



Surf Life Saving Australia Regulations

May 2018

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SURF LIFE SAVING AUSTRALIA LIMITED

REGULATIONS

Regulation updated	May 2018
Regulation adopted	26 May 2018 – SLSA Board Meeting

These Regulations are made under clause 39 of the Constitution of SLSA. They contain various directions and requirements of SLSA which are binding on SLSA and Members of SLSA, but are not of a nature, which justifies inclusion in the Constitution. These Regulations are to be interpreted in accordance with and are subject to the Constitution of SLSA.

These Regulations are made for the dominant purpose of ensuring a safe and fair system or framework within which surf lifesaving may be regulated and conducted. These Regulations are not made for any anti-competitive purpose and in particular not for the purpose of deterring or preventing a person from participating or competing in any competition or activity conducted or organised by SLSA including membership of SLSA.

It should be recognised that SLSA believes in/and operates under strict equity guidelines. Any reference to a person as he in this document should be read as unisex.

1 SECTION 1 - LIFE GOVERNOR

1.1 Life Governor

An Individual Member or Members of SLSA may be appointed or removed by the Board to/from the position of Life Governor of SLSA. More than one Life Governor may be appointed.

A Life Governor shall:

- a. At all times maintain membership of SLSA, and be subject to the Rules and Regulations of SLSA, as amended from time to time.
- b. If requested by the President or Board, attend and participate in meetings of SLSA or the Board, however, shall have no voting rights at such meetings.
- c. Undertake tasks or represent SLSA assigned by the President or Board.
- d. Receive reimbursements and/or expenses as agreed to by the President for any of the above tasks.

2 SECTION 2 - MEETINGS AND MANAGEMENT

2.1 General Meetings

General Meetings of SLSA are authorised under clauses 30-37 of the SLSA Constitution and are conducted as an Annual General or a Special General Meeting at which all SLSA members may attend with each State Centre being entitled to one (1) vote.

2.2 Board Meetings

Board meetings are authorised and conducted under clause 26 of the SLSA Constitution.

2.3 Executive Management Group (EMG)

The Executive Management Group (EMG) is established under clause 25(d) of the SLSA Constitution and will be constituted by such persons, as the Board deems fit from time to time. The EMG will operate at all times in accordance with these Regulations and any terms of reference set by the Board from time to time.

2.3.1 Terms of Reference

- a. The EMG shall assist with the efficient and quality management and communication of the business of SLSA through monitoring, evaluating, and determining (within limits of delegated authority) all activities and programs designed to meet SLSA objectives.
- b. The EMG reports via the Chief Executive Officer (CEO).

2.3.2 Responsibilities

The EMG shall advise with and assist the CEO, as required, with the following:

- a. Develop and manage the overall activities and growth of SLSA.
- b. Progress and monitor overall strategic planning, quality management systems and organisation performance reporting for SLSA including forecasting, operational planning and resource needs.
- c. Develop and implement, in conjunction with the appropriate staff, advisor/s and committees, plans and proposals for the continued progress of surf lifesaving including approaches to Government and the public and private sectors.
- d. Be responsible to the Board on implementing matters of policy and the CEO to report to the Board on the activities of EMG subsequent to the previous Board meeting.
- e. Develop and implement, in conjunction with appropriate advisors, committees and staff, quality administration systems and functions to maximise efficiencies and effectiveness.
- f. Encourage, co-ordinate and facilitate activities amongst advisors, members and staff including the establishment of study groups and work committees, seminars, etc, to progress SLSA objectives.
- g. Refer to committees, advisors, staff or other groups, appropriate matters requiring consideration in keeping with approved programs and SLSA policies.

- h. Co-ordinate and monitor the activities of appointed committees and advisors.
- i. Prepare, monitor and control approved budgets and expenditures.
- j. Make recommendations or refer to Board any policy matters outside the delegated authority of the EMG.
- k. Attend to matters referred by the Board or other committees.

2.3.3 Composition

- a. Subject always to the SLSA Constitution the EMG shall comprise:
 - i. CEO (who shall act as EMG chairperson); and
 - ii. Principal Manager/Officer of each State Centre.
- b. State Centres may appoint alternate representatives.
- c. The EMG shall have the authority to co-opt the services of other persons to provide advice and/or assistance on specific matters from time to time.
- d. Visitors and/or observers may attend meetings by prior agreement of the meeting.
- e. In the event of the absence of the EMG chairperson, the EMG shall appoint one of its members to act during such absence.

2.3.4 Meetings

EMG meetings shall be held:

- a. as directed by the Board, or
- b. as required by the CEO, or
- c. as decided by the EMG.

2.3.5 Quorum

The quorum for any EMG meeting shall be at least six (6) members entitled to vote, consisting of representatives from at least four (4) different State Centres.

2.3.6 Voting

The CEO (EMG chairperson) and Principal Manager/Officer of each State Centre shall each be entitled to one (1) vote only on any resolution at all meetings of the EMG at which they are present in person or by alternate.

2.3.7 Minutes

- a. The CEO shall cause full and accurate minutes of EMG meetings to be recorded.

- b. The minutes shall be promptly distributed to members of the EMG, the Board, other relevant committees, advisors and members as determined by the CEO.

2.4 Lifesaving Advisory Committee (LAC)

The Lifesaving Advisory Committee (LAC) is authorised under clause 38 of the SLSA Constitution. The purpose of the LAC is to represent the views of surf lifesaving members and provide advice on nationally significant matters relating to Lifesaving. Its composition shall be endorsed annually by the Board. Terms of Reference, responsibilities and composition are as follows:

2.4.1 Terms of Reference

The LAC is to:

- a. Contribute to the development, review of, and reporting against SLS 2020 Vision, and SLSA Business Plan, particularly in those matters pertaining to volunteer lifesaving operations.
- b. Contribute to the review, development and maintenance of SLSA lifesaving rules, policies, standards and education materials.
- c. Provide insights and recommendations to the Chair of Lifesaving relating to any current or future strategic interventions that may impact on volunteer lifesaving operations.
- d. Identify, discuss, and develop solutions to any challenges or concerns arising from the volunteer lifesaving membership related to volunteer lifesaving operations.
- e. Attend to matters referred by the CEO, General Manager Capacity & Capability (GMCC) or other committees.

Independent members shall be appointed for a period of 2 years.

The SLSA Lifesaver of the Year shall be appointed by the Chair of Lifesaving for a period of 12 months from their award.

In the event of a resignation or change of directorship in a state, the Chair of Lifesaving may appoint a replacement in consultation with:

- i. The CEO and President of the relevant State for state representatives; or
- ii. The SLSA CEO and President following a nomination process for independent members.

