

NEPEAN

Swimming Club Inc



CONSTITUTION

Part 1. NAME

The name of the Club shall be the **NEPEAN SWIMMING CLUB INCORPORATED**, hereafter referred to as the "Club"

Part 2. OBJECTS

The objects of the club shall be:

- 2.01 To promote, teach and encourage the arts of swimming, life saving, diving, synchronised swimming and water polo.
- 2.02 To stimulate public opinion in favour of providing proper accommodation and facilities for swimming, life saving, diving, synchronised swimming and water polo.
- 2.03 To do such things as are necessary and incidental to attain the objects of the Club.
- 2.04 To affiliate to the Swimming NSW Limited and the Swimming Cumberland Association Inc. Affiliation to other kindred bodies may be effected from time to time by the committee.

Part 3. MEMBERSHIP.

- 3.01 Subject to this Constitution the membership of the Club shall comprise the members of the Club together with such other people as the General Committee admits to membership and any life members pursuant to Part 10 and any life members appointed prior to Incorporation.
- 3.02 Membership is open to all individuals who accept the objectives and rules of the club provide that any member who has not attained the age of fourteen (14) years shall not be entitled to vote at any general meeting of the Club.
- 3.03 Individuals wishing to become members of the Club shall apply to the Committee for membership.
- 3.04 The General committee shall determine whether or not to accept an application for membership. The General committee is not required to supply reasons for accepting or rejecting an application for membership.
- 3.05 Where a member is a competitor, then that member shall comply with any provisions relating to eligibility to compete, as adopted by Swimming NSW Limited from time to time.
- 3.06 Members who are not "eligible to compete", as provided by the Swimming NSW Limited, shall be eligible to participate in the activities of the club other than that of competitors, but not in the affairs of Swimming NSW Limited.

PROVIDED THAT all members as defined in Clauses 3.05 and 3.06 other than Vice Patrons and Life Members shall be liable for the annual subscription provided herein.
- 3.07 Membership fee for the ensuing year shall be determined by the club at the August General Meeting of each year.
- 3.08 A register of members shall be kept by the Club showing the name, address and date of commencement of membership for each member. Provision for noting the date of cessation of membership shall also be contained in the register.

- 10.07 The club will assist qualified swimmers with their transport costs (Car or Bus Hire) if the National Championships are held in a capital city other than Sydney.
Subject to the club having the funds available.
The decision will be made by the General Committee at the February monthly meeting each year.
- 10.08 In accepting the clubs assistance, the swimmers agree to wear the supplied club apparel as directed by the General Committee.



10.00 **NATIONAL AGE & AUSTRALIAN OPEN CHAMPIONSHIPS.**

10.01 The club shall pay all entry fees for club swimmers who qualify for National Age and Australian Open Championships.

10.02 Entries must be submitted on the appropriate entry cards to the Race Secretary by the club advertised closing date.

10.03 All qualifying times for National Age and Australian Open Championships must be verifiable by the Race Secretary otherwise entries will not be accepted.

10.04 Swimmers qualifying for National Age & Australian Open Championships will be provided with one each the following club apparel. Subject to the club having the funds available.

The decision will be made by the General Committee at the February monthly meeting each year.

- (a) Club swim cap.
- (b) Club swim costumes.
- (c) Club Shirt
- (d) Club Shorts
- (e) Club bag.
- (f) Club Track suit.

10.05 The club will assist the qualified club swimmers with their return airfare if the National Championships are held in a Capital City other than Sydney.

Subject to the club having the funds available.

The decision will be made by the General Committee at the February monthly meeting each year.

10.06 The club will assist qualified swimmers with their accommodation expenses if the National Championships are held in a capital city other than Sydney.

Subject to the club having the funds available.

The decision will be made by the General Committee at the February monthly meeting each year.

3.09 Membership Fees shall fall due on the first day of October of each year. The club year and the Financial year of the club shall run from 1st April to 31st March next following.

3.10 Membership shall cease upon resignation, expulsion, or failure to pay outstanding fees by the 15th day of November each year.

Part 4. DISCIPLINING OF MEMBERS

The procedure for disciplining members by suspension, disqualification or expulsion shall be for the General Committee.

