

KNOX PYMBLE



KNOX PYMBLE SWIM CLUB

**CONSTITUTION OF
KNOX PYMBLE SWIM CLUB**

Adopted or Amended	By Whom	Date

CONSTITUTION OF THE KNOX PYMBLE SWIM CLUB

1 NAME

The name of the Club shall be the Knox Pymble Swim Club, hereinafter referred to as the "Club" or "KPSC".

2 OBJECTS

The Objects of the Club shall be:

To promote and encourage all levels of swimming within Knox Grammar School and Pymble Ladies' College.

3 PATRONS

The Patrons of the Club will be the Headmaster of Knox Grammar School and the Principal of Pymble Ladies' College.

4 DEFINITIONS AND INTERPRETATIONS

4.01 Definitions: In this Constitution unless the context otherwise requires:

"Committee" means the management committee of the Club elected or appointed as detailed in this Constitution.

"Constitution" means the Constitution for the time being of the Club.

"General Meeting" means the annual or any special general meeting of the Club.

"Knox" means Knox Grammar School.

"Member" means a member for the time being under Clause 5.01 of this Constitution.

"Objects" means the Objects of the Club in Clause 2 of this Constitution.

"President" means the person holding office under this Constitution as President of the Club.

"Pymble" means Pymble Ladies' College.

"Secretary" means the person holding office under this Constitution as Secretary of the Club.

"SMNE" means Swimming Metro North East Inc or its successors or assigns.

"SNSW" means Swimming NSW Ltd or its successors or assigns being the governing body for swimming in New South Wales.

4.02 Interpretations: In this Constitution unless the context otherwise requires:

Expressions referring to "writing" shall unless the contrary intention appears, be construed as including references to printing, photography and other modes of representing or reproducing words in a visible form, including messages sent by electronic mail.

Words importing the singular include the plural and vice versa and words importing any gender include the other gender.

5 **MEMBERSHIP**

5.01 An application for membership must be in writing on the form prescribed from time to time by the Committee, from the applicant or their parent/guardian and lodged with the Club, accompanied by any appropriate fee.

The Committee may accept or reject an application and shall not be required or compelled to provide any reason for such acceptance or rejection.

Where the Committee accepts an application the applicant shall become a Member. Membership of the Club shall be deemed to commence upon acceptance of the application by the Committee.

Where the Committee rejects an application, the Club shall refund any fees forwarded with the application and the application shall be deemed rejected by the Club.

5.02 Students attending Knox Grammar School and Pymble Ladies' College are automatically eligible for membership.

Unlimited additional members may be accepted, upon terms and conditions to be determined from time to time by the Committee, provided that each individual additional member shall accept the Objects and rules of the Club.

Parents of eligible members are themselves eligible for membership.

5.03 The Club shall keep and maintain a register of Members in which shall be entered such information as is required by SNSW from time to time.

5.04 Membership fees shall fall due on the date chosen for renewal of individual membership of SNSW.

5.05 The financial year of the Club shall run from 1 July to 30 June.

5.06 Membership shall cease upon resignation, expulsion or failure to pay (within three months) any moneys due to the Club.

6 **DISCIPLINING OF MEMBERS**

Any Member who acts in a manner inconsistent with the general wishes of the Club may be expelled by the vote of the Committee at a special Committee meeting which has been called for that purpose, and of which due notice has been sent to the offending Member. The procedure for disciplining members by suspension, disqualification or expulsion shall be for the Committee:

To charge the defaulting member in writing with the offence.

To cite the member to appear at a meeting of the Committee.

To give fourteen (14) days notice of the meeting.

To decide the action to be taken.

To keep proper minutes of the meeting, details of the action taken and to hold in safe custody any documents associated with the matter.

To advise the member charged as to the action decided by the Committee.

To advise the member charged and so dealt with that he or she has the right of appeal to SNSW as provided for in the Constitution of SNSW.

To advise SNSW of the action taken in disciplining a Member involving suspension, disqualification or expulsion.

7 **FEES**

7.01 The Club will determine at its Annual General Meeting, the annual subscription rates which all Club Members will pay.