2.4.2 Responsibilities

The LAC shall advise the CEO (or nominee) to:

- a. Accurately represent the prevailing views of their members fully and accurately to the best of their ability.
- b. Maintain commitment to the values of the Surf Life Saving movement through all deliberations.
- c. Judge each issue on its merit with particular reference of benefits to the movement and the public.

- d. Address matters only related to the Committee's purpose and roles.

2.4.3 Composition

The LAC shall comprise:

- a. The Chair of the LAC (known as Chair Lifesaving); and
- b. The 7 State / Territory Directors of Lifesaving or equivalent; and
- c. The current SLSA Lifesaver of the Year; and
- d. 2 independent members appointed by the Chair of Lifesaving; and
- e. The SLSA Coastal Safety Manager or his/her nominee (who shall act as secretariat).

Note 1: The composition of the Committee should reflect where possible the diversity of SLSA membership.

Note 2: State Centres may appoint alternate representatives other than their Director of Lifesaving.

Note 3: Visitors and/or observers may attend meetings by prior consent of the Chair.

Note 4: In the absence of the Chair of Lifesaving, he/she shall appoint one of the members to act as Chair.

Members appointed to the LAC will be appropriately qualified and/or have experience in one or a number of the following:

- a. Lifesaving Operations
- b. Emergency Management
- c. Injury Prevention
- d. Community Development
- e. Education
- f. Public Policy
- g. Risk Management.

2.4.4 Meetings

LAC meetings shall be held:

- a. at least two times per year; or
- b. as directed by the SLSA CEO or President.

2.4.5 Quorum

The quorum for any LAC meeting shall be at least five (5) members entitled to vote, consisting of representatives from at least four (4) different States.

2.4.6 Provision of Recommendations

All listed members excluding the chairperson and SLSA staff, shall be entitled to contribute to any recommendation at all meetings of the LAC at which they are present in person, or by proxy. The chairperson shall have the right to determine the final recommendation where a consensus cannot be reached.

2.4.7 Authorities and Limitations

- a. The LAC can make recommendations to the SLSA President and SLSA CEO on matters related to volunteer lifesaving operations.
- b. The LAC has no authority to directly expend or authorise the expenditure of SLSA funds unless authorised to do so by SLSA CEO.
- c. The LAC's deliberations and recommendations are confidential.

2.4.8 Minutes

The SLSA Coastal Safety Senior Manager will ensure that full and accurate minutes of all meetings are recorded and distributed.

2.5 Sport Advisory Committee (SAC)

The Sport Advisory Committee (SAC) is authorised under clause 38 of the SLSA Constitution. The purpose of the SAC is to represent the views of surf lifesaving members nationally on matters relating to Lifesaving Sport. Its composition shall be endorsed annually by the Board. The SAC's Terms of Reference, Responsibilities and Composition shall be as follows:

2.5.1 Terms of Reference

The SAC is to:

- a. Contribute to the development, review of, and reporting against the SLS 2020 Visions and the SLSA Business Plan, particularly in those matters pertaining to lifesaving sport.
- b. Contribute to the review, development and maintenance of SLSA technical sport rules, sport programs, national events, policies which fall under the remit of sport.
- c. Provide insights and recommendations to the Chair, Sport relating to any current or future strategic interventions that may impact on lifesaving sport.
- d. Identify, discuss and develop solutions to any challenges or concerns arising from the volunteer membership related to lifesaving sport.
- e. Attend to matters referred by the CEO, General Manager Capacity and Capability (GMCC) or other committees.
- f. Be appointed for 2 year periods.

The head coach and selector will be appointed in conjunction with the World Championship calendar, all other advisors shall be called for through a separate nomination process.

The surf boat advisor is nominated by the Surf Boat Committee.

In the event of a resignation, the Chair, Sport may appoint a replacement in consultation with:

- i. The CEO and President following a nomination process for independent members; or

- ii. The SLSA CEO and President following a nomination process for independent members.

2.5.2 Responsibilities

The SAC shall advise the CEO (or nominee) to:

- a. Accurately represent the prevailing views of their members fully and accurately to the best of their ability.
- b. Maintain commitment to the values of the Surf Life Saving movement through all deliberations.
- c. Judge each issue on its merit with particular reference of benefits to the movement and the public.
- d. Address matters only related to the Committee's purpose and roles.

2.5.3 Composition

The SAC shall comprise:

- a. the Chair, Sport; and
- b. eight (8) independent skill based Advisor members appointed by the Chair, Sport; and
- c. the SLSA Sport Manager or their nominee who shall act as a secretariat.

Note 1: The Sport Management group may attend meetings by prior consent of the Chair

Note 2: Visitors and/or observers may attend meetings by prior consent of the Chair

Note 3: In the absence of the Chair, Sport, the Chair shall appoint one of its members to act during such absence

Members appointed to the SAC will be appropriately qualified and/or have experience in one or a number of the following:

- a. Sport Integrity
- b. Selecting
- c. Surf Boat
- d. Technical and Rules
- e. Officials
- f. Head Coach of Australian Team
- g. Coaching
- h. Events.

2.5.4 Meetings

SAC meetings shall be held:

- a. at least two (2) times per year; or
- b. as directed by the SLSA CEO or President.

2.5.5 Quorum

The quorum for any SAC meeting shall be at least five (5) members entitled to provide a recommendation.

2.5.6 Provisions of Recommendations

All listed members excluding the chairperson and SLSA staff, shall be entitled to contribute to any recommendation at all meetings of the SAC at which they are present in person, or by proxy. The chairperson shall have the right to determine the final recommendation where a consensus cannot be reached.

2.5.7 Authorities and Limitations

- a. Can make recommendations to the Chair, Sport for his/her consideration and advocacy to the SLSA President and the SLSA CEO on matter related to Lifesaving Sport
- b. The Committee has no authority to directly expend or authorise the expenditure of SLSA funds unless authorised to do so by SLSA CEO
- c. The Committee and its members must refer all SLSA matters for public comment to the SLSA CEO
- d. Its deliberations and recommendations are confidential.

2.5.8 Minutes

The SLSA Sport manager will ensure that full and accurate minutes of all meetings are recorded and distributed.

2.6 Education and Development Advisory Committee (EDAC)

The Education and Development Advisory Committee (EDAC) is authorised under clause 38 of the SLSA Constitution. The purpose of the EDAC is to represent the views of surf lifesaving members nationally on matters relating to education and development. Its composition shall be endorsed annually by the Board. The EDAC's Terms of Reference, Responsibilities and Composition shall be as follows.