4.01 To charge the defaulting member in writing with the offence.

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

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

4.04 To decide the action to be taken.

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

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

4.07 To advise the New South Wales Swimming Association Inc. of the action taken in disciplining a member involving suspension, disqualification or expulsion.

4.08 To advise the member charged and so dealt with that he has the right of appeal to the New South Wales Swimming Association Inc. as provided in the Constitution of that Body.

Part 5. MANAGEMENT -BY GENERAL COMMITTEE

- 5.01** The Club shall have its affairs controlled and managed by the General Committee comprising the Executive and those members in attendance and eligible to vote at General Meetings.
- 5.02** The Executive shall consist of a President, two (2) Vice Presidents, Secretary, Treasurer, Race Secretary, Publicity Officer and Elected Club Coaches Representative.
The Executive, generally, is to act for the club during periods between meetings and is to report to the next General Meeting. At a meeting of the Executive four (4) is to form a quorum.
- 5.03** The Executive and the Office Bearers shall be elected at each Annual General Meeting. Any casual vacancy occurring, maybe filled by a member appointed by the General Committee. Where insufficient nominations are received any vacant positions remaining shall be deemed to be casual vacancies.

The elected Office Bearers shall be:

- (a) President
- (b) Vice Presidents (2)
- (c) Honorary Secretary
- (d) Assistant Secretary
- (e) Treasurer
- (f) Assistant Treasurer
- (g) Race Secretary
- (h) Club Captains
- (i) Four (4) Delegates to Swimming Cumberland Association Inc.
- (j) One (1) Delegate to the Swimming NSW Limited.
- (k) Point Score Recorder
- (l) Publicity Officer
- (m) Social Secretary
- (n) Coaches Representative & Club Coaches as required
- (o) Club Night Co-ordinator
- (p) Property Officer
- (q) Registrar
- (r) Trophy Officer

8.00 CUMBERLAND DISTRICT ENTRIES

- 8.01** The club shall pay the entry fee's for club swimmers who have qualified for Cumberland District Championships, including 5-8 years meet.(Summer Season Only).
The district Shell and Sprint meets are not championship meets.
- 8.02** Entries must be submitted on the appropriate entry cards to the Race Secretary by the club advertised closing dates.
- 8.03** All qualifying times for District Championships must be verifiable by the Race Secretary otherwise entries will not be accepted.

9.00 METROPOLITAN & N.S.W STATE AGE & N.S.W. OPEN CHAMPIONSHIPS

- 9.01** The club shall pay the entry fees for club swimmers who have qualified for Metropolitan & N.S.W. State Age & N.S.W. Open Championships in both Summer and Winter seasons.
- 9.02** Entries must be submitted on the appropriate entry cards to the Race Secretary by the club advertised closing dates.
- 9.03** All qualifying times for Metropolitan & N.S.W. State Age & N.S.W. Open Championships must be verifiable by the Race Secretary otherwise entries will not be accepted.
- 9.06** Swimmers representing the club at the Metropolitan, N.S.W. State Age & N.S.W Open Championships will be provided with a representative shirt (One per season) and club swim cap provided the club has the funds available. This decision will be at the discretion of the General Committee.

7.00 **CARNIVAL ENTRIES**

- 7.01** The Race Secretary will accept all entries for invitation and open carnivals as determined by the General Committee and the program details posted on the club notice board.
- 7.02** Club swimmers must lodge NSWSA entry cards with details of qualifying times if appropriate, with the Carnival Convener by the club advertised closing dates.
- 7.03** No carnival entries will be accepted by the Race Secretary unless accompanied by the posted entry fees for all events.
- 7.04** Team managers will be appointed when necessary and will be assisted by the club captains.
- 7.05** The club shall pay all entry fees for club relay teams at all carnivals.
- 7.06** Where the club has paid the entry fees for Club sponsored carnivals, District, Metropolitan, State & National (Age & Open) Championships for any club swimmer. If for any reason the swimmer does not swim in an event, the swimmer will reimburse the club the entry fees for the event or events not swum.
- 7.07** Club Relay teams will be four club swimmers selected from the eligible swimmers for each event.
- 7.08** Where there is more than one team entered for a relay event the next four swimmers will be selected from the club swimmers eligible for the event and so on.