7.02 Members enrolled in the Knox and Pymble swim programs will pay the appropriate training fee charged by their respective School.

8 **MANAGEMENT BY COMMITTEE**

8.01 The Club shall have its affairs controlled and managed by the Committee which shall consist of:

The prescribed Office Bearers at least the majority of whom will be parents of Knox and Pymble students;

The Club Captain (if applicable);

A Representative from Knox;

A Representative from Pymble;

The Head of Sport from Knox, or their representative, ex officio.;

The Director of Sport from Pymble, or their representative, ex officio.;

Up to two (2) Appointed Officers as selected by the Committee.

8.02 The Committee will appoint delegates to SNSW and to SMNE.

8.03 The Office Bearers shall consist of President, Senior Vice President, Secretary, Treasurer, Competition Secretary, Registrar and up to two (2) General Committee Members.

8.04 The Office Bearers shall be elected at each Annual General Meeting.

8.05 The Committee shall meet as often as necessary to conduct the business of the Club and on not less than ten (10) occasions in any twelve (12) month period.

8.06 The quorum shall be five (5) Committee members.

8.07 In the event of any casual vacancy occurring on the Committee, the continuing members of the Committee may appoint a Member of the Club to fill the vacancy until the conclusion of the Annual General Meeting next following the date of the appointment.

8.08 Club rules and policies shall not be in conflict with any Knox or Pymble rules or policies.

9 **GENERAL MEETINGS**

- 9.01** The Annual General Meeting is to be held in September or such date as the Committee may determine.
- 9.02** At the Annual General Meeting the only persons entitled to participate and vote are the financial Members of the Club aged 18 years and over, and the Life Members of the Club.
- 9.03** The order of business at the Annual General Meeting will be:
- To confirm the Minutes of the last preceding Annual General Meeting and of any Special General Meeting held since that preceding Annual General Meeting.
 - To receive annual reports from the President (on behalf of the Committee) and the Treasurer.
 - To appoint an Auditor.
 - To determine annual subscription rates.
 - To address Notices of Motion.
 - To elect Office Bearers and the Club Captain (if applicable).
- 9.04** The quorum for the Annual General Meeting is to be twelve (12) Members entitled to vote.
- 9.05** Nominations of candidates for election as Office Bearers must be submitted to the Secretary (in the required form) not less than fourteen (14) days prior to the Annual General Meeting. Where no nominations for vacant positions have been received nominations can be taken from the floor.
- 9.06** At least twenty one (21) days notice of all General Meetings shall be given to Members by such means as may be determined by the Committee.
- 9.07** A Special General Meeting shall be convened within thirty (30) days of receipt of a Special Resolution or a requisition in writing from ten (10) Members stating the business to be discussed.
- 9.08** In the case of General Meetings where a Special Resolution is to be proposed, notice of the Special Resolution shall be given to Members at least twenty one (21) days prior to the General Meeting.
- 9.09** All Notices of Motion from Members and/or the Committee for inclusion at a General Meeting must be submitted in writing (in the required form) to the Secretary not less than fourteen (14) days (excluding receiving date and meeting date) prior to the General Meeting.
- 9.10** Voting at General Meetings shall be by a show of hands unless a secret ballot is demanded. Decisions shall be made by a simple majority vote except for those matters which must be decided by a Special Resolution where a three quarters majority of the Members present and eligible to vote is required.

- 9.11** All votes shall be given personally and there shall be no voting by proxy.
- 9.12** In the case of an equality of votes the person appointed to preside over or act as Chairman of the General Meeting shall have a second or casting vote.
- 9.13** If within half an hour of the appointed time for the commencement of a General Meeting a quorum is not present the meeting, if convened upon the requisition of Members, shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and, unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to Members given before the day to which the meeting is adjourned, at the same place.
- 9.14** If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

10 DUTIES OF OFFICERS

- 10.01** The President, or in the President's absence the Senior Vice President, shall preside over all meetings of the Club. If the President and Senior Vice President are absent from a meeting or unwilling to act, the Members present at the meeting will elect one of their members to act as Chairman.
- 10.02** The Secretary shall maintain Minutes of Meetings and shall conduct correspondence.
- 10.03** The Treasurer shall have control of the monies and account for such; and shall arrange for the Accounts to be audited annually.
- 10.04** The duties of all other Office Bearers and Appointed Officers shall be as determined by the Committee from time to time.