2.6.1 Terms of Reference

The EDAC is to:

- a. Contribute to the development, review of, and reporting against the SLS 2020 Vision and the SLSA Business Plan, particularly in those matters pertaining to education and development.
- b. Contribute to the review, development and maintenance of programs, policies and standards which fall under the remit of education and development.
- c. Provide insights and recommendations to the Chair, Education & Development relating to any current or future strategic interventions that may impact on the membership.
- d. Identify, discuss, and develop solutions to any challenges or concerns arising from the volunteer membership related to education and development.
- e. Attend to matters referred by the CEO, GMCC or other committees.

The Committee shall be appointed by the Board for alternate 2 year periods to prevent a loss of intellect and maintain growth within the Committee.

In the first 12 months of the Committee, 4 members shall be appointed for 2 years and 3 members shall be appointed for 1 year.

The SLSA Volunteer of the Year shall be appointed for a period of 1 year from their award.

In the event of a resignation, the Chair, Education & Development may appoint a replacement in consultation with:

- i. The CEO and President of the relevant State for jurisdictional representatives; or
- ii. The SLSA CEO and President following a nomination process for independent members.

2.6.2 Responsibilities

The EDAC shall advise the CEO (or his/her nominee) to:

- a. Accurately represent the prevailing views of their members fully and accurately to the best of their ability.
- b. Maintain commitment to the values of the Surf Life Saving movement through all deliberations.
- c. Judge each issue on its merit with particular reference of benefits to the movement and the public.
- d. Address matters only related to the EDAC Terms of Reference.

2.6.3 Composition

The EDAC shall comprise:

- a. The Chair of the EDAC (known as the Chair Education & Development); and
- b. 7 Independent members appointed by the Chair, Education & Development according to skills; and
- c. The current SLSA Volunteer of the Year; and
- d. The SLSA Education Manager and SLSA Development Manager of their nominee who shall act as secretariat.

Note 1: Visitors and/or observers may attend meetings by prior consent of the Chair

Note 2: In the absence of the Chair, Education & Development, the Chair shall appoint one of its members to act during such absence.

2.6.4 Meetings

EDAC meetings shall be held:

- a. at least two (2) times per year; or

- b. as directed by the SLSA CEO or President.

2.6.5 Quorum

The quorum for any EDAC meeting shall be at least five (5) members entitled to provide a recommendation.

2.6.6 Provision of Recommendations

All listed members excluding the chairperson and SLSA staff, shall be entitled to contribute to any recommendation at all meetings of the EDAC at which they are present in person, or by proxy. The chairperson shall have the right to determine the final recommendation where a consensus cannot be reached.

2.6.7 Authorities and Limitations

- a. Can make recommendations to the SLSA President and CEO for matters related to member education and development.
- b. The Committee has no authority to directly expend or authorise the expenditure of SLSA funds unless authorised to do so by SLSA CEO
- c. The Committee and its members must refer all SLSA matters for public comment to the SLSA CEO.
- d. It's deliberations and recommendations are confidential.

2.6.8 Minutes

The SLSA Education and the SLSA Development Senior Managers will ensure that full and accurate minutes of all meetings are recorded and distributed.

3 SECTION 3 - COMMITTEES AND ADVISERS

3.1 Authorisation

Under clause 38 of the SLSA Constitution the Board may by instrument in writing create or establish or appoint from among its own members, or from Individual Members, or from other selected personnel as occasion may require, special committees or individual advisors and consultants to carry out such duties and functions and with such powers as the Board determines.

By this Regulation the Board has delegated authority to make appointments under clause 38 of the SLSA Constitution to the EMG and the Advisory Committees. Any appointment made under this Regulation must have appropriate terms of delegation and reference, and appointments made must be appropriately qualified. Any appointment may be reviewed and overturned by the Board.

All nominations for appointment to a committee or advisor position (including the chairpersons of the LAC, SAC and EDAC) must provide a written resume of experience relevant to the position being nominated for, plus a description of their future goals and objectives. The resume is to accompany the formal nomination which must be forwarded to SLSA on the prescribed form, with relevant State endorsement, no later than three (3) weeks prior to the date of the meeting which will determine the nomination. Failure to provide a written resume will result in non-acceptance of the nomination. The requirement to re-submit a resume does not apply to existing office holders who are re-nominating for the same position.

4 SECTION 4 - RULES AND PROCEDURE

4.1 Authority of Rules and Procedures

The formulation of Regulations relative to the rules and procedures of SLSA are authorised under clause 39 of the SLSA Constitution.

4.2 Carnivals and Competitions

Subject always to the SLSA Constitution, , the following rules apply in relation to SLSA carnivals and competitions:

- a. Rules for the conduct, control and management of carnivals and competitions may be made, altered and repealed by the Sport Advisory Committee through the SLSA CEO or the CEO's delegate.
- b. Rules for the adjudication of protests and disputes relating to carnivals and competitions may be made, altered and repealed by the Sport Advisory Committee through the SLSA CEO or the CEO's delegate.
- c. Rules provided for in (a) and (b) above are documented in the current edition of the SLSA Competition Manual and Bulletins issued from time to time.
- d. When rules are made, altered or repealed each State Centre, Branch, and Affiliated Club shall be informed.

4.3 Competitive Rights, Obligations and Qualifications

Members, including competitors, acknowledge and agree that competing in lifesaving events, contests, carnivals and competitions attracts certain rights and obligations and requires certain qualifications. In relation to rights, obligations and qualifications the following shall apply:

- a. Inherent in membership of SLSA, but subject always to gaining the appropriate qualification as prescribed by SLSA and complying with the competition rules issued by SLSA, is the right to enter and participate in events, contests, carnivals and competitions conducted by SLSA.
- b. Members are obliged to ensure they obtain and maintain the appropriate qualifications, including but not limited to awards, age limits, patrols, proficiency tests, equipment and limiting disabilities, to enable them to enter and participate in events, contests, carnivals and competitions conducted by SLSA.
- c. Members acknowledge and agree that if they participate in, and/or use any SLSA equipment in, any event, contest, carnival and competition, which has not been licensed, sanctioned or otherwise authorised by SLSA they may attract disciplinary action under the Regulations which may result in forfeiture of their competitive rights set out in Regulation 4.3(a) above.

4.4 Trophies, Prizes and Eligibility

In relation to trophies, prizes whether cash or kind and the eligibility of Individual Member/s representing a section of SLSA to compete for or accept such trophies or prizes the following shall apply:

- a. SLSA reserves to itself the authority to determine from time to time, conditions relative to the acceptability of trophies or prizes, reimbursement of accommodation, travel and other expenses, and eligibility to compete for trophies or prizes.

- b. SLSA is the authority to approve competitions involving "cash prizes" and therefore any Affiliated Club or other section of SLSA, wishing to allocate any "cash prizes" for competition events shall seek the approval of their respective Branch, State Centre or in the case of events involving international or interstate competitors, SLSA. "Cash prizes" shall not be awarded by entities for any event at a SLSA championship carnival. (i.e. Branch, State and Australian Championships).