- 5.04** Each Office Bearer shall hold office from the beginning of the new season (ie. 1st April) or from the date of their election or appointment if after the commencement of the new season. Office will be held until the conclusion of that season or within the conditions outlined in 5.09.
- 5.05** Retiring Officer Bearers are eligible for re-election.
- 5.06** The General Committee shall meet as often as necessary to conduct the business of the Club and on not less than ten (10) occasions in the twelve (12) months period following any Annual General Meeting
- 5.07** At all meetings of the General Committee, the following shall be entitled to vote:
- (a) All financial members 14 years and over.
 - (b) Life Members
- 5.08** Notice of a General Meeting shall be given at the previous General Meeting or by such other means as the General Committee may decide
- 5.09** An Office Bearer shall cease to hold office upon resignation in writing, removal as a member of the Club or absence from three successive General Meetings provided the member is:
- (a) notified in writing by the Secretary, prior to that fourth meeting, of the intentions of the General Committee; and
 - (b) permitted to submit , in writing to or personally at, that fourth meeting his reasons for non-attendance at the three previous satisfaction of the General Committee.
- 5.10** The General Committee may function validly provided its number is not reduced below the quorum refer to 6.05. No business shall be transacted unless that quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present then the conditions outlined in 6.10 shall apply.
- 5.10** Questions arising at any meeting of the General Committee shall be decided by the majority of votes of those present, eligible and voting. The person appointed to chair the meeting shall not have a deliberate vote. In case of an equality of votes the person appointed to chair the meeting shall have a casting vote.

Part 6. GENERAL MEETINGS

6.01 The Club shall convene the Annual General Meeting of the members of the club in March each year or such date as the March General Meeting shall determine and of which at least fourteen (14) days notice is to be given in the local press by the Secretary.

A Special General Meeting shall be convened within thirty (30) days of receipt of a Special Resolution or a requisition in writing from twenty (20) members stating the business to be discussed.

At least seven (7) days notice of the date fixed for any Special General Meeting is to be given by notice in the local press. Such notice is to state the nature of the business to be brought before the meeting.

6.02 The Annual General Meeting shall receive for adoption from the General Committee a recommendation indicating the names of the persons who will be invited to grant their patronage to the Club for the ensuing Club year for the position of a Patron or Patrons.

6.03 At least fourteen (14) days notice of all General Meetings shall be given to members by such means as may be determined by the General Committee. In the case of General Meetings where a special resolution is to be proposed, notice of the resolution shall be given to members at least twenty-one (21) days before the meeting.

6.04 At the Annual General Meeting the following business shall be transacted whether specified or not:

6.04.1 Confirmation of the minutes of the last Annual General Meeting and any recent Special General Meeting/s.

6.04.2 Receipt of the reports upon the activities of the Club in the last Club and Financial year.

6.04.3 Election of Office Bearers

6.04.4 Appointment of an Auditor to audit the books of the Club and to certify the Statement of Revenue and Expenditure and the Balance Sheet of the Club.

- (b) Any district approved meet held in an appropriate fifty (50) metre pool for long course records or twenty five (25) metre pool for short course or twenty five metre records.
- (c) Metropolitan Championships.
- (d) NSW State Championships.
- (e) Australian Age Championships. (Nationals).
- (f) Australian Championships.

6.06 A list of current club records shall be made available prior to the start of each summer season.

6.07 To claim a record after having swum on club night or at another approved meet an "Application for Ratification of a Club Record" form must be completed and handed to the Race Secretary within fourteen (14) days of such a record having been swum.

6.08 The general committee at the next monthly meeting will ratify the club records and be included in the minutes of the General Meeting and the Club Records Book will be updated by the Race Secretary.

6.09 If a swimmer is to attempt a club record during a normal point score event the swimmer must advise the Race Secretary at the start of club night.

6.10 The Race Secretary will advise the Referee and arrange for three (3) timekeepers to be on the lane where the record attempt is being swum.