11 CLUB COLOURS

The Colours of the Club shall be Royal Blue, Black and Red.

12 SPECIAL RESOLUTIONS

- 12.01** A Special Resolution may be passed by a General Meeting of the Club to effect the following:
- To change the name of the Club.
 - To change the Constitution of the Club.
 - To change the Objects of the Club.
 - To make or amend By-Laws of the Club.
 - To amalgamate with another swimming club.
 - To voluntarily wind up the Club and distribute the property of the Club.

12.02 A Special Resolution shall be passed in the following manner:

A notice must be sent to all Members advising that a General Meeting is to be held to consider a Special Resolution.

The notice must give details of the proposed Special Resolution and give at least twenty one (21) days notice of a General Meeting.

A quorum must be present at the General Meeting.

At least three quarters majority of those present and eligible to vote must vote in favour of the Special Resolution.

13 **MISCELLANEOUS**

13.01 The Club shall effect and maintain insurance as may be required by Law or SNSW.

13.02 The funds of the Club shall be derived from the fees of Members, donations, grants and such other sources approved by the Club.

13.03 The Club shall affiliate with and remain affiliated with SNSW.

13.04 In the event that the Club should be wound up any non-monetary assets will remain the property of Knox Grammar School. Monetary assets will be split between Knox and Pymble on a basis proportional to the number of Club Members belonging to each school respectively.

13.05 In the event of any dispute as to coaching matters that cannot be resolved by the head coaches of Knox and Pymble the matter will be determined by the Head of Sport of Knox and the Director of Sport of Pymble. If the matter cannot be resolved by the Head of Sport of Knox and the Director of Sport of Pymble the matter will be determined by the Headmaster of Knox and the Principal of Pymble.

13.06 In the event of any dispute as to the control and management of the Club's affairs the matter will be determined by the Headmaster of Knox and the Principal of Pymble.

14 **LIFE MEMBERS**

14.01 At any Annual General Meeting of the Club any person or persons may be elected a Life Member of the Club in recognition of special services rendered over a period of not less than ten (10) years to the sport of swimming.

14.02 Each nominee shall be recommended to the Committee for consideration and if approved by the Committee, be submitted for election at the Annual General Meeting of the Club and carried by a three quarters majority of those present and eligible to vote.

14.03 A Life Member shall be entitled to attend and speak to any motion at all meetings of the Club and shall have such other privileges as may be decided upon from time to time by the Club. A Life Member is entitled to selection to office or the Committee with full voting power.

15 **BY-LAWS**

- 15.01** A General Meeting may from time to time make such By-Laws as may be necessary for the purpose of attaining the Objects of the Club.
- 15.02** A General Meeting may from time to time make, amend or repeal any By-Laws made pursuant to this Clause and such action shall take effect immediately or at such later time as the General Meeting shall determine.
- 15.03** A By-Law made pursuant to this Clause shall not be inconsistent with this Constitution nor inconsistent with any rules adopted or recognised by SNSW unless SNSW has given its prior written approval to the By-Law.

16 **CLUB RULES**

- 16.01** The Committee may from time to time make such Club Rules as may be necessary and convenient for purposes of attaining the Objects of the Club.
- 16.02** The Committee may adopt wholly or in part by reference any rules relating to the conduct of swimming or swimming competitions.
- 16.03** The Committee may from time to time vary, amend or repeal any Club Rules made pursuant to this Clause.
- 16.04** A Club Rule made pursuant to this Clause shall take effect from the date that it is made or such later date as the Committee shall decide and shall be laid before the next Annual General Meeting of the Club and that General Meeting may disallow the Club Rule whereupon it shall cease to have effect from the date of that General Meeting.
- 16.05** A Club Rule made pursuant to this Clause shall not be inconsistent with this Constitution nor inconsistent with any rules adopted or recognised by SNSW unless SNSW has given its prior written approval to the Club Rule.