- c. Notwithstanding the foregoing, sponsors should be strongly encouraged to provide items of lifesaving gear and/or equipment as prizes rather than cash, but where cash prizes are presented they shall be portrayed as coming direct from the sponsor (s). Cash prizes shall be distributed utilizing club banking account.

5 SECTION 5 - DISCIPLINE AND JUDICIAL

5.1 Judiciary Matters

These Judiciary Regulations are authorised under clauses 16, 18 and 39 of the SLSA Constitution.

5.1.1 Breach

Where a Member has allegedly:

- i. Breached, failed, refused or neglected to comply with the membership directives or any resolution or determination of the Board, a State Centre, a Branch, Club or any duly authorised SLSA committee; or
- ii. Acted in a manner unbecoming of a Member or prejudicial to the Objects and interests of SLSA and/or surf lifesaving; or
- iii. Brought themselves, SLSA, any State Centre, Branch or Club or surf lifesaving into disrepute; or
- iv. Competed or in any way participated in a lifesaving competition and/or used SLSA equipment contrary to SLSA **Regulation 4.3(c)** or has failed to obtain the permission of SLSA to so compete or participate in that competition or use that SLSA equipment;

the Board, a State Centre, a Branch or a Club may commence or cause to be commenced investigatory and/or disciplinary proceedings ("proceedings") against that Member, and that Member will be subject to and submits unreservedly to the jurisdiction, procedures, penalties and appeal mechanisms set out in these Regulations. Notwithstanding the foregoing, the Board, State Centre, Branch or Club may commence proceedings, or undertake such investigation into, or such other action in regard to, the conduct which may warrant the commencement of proceedings and/or the referral of the matter to a Judiciary Committee.

5.1.2 Judiciary Committee

Judiciary Committees shall be convened and function as follows:

Convening of Committee

Each SLS entity (State Centre, Branch and/or Club) shall annually or as required appoint a Judiciary Committee to investigate and/or determine matters referred to it. The Board may also convene a Judiciary Committee on such terms and for such purpose(s) as is required. A member of each committee shall act as committee secretary and keep records of all investigations and decisions of that committee.

Jurisdiction

The jurisdiction of a Judiciary Committee shall be as follows:

- i. Where a Judiciary Committee has been convened by the Board, that Judiciary Committee shall have unlimited jurisdiction in all matters referred to it throughout Australia including but not limited to referrals between State Centres or between Members from different State Centres or between a State Centre and a Member from a different State Centre, or where a Judiciary Committee convened by another SLS entity within SLSA fails to take satisfactory action or impose a satisfactory result, or where another SLS entity within SLSA fails to take action at all and convene a Judiciary Committee where the Board considers such a Committee should have been convened.
- ii. Where within the boundaries of a Club, the alleged offender shall be dealt with by his/her Club Judiciary Committee.

- iii. Where within the boundaries of a Branch, the alleged offender shall be dealt with by his/her its Branch Judiciary Committee.
- iv. Where otherwise within the boundaries of his/her State Centre, the alleged offender shall be dealt with by the State Centre Judiciary Committee.
- v. Where the matter, in the opinion of SLSA, is better dealt with by the criminal justice system it will not be considered however SLSA may reserve its rights.

Referrals

- a. Every referral to a Judiciary Committee shall be clear and unambiguous and shall clearly set out the matter(s) required to be investigated or determined by the Judiciary Committee.
- b. Upon a referral to a Judiciary Committee the committee secretary shall, as soon as practicable, appoint a time and place suitable to the Judiciary Committee for the proceedings and may appoint an investigator to inquire into the referral.
- c. A Judiciary Committee will use its best endeavours to process any referral to it within such time as the Board, State Centre, Branch or Club directs, provided always that a concerned person may apply for an adjournment by application in writing to the committee secretary. Such application must be received at least two (2) days prior to commencement of proceedings.
- d. A Judiciary Committee shall have power to require the attendance of any member at any proceedings before it. Notice shall be given in accordance with these Regulations. A member who, is required, but fails or refuses, to attend proceedings may themselves be subject to disciplinary proceedings.
- e. The referring authority shall decide the quorum for a Judiciary Committee. If this is not decided a quorum for a Judiciary Committee shall be two (2).
- f. Should an investigator have been appointed, the chairperson of the Judiciary Committee should in conjunction with the investigator determine if the matter should proceed.

5.1.3 Procedure

Proceedings commenced under these Regulations shall be conducted as follows:

Request to Appear

- a. Upon receipt of a referral, the Judiciary Committee shall request the party or parties concerned in the referral to appear before them. Such request shall be in writing either delivered personally or in appropriate cases by post or electronic mail or facsimile to the appropriate address (mail or electronic) or facsimile number of the party or parties concerned. A notice given by post shall be deemed to have been given on the second day following that on which it shall be posted. A notice given by facsimile shall be deemed to be given upon receipt of a confirmation report confirming the facsimile was received at the facsimile number to which it was sent. A notice given by email shall be deemed to be given unless an email is received in reply stating email not successfully transmitted.

Notice

- b. Proceedings shall take place as soon as practicable. All parties concerned shall be given at least seven (7) days' notice of the proceedings by the Judiciary Committee. The notice shall:
 - i. Be in writing;
 - ii. State that the party or parties concerned are required to appear and in what capacity;

- iii. State the nature of the proceedings and the matters or alleged offence(s), the subject of investigation or determination, the possible penalty or penalties and the date, place and time of the hearing;
- iv. Be delivered in accordance with **Regulation 5.1.3(a)** above.

Appearance

- c. Persons appearing before the Judiciary Committee shall be entitled to call witnesses, but must state their case in person unless the Judiciary Committee has permitted representation through an advocate. If an advocate is permitted such advocate is not entitled to be legally trained or qualified. For the avoidance of doubt persons appearing before a Judiciary Committee are not entitled to legal representation in the Judiciary Committee proceedings. They and their witnesses shall be given a full opportunity to be heard. In their absence, or in the absence of their witnesses, a decision may be made by default. Before making a decision in default of appearance, the Judiciary Committee must satisfy itself that the party concerned was aware of the time, date and place of hearing and had been requested to appear under **Regulations 5.1.3(a) and 5.1.3(b)** above.