6.11 Club record attempts for strokes or distances not programmed for the normal club night should be requested in writing to the Race Secretary at least seven (7) days prior to such an attempt being made and must contain the following:

- (a) Full name and date of birth.
- (b) Capitation number.
- (c) Record holder, time & date of record.
- (d) Date record attempt is to be swum on.
- (e) Reason for attempt. (i.e. approaching birthday)

6.12 Club records will not be recognised where there is less than two (2) timekeepers on the lane where a club record is swum.

PART 7. OFFICE BEARERS

- 7.01** The president or, in the absence of the President, the Senior Vice - President shall act as chairman at each General Meeting and Committee meeting of the Club
- 7.01** If the President and/or a Vice-President are absent from a meeting or unwilling to act, the members present at the meeting shall elect one of their number to act as Chairman.
- 7.02** The Secretary shall keep, or cause to be kept, the records of the business of the Club including the rules, register of members, minutes of all General and Committee Meetings and a file of correspondence. These records shall be available for inspection by any member and shall be held in the custody of the secretary.
- 7.03** The Treasurer shall ensure that all monies received by the Club are paid into an account in the name of the Club. Payments shall be made through a petty cash system or by cheque signed by two (2) signatories authorised by the Committee. Major or unusual expenditures shall be authorised in advance by the committee or a General Meeting.
- 7.05** The Treasurer shall ensure that correct books and accounts are kept showing the audited financial affairs of the Club. These records shall be available for inspection by any member and shall be held in the custody of the Treasurer.

PART 8. SPECIAL RESOLUTIONS

- 8.01** A special resolution may be passed by a General Meeting of the Club to effect the following;
- 8.01.1** To change the name of the Club
- 8.01.2** To change the Constitution of the Club
- 8.01.3** To change the objects of the Club
- 8.01.4** To make or amend By-Laws of the Club

- 4.11** Awards will be awarded to First (1st), Second (2nd), Third (3rd) place getters in both male and female.
- 4.12** The awards will be based on the total number of points accumulated in the Open Championship events.
- 4.13** Shields will be awarded to swimmers placed First (1st) Second (2nd) or Third (3rd) in an Open Championship event, but do not receive an award as in 4.11.

5.0 AGE CHAMPIONSHIPS (Summer Season).

- 5.01** The Program Committee shall decide annually the program for Age Championships Male & Female including events and distances, order of events & dates.
- The program is to be ratified by the General Committee.
- 5.02** Only first claim members are eligible to compete in the Age Championships.
- 5.03** The age of the competitor for club Age Championships shall be their age as at the first day of Age Championship events being swum.
- 5.04** All swimmers are restricted to their own age group. However age groups may be swum together.
- 5.05** Entries for all Age Championship events will close with the Race Secretary one (1) week prior to the event being swum.
- 5.06** NSWSA cards franked "AGE CHAMPIONSHIPS" are to be used for Age Championship events and may only be purchased from the Race Secretary.
- 5.07** The entry fee is \$1.00 per event.
- 5.08** Late entries may be accepted subject to a vacant lane being available and will attract an additional fee of \$1.00 plus the entry fee in 5.07.

4.00 **OPEN CHAMPIONSHIPS** (Summer Season)

4.01 The Program Committee shall decide annually the program for Open Championships male and female including events and distances, order of events & dates. The program to be ratified by the General Committee.

4.02 Only first claim members will be permitted to compete in the Open Championships

4.03 All club swimmers are eligible to compete in the Open Championships.

4.04 Entries for the Open Championships events will close one (1) week prior to the event being swum.

4.05 NSWSA single entry cards franked "**OPEN CHAMPIONSHIPS**" are to be used for Open Championship events and may only be purchased from the Race Secretary.(except 50m & 100m)

4.06 The entry fee for each Open Championship event is \$1-50.

4.07 Late entries may be accepted subject to a vacant lane being available and will attract an additional fee of \$1-50 per event plus the entry fee in 4.06.

