in the Club; to notify the Honorary Treasurer of the election of a new member; to file all documents, records, reports and communications in connection with the business of the Club; to notify each member of the date of the Annual General Meeting and such other meetings as the General Committee consider necessary, and to act generally on behalf of the Club.
- 27 The Honorary Treasurer shall keep correct accounts and books showing the financial affairs of the Club and shall receive all money on behalf of the Club and shall give receipts for the same.
- 28 The Honorary Auditor shall prior to each Annual General Meeting, audit the accounts of the Club for the year ended the last day of June, and the Balance Sheet and Revenue Account and shall if required by the General Committee, audit such accounts or parts thereof at any time or times.

HONORARY INSPECTIONS

- 28A The General Committee may appoint any number of honorary inspectors who may assist in the supervision of activities at the Lake, and have delegated authority to enforce the rules and regulations applicable to the use of the Lake and surrounds. The appointment of each or all of the inspectors may be reviewed by the Committee from time to time as the need arises.

ANNUAL AND SPECIAL GENERAL MEETINGS

- 29 The Annual General Meeting shall be held in or about the first week in August of each year, at which the General Committee shall present the Annual Report and Balance Sheet. The meeting shall elect officers for the ensuing year and deal with such other business as may be brought before the meeting.
- 30 Special General Meetings may be held at any time if called by the General Committee, provided 48 hours notice is given of such meeting to members. A Special General Meeting shall also be convened by the Honorary Secretary upon a

requisition being presented to him setting out the purpose for which such meeting is to be called and signed by not less than 10 members.

- 31 At any General Meeting a quorum shall consist of eight members. Should there not be a quorum present at a General Meeting, then such a Meeting shall stand adjourned for one week at the same place and hour. In the event of no quorum being present at the adjourned meeting, those present shall have power to proceed with the business.

ALTERATION TO CONSTITUTION

- 32 The Constitution shall not be added to or altered except by a Special General Meeting called for the purpose. Any proposed amendment or additions shall be presented in writing to the Honorary Secretary signed by two members together with the requisition for the Special General Meeting in accordance with Rule 30. Any such amendment or addition must be carried by at least a three-fourths majority of those present and entitled to vote, otherwise it shall be rejected.

RACE COMMITTEE

- 33 The Race Committee shall consist of five (5) members. It shall be the duty of the Race Committee:-
- (a) To make arrangements for, to take charge of, and appoint officials to, control all races held by or under the direction or authority of the Club.
 - (b) To decide in conformity with the Racing Rules all questions that arise respecting such races.
 - (c) To disqualify a contestant who shall have violated any of the Racing Rules.
 - (d) In their discretion to postpone any race or order it to be recontested as authorised by the Officer of the day.
 - (e) To appoint, in the absence of one or more members of their Committee, a member or members of the Club to act in his or their place.
 - (f) To appoint a Judge, his duties being:-
- 34
- (a) To see that the Racing Rules are correctly observed by all competitors during the race.
 - (b) To adjudicate on any infringement of Rules.
 - (c) To promptly give his decision on the result of such race or races.
 - (d) Generally to interpret the Racing Rules.
 - (e) To appoint a Protest Committee of three disinterested members to deal with protests which shall be made in writing and lodged with the Honorary Secretary within one hour after the finals of the event. The protest shall state the ground on which the protest is made and shall be accompanied by a deposit of fifty cents (\$0.50) in the case of a protest between competing boats, and one dollar (\$1.00) in the case of a protest against a judge's or an umpire's decision, which deposit shall be forfeited in the event of the Protest Committee declaring the protest to be frivolous. A protest may be withdrawn in which case the deposit is forfeited.

DUTIES OF HONORARY RACE SECRETARY

- 35 The duties of the Race Secretary shall be (when authorised by the Race Committee):-
- (a) To receive entries and entry fees.
 - (b) To forward copies of handicaps to competitors when applicable.
 - (c) To keep a record of all entries, entry fees, races and minutes of Committee Meetings.
 - (d) To record in a book provided for that purpose all protests filed with them, together with their decisions on the same, and to place on file with the Honorary Secretary a copy of their Annual Report.

ANNUAL SUBSCRIPTION AND ENTRANCE FEE

- 36 The entrance fee and/or annual subscription for Active, Junior and Social Members shall be fixed at each Annual General Meeting and such entrance fee and subscription shall remain in force for the twelve months commencing 1 September following the Annual General Meeting. All subscriptions shall be deemed to be due on 1 September in each year and the financial year shall end on 30 June in each year.
- 37 Any member whose subscription has not been paid by 1 October shall be un-financial.
- 38 No boat shall be entitled to race with the Club unless it has first been registered in the Club Register which is kept for that purpose and has been given a registered number.

DISSOLUTION

- 39 In the event of the Club being disbanded or failing to function at any time the remaining members may at a Special General meeting called for that purpose, decided to dispose of all property of the Club and devote the proceeds to such charity or charities as may be determined at such meeting.
- 40 If in the event of any other direction being required concerning the disposal of any property of the Club, the members shall direct the General Committee in writing as to its disposal, but if no direction or insufficient direction in writing shall have been given the General Committee within six calendar months of the date of the dissolution of the Club, then the General Committee or a majority thereof shall distribute such property as in their absolute discretion think fit and in such case they shall not be accountable to the members or any of them or to any person or persons for or with respect to such property or any part thereof or the management, administration or distribution thereof.

BY-LAWS

- 41 The General Committee shall have power to make Rules or By-Laws not inconsistent with this Constitution for the due administration of the Club's affairs and property, the carrying out of all sports and past-time promoted, controlled or carried on by the Club, the conduct of Members, and other persons using the Lake facilities, the conditions of racing, and generally for the efficiency and benefit of the Club and the convenience, comfort and well being of its Members.

All such By-Laws shall be subject to confirmation by resolution of the Temora Shire Council.

- 42 All Club races shall be raced under the regulations of the relevant association unless otherwise determined by the General Committee.
- 43 A Club Championship may be awarded annually on such terms and conditions as the General Committee may determine from time to time.

CLUB COLOURS

- 44 Club colours will be Red, White and Blue.

MEMBERSHIP APPLICATION FORMS

- 45 Applications for Membership shall be made on the form prescribed which shall be in or to the effect of the forms attached.

Temora Aquatic Club Lake Centenary - Temora

Family Membership Application

HUSBAND'S FULL NAME:

WIFE'S FULL NAME:

ADDRESS:

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BOAT OWNER:

OCCUPATION:

PROPOSER:

SECONDER:

I hereby consent to my family's nomination as members of the Club

I agree that if this nomination is approved, my family, as members of the Club will be bound by the Constitution and Rules of the Club, and I expressly absolve the Club and its members from all liability arising out of or incidental to my family's activities as members of the Club.

I submit herewith covering entrance fee and annual subscription for the forthcoming year.

CHILDREN'S NAMES:

DATE OF BIRTH:

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SIGNATURE OF HUSBAND/WIFE:

DATE:

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