Procedure at Proceedings

- i. Judiciary proceedings shall be conducted as follows.
- ii. The Judiciary Committee chairperson shall announce the opening of the proceedings, stating the Judiciary Committee's authority, jurisdiction, composition and the nature and purpose(s) of the proceedings.
- iii. The procedure to be followed at proceedings shall be clearly explained by the Judiciary Committee Chairperson. The Judiciary Committee chairperson shall state who is entitled to be present throughout proceedings during evidence and submissions.
- iv. The matter(s) the subject of proceedings shall then be read to the person(s) concerned. The body or person reporting the matter(s) and the subjects of the proceeding shall be given the opportunity to report the circumstances of those matter(s). The person(s) concerned will be given the opportunity to respond to this report and present evidence/submissions as to their view of the circumstances of those matter(s). Any witnesses called by either the reporting body or the person(s) concerned will be given the opportunity to give evidence or make submissions. Witnesses may be questioned on their evidence. Evidence and/or submissions may be tendered in writing.
- v. The rules of evidence do not apply to proceedings. All parties involved in proceedings will present honestly and in good faith.
- vi. The Judiciary Committee will consider the evidence presented. The Judiciary Committee may adjourn the hearing if considered necessary. No other person shall be present or partake in any discussion with the Judiciary Committee at this time. If the Judiciary Committee finds an offence has not been committed or not proved it will advise the referring authority and dismiss the charge, accordingly.
- vii. If the Judiciary Committee finds an offence has been committed or proved, it may impose, in its discretion, an appropriate penalty or penalties, or it may report its findings to the referring authority with such recommendations, as it considers appropriate. If the Judiciary Committee decides to impose a penalty or penalties it may (but is not obliged to) allow a further hearing on the proposed penalty. The Judiciary Committee chairperson will declare the proceedings closed.
- viii. If a decision cannot be given immediately after proceedings, the relevant party or parties must be advised of the time and place at which the decision will be given. The decision, any penalty, the reasons for the decision and notice of the person's appeal rights shall be given in writing and signed by the Judiciary Committee chairperson. A referring authority must advise persons found guilty of an offence under these Regulations of their rights of appeal.
- ix. Every decision of a Judiciary Committee appointed by the Board, a State Centre, a Branch or a Club under these Regulations shall be conveyed in writing to the parties concerned, and where an Individual Member, to that Individual Member's Club, Branch (where relevant) and State Centre. It shall be incumbent on such Club to give

effect to the decision immediately and to notify the referring authority that such has been done. The referring authority may deal with an Affiliated Club failing to give immediate effect to such decision at that authority's discretion.

5.1.4 Penalties

- a. Penalties which may be imposed include:
 - i. A reprimand;
 - ii. Suspension of membership rights including but not only competition rights;
 - iii. Suspension of such activities, on such terms and for such period as the Judiciary Committee thinks fit;
 - iv. Exclusion from a particular activity, event or events;
 - v. Expulsion;
 - vi. Fines, imposed in such manner and in such amount as the Judiciary Committee thinks fit;
 - vii. Such combination of any of the above penalties as the Judiciary Committee thinks fit; or
 - viii. Additional Service, requiring the Member to undertake an activity based penalty, imposed in such manner as the Judiciary Committee deems fit.
- b. During proceedings, the subject(s) of the proceedings may be suspended from membership or may have terms and conditions imposed on their membership, on such terms and for such period as the relevant referring authority thinks fit in its absolute discretion, and shall remain under suspension unless the relevant referring authority decides otherwise or the proceedings have concluded and such suspension is no longer necessary (again determined in the absolute discretion of the referring authority).

5.1.5 Reporting

- a. Unless the decision of a Judiciary Committee is unanimous, a separate report may be made to the referring authority by the minority. The decision of the majority however, shall be deemed to be the decision of the Judiciary Committee. Where voting is equal, the Judiciary Committee chairperson may exercise a casting vote.
- b. A decision of a Judiciary Committee cannot be altered by the referring authority.

5.1.6 Effect of Penalty

- a. Where an Affiliated Club is suspended under these Regulations, its membership of, and representation rights and privileges in, SLSA shall be forfeited during the period of such suspension. Officers of SLSA who may be members of a suspended Affiliated Club shall not be affected by such suspension nor shall a suspension, absolve the Club from any beach patrol responsibilities.
- b. Where an Individual Member is suspended under these Regulations, all rights and privileges of that Member shall be forfeited, either partially or completely, during the period of suspension. If suspended, a member also forfeit all Affiliated Club rights during the currency of the suspension. Terms and conditions may be imposed on the suspension; by way of example only a Member's participation in inter-Club, Branch, State Centre or SLSA activities, may be suspended but the member may still be required to undertake his beach patrol responsibilities.
- c. Where an Affiliated Club or Individual Member is expelled under these Regulations, its or his membership of, and representation rights and privileges in, SLSA shall be forfeited immediately and membership shall cease. No monies will be refunded to expelled or suspended Members. The provisions of clauses 17 and 18 of the SLSA Constitution shall apply.

- d. The provisions of SLSA Regulation 6: Membership Directives apply where any penalties are imposed under this Regulation 5.

5.2 Appeals

- a. SLSA shall appoint or recognise a panel of persons (“SLS Appeals Panel”) from whom SLS Appeals Tribunals shall be appointed as required. The SLS Appeals Panel shall comprise persons appointed by SLSA and/or each State Centre.
 - b. A Member who or which has received a penalty or an adverse finding from a Judiciary Committee under **Regulation 5.1** or a Carnival Disciplinary Committee under **Regulation 5.3** may, within 14 days from the date of receiving the determination in writing, appeal to the SLS Appeals Tribunal. For the avoidance of doubt there is only one appeal from a Judiciary Committee regardless of whether that Judiciary Committee was appointed by the Board or by a Club, Branch or State Centre.
 - c. Appeals under this clause will be determined in accordance with this Regulation.
 - d. An appeal is only permitted on one or more of the following grounds:
 - i. the decision was affected by actual bias; or
 - ii. there was no material on which the decision could reasonably be based.
 - e. An appeal must be lodged in writing with the relevant State Centre. The appeal must set out the:
 - i. ground(s) on which the appeal is made (under Regulation 5.2 (d)); and
 - ii. reasons or circumstances supporting the alleged ground(s) of appeal; and
 - iii. must be accompanied by a non-refundable appeal fee of \$500.
 - f. In these Regulations the “relevant body” and “relevant State Centre” are those in which the appellant (whether Individual Member or Club or Branch or State Centre) is located.
 - g. Nothing in this Regulation prevents the withdrawal of an appeal at any time in writing to the relevant State Centre. If the appellant seeks to withdraw an appeal after an appeal hearing has commenced the appeal may only be withdrawn with the consent of the relevant appeal panel chairperson. Once an appeal is withdrawn a new appeal in respect of the same matter cannot be lodged.
 - h. On receipt of an appeal in accordance with this Regulation, the relevant State Centre must as soon as practicable convene an SLS Appeals Tribunal and forward the appeal documents to the nominated chairperson of the convened Tribunal.
 - i. An SLS Appeals Tribunal shall be constituted by up to three persons (but a minimum of two) available to hear the appeal from members of the SLS Appeals Panel, which must include the following:
 - i. up to two persons with a thorough knowledge of surf lifesaving; and
 - ii. a barrister or solicitor who will chair the Appeals Tribunal.
- No member of the SLS Appeals Tribunal may be a party to or directly interested in the matter under consideration.
- j. The SLS Appeals Tribunal has complete jurisdiction and discretion to re hear the matter in its entirety.
 - k. The chairperson of an appointed SLS Appeals Tribunal shall, as soon as practical after receiving the appeal documents under **Regulation 5.2(h)**, investigate and consider the matter and determine whether the:

- i. the appeal should be dismissed as:
 - A. it does not set out a valid ground of appeal;
 - B. there are sufficient grounds for the appeal to proceed; or
 - C. The matter is trifling in nature or has no merit; or
- ii. the appeal warrants further review and determination in accordance with these Regulations.

The chairperson has complete discretion in undertaking this review and there is no further appeal against a decision to dismiss under Regulation 5.2(k).

- l. If the SLS Appeals Tribunal determines the matter warrants further review under **Regulation 5.2(k)(ii)**, it shall as soon as practicable, having regard to timing, serve a notice in writing on all relevant parties:
 - i. stating that the parties may address the SLS Appeal Tribunal at a hearing to be held as soon as practicable, being not earlier than 4 days from the date of the notice;
 - ii. stating the date, place and time of that hearing; and
 - iii. informing the parties that they may do any one or more of the following:
 - 1. attend that meeting (either personally or by their representative who subject to Regulation 5.2(m) may not be legally trained or qualified) and bring such witnesses as they wish to rely upon in respect of the matter the subject of appeal; and/or
 - 2. give the SLS Appeal Tribunal, no later than 24 hours before the time of that meeting, a further written statement setting out relevant information surrounding the appeal.
- m. The SLS Appeal Tribunal may conduct a hearing convened in accordance with Regulation 5.2(j) (or any adjournment) in such manner as it sees fit, but shall:
 - i. give to all relevant parties and their witnesses every opportunity to be heard;
 - ii. give due consideration to any written statements received from any relevant party;
 - iii. allow relevant parties to be present along with their adult representative; and may request or require such parties or other witness to attend the hearing or provide such evidence as is available to enable the SLS Appeals Tribunal to properly consider the matter.
- n. Persons appearing before the SLS Appeals Tribunal are not entitled as of right to:
 - i. Legal representation before the SLS Appeals Tribunal. Subject to paragraph (ii) below the Appeal Tribunal may grant a right to legal representation to a party where that party has made written application to the SLS Appeals Tribunal for such representation. Such application must be received by the chairperson of the SLS Appeals Tribunal within 7 days from the date of the notice served under **Regulation 5.2(k)**.
 - ii. Legal representation will only be permitted by the SLS Appeals Tribunal where the party seeking legal representation can demonstrate to the SLS Appeals Tribunal that the matter is complex or the consequences for that party proceeding without legal representation are significant from a livelihood or business perspective. The onus is on the party seeking legal representation to prove that such representation should be permitted.
 - iii. The SLS Appeals Tribunal may refuse or grant such application in its absolute discretion. The SLS Appeals Tribunal's decision in respect to legal representation is final and there is no appeal from such decision.
- o. Following consideration of all information which the SLS Appeals Tribunal considers relevant and which is available, the SLS Appeals Tribunal shall arrive at a finding. The SLS Appeals Tribunal can impose new

penalties or vary an existing penalty. A decision of the SLS Appeals Tribunal may be by a majority decision. A decision of the SLS Appeals Tribunal is final.

- p. The SLS Appeals Tribunal shall notify all relevant parties, including SLSA and the relevant State Centre of its decision as soon as practicable.
- q. An SLS Appeals Tribunal has no power to award costs. That is, each party will be responsible for their own costs of the appeal.

5.3 Competition Discipline

5.3.1 Surf Sports Manual

The SLSA Surf Sports Manual and in particular but not only clause 14.5 of the Surf Sports Manual applies in respect to SLS carnival and competition discipline.

5.3.2 Appeals

For the purposes of clauses 14.5.1(c) and (d) of the SLSA Surf Sports Manual the appeal body for any appeal against a penalty imposed by a Competition Disciplinary Committee shall be the SLS Appeals Tribunal and **Regulation 5.2** shall apply to such appeal.

5.4 Revocation of SLSA Service and Recognition Awards

1. Subject always to SLSA Policy 6.16 - Dealing with Police Investigations, Criminal Charges, Guilty Pleas and/or Convictions (see also Regulation 6.9 below) the Board may, by resolution, revoke a previously issued award of recognition, including, but not limited to, SLSA Life Membership, in circumstances where a Member who has been issued an award of recognition has:
 - a. Been charged with and/or convicted of a serious criminal offence;
 - b. Committed a serious breach and/or repeated breaches of a SLSA policy or policies;
 - c. Committed a serious breach and/or repeated breaches of SLSA codes of conduct;
 - d. Brought surf life saving and/or SLSA into disrepute; or
 - e. Rejected and/or returned a previously issued award.
2. Prior to giving consideration to the revocation of an award, the member shall be invited to make a written submission to the Board as to why the award should not be revoked.
3. The Board's decision to revoke an award shall be final and there is no appeal.

6 SECTION 6 - MEMBERSHIP DIRECTIVES

Clause 3(a) of the SLSA Constitution defines a "Member" as "a member for the time being under clause 13." It also defines an "Individual Member" as "a member of an Affiliated Club and can only include junior ("Nipper") members; cadet members; active members; reserve active members; general members; long service members; award members; past active members; associate members; honorary members; and life members of that club, all of which are defined in the Regulations." Clause 13(a) of the SLSA Constitution provides:

"(a) The Members of SLSA shall consist of:

- (i) the State Centres, which subject to this Constitution, shall be represented by their Appointed Directors who shall have the right to be present, debate and vote at General Meetings;*
- (ii) Affiliated Clubs, which shall be represented by an individual nominated from time to time in writing by the club to the relevant State Centre. The nominee shall have the right to be present and to debate on behalf of the Affiliated Club at General Meetings, but shall have no voting rights;*
- (iii) Life Members, who shall have the right to be present and to debate at General Meetings, but shall have no voting rights;*
- (iv) all Individual Members of Affiliated Clubs, who shall have the right to be present at General Meetings, but shall have no voting or debating rights; and*
- (v) such new categories of Members as may be created under **clause 13(b)** of the SLSA constitution."*

Clause 16 of the SLSA Constitution sets out the effects of membership.