4.08 No additional heats will be swum to accommodate late entries.

4.09 Swimmers will be seeded in accordance with NSWSA rules.

4.10 In the Open Championship the following points will be awarded.

1st	50 points	9th	10 points
2nd	30 points	10th	09 points
3rd	20 points	11th	08 points
4th	15 points	12th	07 points
5th	14 points	13th	06 points
6th	13 points	14th	05 points
7th	12 points	15th	04 points
8th	11 points	16th	03 points

8.01.5 To amalgamate with another swimming club

8.01.6 To voluntarily wind up the Club and distribute the property of the Club, subject to Part 15

8.02 A special resolution shall be passed in the following manner;

8.02.1 A notice must be sent to all members advising that a General Meeting is to be held to consider a special resolution

8.02.2 The notice must give details of the proposed special resolution and give at least twenty-one(21) days notice of a meeting.

8.02.3 A quorum, refer to 6.05, must be present at the meeting

8.02.4 At least three quarter majority of those present, eligible and voting must vote in favour of the resolution.

PART 9. **MISCELLANEOUS**

9.01 The Club shall effect and maintain insurance as required by law together with any other insurance regarded as necessary by the Club

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

9.03 The Common Seal of the Club shall be kept in the custody of the Public Officer and shall only be affixed to a document with the approval of the General Committee. The stamping of the Common Seal shall be witnessed by the signatures of two (2) members of the Executive.

9.04 The Club shall affiliate with and remain affiliated with the Swimming NSW Limited or such other body or corporation as may succeed that organisation, and shall to the extent permissible by this Constitution comply with any lawful and reasonable direction of that Association.

9.05 The Colours of the Club shall be Maroon, White and Black provided that the badge of the Club shall be any combination of those colours.

PART 10. LIFE MEMBERS

- 10.1** 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 five (5) years to the Club.
- 10.2** Each nominee shall be recommended to the General Committee for consideration and if approved by the General Committee, be submitted for election at the Annual General Meeting of the Club and carried by a three quarter majority of those present, eligible and voting.
- 10.3** A Life Member shall be entitled to attend and speak on 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 shall be eligible for election to office or the Executive with all voting power.

PART 11. BY-LAWS

- 11.01** A General Meeting may from time to time make such By-Laws as may be necessary for the purposes of attaining the objects of the Club.
- 11.02** 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 date as the General Meeting shall determine.
- 11.03** A By-Law made pursuant to this Clause shall not be inconsistent with this Constitution nor inconsistent with any rules adopted or recognised by the New South Wales Swimming Association Inc. or such body or corporation as may succeed that organisation, unless the Association has given its prior written approval to the By-Law

- 2.03** When instructed the swimmers will take their position behind their allocated starting lane and hand their swim card to the timekeeper for their lane or to the runner who will take the swim cards to the respective timekeepers.

3.00 STARTING INSTRUCTIONS

- 3.01** Move to a position behind your nominated lane when instructed by the club marshal.
- 3.02** When the swimmers have moved behind their starting blocks the Starter will announce the event, stroke and distance.
- 3.03** The Referee will then give a long single whistle to signal swimmers to take their positions on their lane starting block. For backstroke events the swimmers are to enter the water immediately and come to their starting position.
- 3.04** The starter will give the precautionary command "**Take Your Marks**" and swimmers will immediately take up their starting positions at the front of the starting block, or in the case of backstroke their starting position in the water and **REMAIN STATIONARY.**
- 3.05** When all swimmers are stationary the Starter will give the starting signal by pistol shot, hooter, whistle or command.
- 3.06** Any swimmer starting before the starting signal shall be disqualified.
- 3.07** If the starting signal sounds before the disqualification is declared, the race shall continue and the swimmer disqualified at the completion of the event.
- 3.08** Swimmers must finish in the lane in which they started and will remain in the water at the finish of the event. On the signal from the Referee (two short whistle blasts or command) the swimmers are to leave the water.
- 3.10** In an Individual Medley the sequence of strokes is Butterfly, Backstroke, Breaststroke, Freestyle

- 6 Points** For breaking the swimmers best recorded time by more than one (1) second.
- 4 Points** For equaling the swimmers best recorded point score time or within one (1) second of their best recorded point score time.
- 2 Points** For a time more than one (1) second slower than their best recorded point score time
- 1.05** Swimmers who have previously competed in the club point score competition will only be awarded two (2) points should they swim five (5) seconds or more slower than their previous best recorded point score time.
- 1.06** Point score events will commence:
- | | | |
|---------------|-----------------------------|----------------|
| Winter Season | (1st April to 30th Sept) | 7-00pm. |
| Summer Season | (1st October to 31st March) | 6-30pm. |
- 1.07** Swimmer must purchase their swim cards before swimming point score events the cost is \$1-50 per card to a maximum of \$4-50 per family.
- 1.08** Representative swimmers who miss club night because they are representing the Club over the following weekend at Metropolitan, State or National competition will be awarded points for that missed club night calculated on an average of points earned during the current season.

2.00 **MARSHALLING**

- 2.01** An appointed club official will marshal the swimmers in a designated area.
- 2.02** The swimmers will be seeded into heats for each event according to their best recorded point score times for each particular stroke and distance

PART 12 CLUB RULES

- 12.01** The General Committee may from time to time make such Club Rules as may be necessary and convenient for the purposes of attaining the objects of the Club.
- 12.02** The General Committee may adopt wholly or in part any rules relating to the conduct of swimming or swimming competitions as prescribed by the New South Wales Swimming Association Inc.
- 12.03** The General Committee may from time to time vary, amend or repeal any Club Rules made pursuant to this Clause
- 12.04** A Club Rule made pursuant to this Clause shall effect from the date that it is made or such later date as the General Committee shall decide and shall be laid before that next Annual General Meeting of the Club and that General Meeting may disallow the Club Rule where-upon it shall cease to have effect from the date of that meeting.
- 12.05** A Club Rule made pursuant to this Clause shall not be inconsistent with this Constitution, nor inconsistent with any rules adopted or recognised by Swimming NSW Limited or such other body or corporation as may succeed that organisation, unless that Association has given its prior written approval to the Club Rule.

PART 13. PUBLIC OFFICER

- 13.01** The General Committee shall ensure that a person is appointed as Public Officer.
- 13.02** The General Committee may at any time remove the Public Officer and appoint a new Public Officer provided the person appointed is eighteen (18) years of age or older and a resident of New South Wales.
- 13.03** The Public Officer shall be deemed to have vacated this position in the following circumstance:

- death
- resignation
- removal by the committee or at a General Meeting;
- bankruptcy or financial insolvency;
- mental illness;
- residency outside New South Wales.

13.04 When the vacancy occurs in the position of Public Officer the Committee shall within fourteen (14) days notify Business and Consumer Affairs on the prescribed form and appoint a new Public Officer.

13.05 The Public Officer may be and office bearer, committee member or any other persons regarded as suitable for the position by the General Committee.

PART 14. LIABILITY OF MEMBERS

The Members of the Club shall have no liability to contribute towards the payment of debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club except to the amount of any unpaid membership fees.

PART 15. WINDING UP OF THE CLUB

In the event of the winding up or the cancellation of the incorporation of the Club and there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members of the Club, such property shall be given or transferred to some other institution or institutions having objects similar or in a part similar to the objects of the Club and which shall also prohibit the distribution of its or their property amongst or their members such institutions to be determined by the members of the Club at or before the time of dissolution or in default thereby legislation under which the Club is incorporated.

NEPEAN

Swimming Club Inc



Club Competition Rules

1.00 POINTSCORE COMPETITION

- 1.01** A swimmer must be a financial member of the club before participating in the Club Point score, or entries will not be accepted.
- 1.02** Age for Point score Competition is as at the 1st April for the winter season and the 1st October for the summer season.
- 1.03** Swimmers will be permitted one (1) freestyle event and two (2) form stroke events each club night. (3 swims per night).
- Optional 200m/400m distance events will be held if time permits. The distance events will not attract points in the point score competition.
- 1.04** The following points will be awarded to competitors for each event they compete in on club night each week.
- The definition of “best recorded point score time” includes point score times from the preceding season for the same distance.
- 2 Points** Awarded for the first swim in each stroke and distance in the current season regardless of previous swims.