6.1 Authority of Membership Directives

- a. Membership directives are authorised under clauses 16, 23 and 39 of the SLSA Constitution.
- b. Membership directives include but are not limited to the Constitution, Regulations, Manuals, Policies, Bulletins and relevant Forms. SLSA may create and publish such Membership directives as it considers necessary and desirable for the promotion of its Objects and/or in the interests of SLSA and/or surf lifesaving. All Manuals, Bulletins, Policies and relevant Forms shall be deemed to be captured part of these Regulations.
- c. Under clause 16 of the SLSA Constitution, Members acknowledge and agree that the SLSA Constitution constitutes a contract between each of them and SLSA and that they are bound by the SLSA Constitution and these Regulations
- d. When a person becomes a member of an Affiliated Club they become an Individual Member of that Club, the relevant Branch (if applicable), the relevant State Centre and of SLSA. They agree to be bound by the constitution of each of these surf lifesaving entities.
- e. If there is any conflict or inconsistency between the constitutions of an Affiliated Club, a Branch, a State Centre or of SLSA, the Membership directives of the higher surf lifesaving entity will prevail to the extent of the conflict or inconsistency. For the avoidance of doubt, the Constitution of SLSA prevails over the constitutions of a State Centre and/or a Branch and/or an Affiliated Club. The constitution of a State Centre prevails over the constitution of a Branch and/or Affiliated Club.
- f. Every person, body or group of persons shall, by and upon:
 - organising an SLSA competition or taking part therein; and/or

- entering an SLSA competition; and/or
- accepting any official position (whether in sport, lifesaving, education and development, governance or administration) in SLSA; and/or
- lodging any appeal to the SLS Appeals Tribunal set under these Regulations; and/or
- applying for affiliation or association with SLSA; and/or
- being a member of any club affiliated or associated with SLSA;

be deemed to have, and recognise that they have:

- i. made themselves acquainted with the SLSA Constitution, the Regulations and any other SLSA Membership directives;
- ii. submitted themselves without reserve to the consequences resulting from SLSA Membership directives, and
- iii. acknowledged that the SLSA Membership directives are:
 - made in good faith and in the best interests of the members and surf lifesaving in Australia;
 - not made for any anti-competitive purpose and in particular not for the purpose of deterring or preventing a person from participating or competing in any competition or activity conducted or organised by SLSA including membership of SLSA;
 - necessary and reasonable for the purpose of protecting and promoting surf lifesaving in Australia;
 - necessary and reasonable for the purpose of establishing water and safety regulations and standards and guidelines; and
 - made in the public interest.
- g. Every person, body or group of persons subject to these SLSA membership directives acknowledges and agrees that this clause may be pleaded as an absolute bar to proceedings, suit or action against SLSA, and agrees that they will not become a party to any suit, at law or equity, against SLSA, its officials or any other person subject to the SLSA Constitution and these Regulations, until all remedies allowed by the SLSA Constitution and these Regulations have been exhausted, save with the written consent of SLSA.

6.2 SLSA Life Membership

Individual Members of SLSA may be recommended for appointment to Life Membership. Under clause 13(a)(iii) of the SLSA Constitution Life Members have the right to be present and to debate at General Meetings, but do not have voting rights. To be considered for Life Membership of SLSA, Members must have rendered distinguished voluntary service to SLSA over a period of at least twenty (20) years with the following conditions being applied:

- a. For service to be considered as distinguished it must be both a sustained and conspicuous contribution.
- a. Candidates shall be nominated in writing on the prescribed form (if any) by the President or by two (2) Individual Members of SLSA.
- b. Nominations after being confirmed by the Club and/or Branch must be forwarded to the relevant State Centre.
- c. State Centres shall confirm the details provided. The relevant State Centre shall then submit the nomination to SLSA for consideration and if appropriate recommendation.

- d. SLSA Life Membership applications will be considered with other SLSA honours (i.e. President's Medal, Sustained Service Certificate) according to the SLSA Awards criteria and process.
- e. Any Individual Member appointed to Life Membership of SLSA shall be recorded in the minutes of the relevant Board meeting. Formal acknowledgement of recipients of Life Membership of SLSA shall be forwarded by the President.
- f. SLSA Directors are to be the only persons present for discussion and resolution of Life Membership nominees.
- g. Nominations for SLSA Life Membership that are not successful may be re-nominated for consideration after two (2) years.

6.3 Affiliated Club Colours and Badges

- a. Each new Affiliated Club must apply to the relevant State Centre to register its proposed colours and badge and competition cap design, which shall be subject to the endorsement of the State Centre and the approval of the SLSA.
- b. Existing Affiliated Clubs' colours and badges shall not be altered without endorsement of the State Centre and the approval of SLSA.
- c. SLSA shall appoint a Cap Registrar who shall be responsible for the administration of this regulation and who shall maintain a competition Cap Register.

6.4 Membership Categories

6.4.1 Membership Categories

The philosophy of SLSA is to establish and recruit persons to become Members for participation in surf lifesaving activities and in particular but not only the maintenance and operation of surf lifesaving patrols. Subject always to these SLSA Membership directives each State Centre and Affiliated Club is authorised to establish such categories of members as it requires and considers necessary in the context of the Club and the requirements of the relevant State Centre. Clubs should provide membership in the following general categories of membership:

- (a) Junior membership;¹
- (b) Active membership;²
- (c) Community membership (non-patrolling and non-voting);
- (d) Associate membership;³ or
- (e) Honorary and Service membership(s) including Life Membership⁴.

The rights, benefits and obligations of each membership category will be as determined by each Club acting reasonably and in good faith in accordance with its Constitution. Clubs may determine appropriate fees for the different categories of membership noting that some membership categories (e.g. Community Members) may NOT provide any services to or for the Club whereas Active Members provide significant service through patrols. Clubs must keep a register of members and the categories of membership.

¹ Could include former categories of Junior Activities membership, Cadet membership,

² Could include former categories of Active membership, Reserve Active membership, Award membership

³ Could include former categories of Associate membership, Probationary membership, General membership or Leave/Restricted membership

⁴ Could include former categories of Long Service Membership, Honorary membership, Past Active membership

6.4.2 Club Life Membership

Life Membership of a Club may be granted by that Club to Members who have rendered distinguished, or special service as provided for in that Affiliated Club's constitution and is relevant to that Club only.

Note: SLSA Life Membership is governed by **Regulation 6.2**.

6.5 Voting Rights

Membership voting rights of members of Affiliated Clubs shall be limited to Active, Long Service and Life Members who are financial members of those Affiliated Clubs.

6.6 Dual Membership

In relation to dual or multi-Affiliated Club membership the following shall apply:

- a. Any Individual Member of a Club may be admitted as an Individual Member of another Club or Clubs, subject to approval by the relevant State Centre.
- b. Any competing Individual Member shall not participate in any inter-Affiliated Club competition as a representative of more than one Club during any one competition season unless and until their "competitive rights" have been transferred as provided for in SLSA's "Competitive Rights Transfer" Policy.
- c. Any competing Individual Member who is an Individual Member of more than one Club shall be entitled to compete in intra-Club events of all such Clubs.

6.7 Restriction on Membership

In relation to membership restriction the following shall apply:

- a. Subject to the SLSA Constitution non-financial, suspended, excluded or expelled Member shall hold no membership rights. For avoidance of doubt, if a member is suspended from all Club activities or expelled or their membership is cancelled they are suspended or expelled from all Affiliated Clubs. If a member has been unsuccessful in renewing their membership of a Club they may apply to join another Club subject always to all relevant SLSA Membership directives.
- b. Any non-financial, suspended, excluded or expelled Individual Member of a Club shall not knowingly apply to join another Club nor shall a Club knowingly admit, accept or retain in membership any past or present Member of any other Club who is indebted to in any way, or is currently suspended or expelled from any Club.
- c. A Club shall immediately provide the relevant State Centre the names and addresses of Individual Members who have had their membership cancelled or suspended and such information, including the period of suspension/cancellation of membership shall be set out in a register provided for that purpose.
- d. Should an Individual Member of more than one Affiliated Club be suspended or expelled by any Club they shall not be allowed to compete in competition for any other Affiliated Club of which they are an Individual Member or in any other Affiliated Club competition or in any other SLSA competition, while under suspension or expulsion.

- e. Any dispute/s as to the application and interpretation of this Regulation shall be referred to the relevant State Centre and considered by that State Centre in its absolute discretion. Patrol Obligations

6.8 Patrol Obligations

Members, Clubs, State Centres and SLSA recognise the obligation of all:

- a. appropriately qualified and proficient Members to perform patrol duties and/or other duties within surf lifesaving; and
- b. Clubs to ensure that patrols are properly performed and/or delivered in accordance with relevant patrol agreements and/or policies.

SLSA and/or State Centres may develop and implement policies from time to time regarding the performance and/or delivery of patrols including the possible exemption from patrol for some Members. Where Clubs refuse, fail or neglect to comply with patrol obligations SLSA and/or State Centres may commence disciplinary or other action against that Club. State Centres in New South Wales and Queensland may also direct Branches to commence disciplinary action against Clubs in these circumstances.

6.9 Serious Criminal Offences Policy

Members should be aware of SLSA Policy 6.16 - Dealing with Police Investigations, Criminal Charges, Guilty Pleas and/or Convictions ("[SLS Criminal Offences Policy](#)"). This Regulation 6.9 summarises key aspects of, and reaffirms, that Policy. This Regulation is to be interpreted in accordance with that Policy. Note "Serious Criminal Offence" is defined in the SLS Criminal Offences Policy.

6.9.1 Application

The SLS Criminal Offences Policy adopts and applies the following principles:

- a. all Members (Individuals, Clubs, Branches and States) ("SLS Entities") must cooperate fully with any police investigation and any government and/or judicial authority;
- b. all SLS Entities must cooperate fully with any investigation or action or reasonable direction of SLSA and/or a State Centre made under or in relation to this Policy;
- c. all SLS Entities shall be concerned about, and be protective of, the welfare of alleged or real "victims";
- d. subject to the law, an SLS Entity shall deal with allegations, investigations, charges and convictions promptly, openly, and honestly;
- e. at all times SLS Entities must treat any matter or information arising from the application of the SLSA Criminal Offence Policy in confidence;
- f. at all times, all SLS Entities shall act with integrity; and
- g. all SLS Entities shall remain focused on maintaining effective surf lifesaving operations and services (patrols).

6.9.2 When a Member is the subject of a police investigation

- a. As soon as an SLS Entity or an officer of an SLS Entity becomes aware that a Member is subject to a police investigation, the SLS Entity or officer shall immediately advise the relevant State Centre's Chief Executive Officer (**State Centre CEO**) who shall act in accordance with the SLS Criminal Offences Policy and shall ensure that Policy is complied with.

- b. The SLS Entity, in consultation with the State Centre CEO, shall determine what action is to be taken pending the conclusion of the police investigation. The Member under investigation may be:
 - i. suspended (in part or full) or placed on “Restricted Activities”; and/or
 - ii. required to step-aside from any position(s) within any relevant SLS Entity.
- c. The State Centre shall advise relevant authorities (e.g. SLSA and other authorities as required by law), if the alleged offence involves a minor.

6.9.3 When a Member is charged with a Serious Criminal Offence

- a. As soon as an SLS Entity or an Officer of an SLS Entity becomes aware that a Member has been charged with a Serious Criminal Offence the SLS Entity of officer shall immediately advise the State Centre CEO who shall act in accordance with the SLS Criminal Offences Policy and shall ensure that Policy is complied with.
- b. The SLS Entity, in consultation with the State Centre CEO, shall determine whether the charged Member is:
 - i. suspended (in full or part) or placed on “Restricted Activities”; and/or
 - ii. required to step-aside from any official position(s) within any relevant SLS Entity.
- c. The charged Member, the SLS Entity and the State Centre CEO acknowledge that they may have little or no discretion due to legal or government policy requirements in regard to making determinations regarding suspension, “Restricted Activities” or requiring the charged Member to step aside from any position. For the avoidance of doubt the relevant SLS Entity and/or the State Centre CEO will apply whatever sanction(s) and take such actions as are dictated in the circumstances by law or government policy and that they reasonably consider to be in the best interests of all parties.
- d. The State Centre and/or SLSA shall advise relevant authorities (e.g. SLSA and other authorities as required by law) if the charges involve a minor.

6.9.4 When a member is subject to a Committal Hearing or Trial

- a. As soon as an SLS Entity or an officer of an SLS Entity becomes aware that a Member is to appear before a committal hearing or trial (other than as a witness the SLS Entity or officer shall immediately advise the State Centre CEO who shall act in accordance with the SLS Criminal Offences Policy and shall ensure that Policy is complied with.
- b. Subject to **clause 6.9.7** below if the Member is committed to trial he/she is suspended from membership pending the outcome of the trial. The committed Member, the relevant SLS Entity and the State Centre CEO acknowledge that they may have little or no discretion due to legal or government policy requirements in regard to making determinations regarding suspension under **clause 6.9.4(a)**. For the avoidance of doubt the relevant SLS Entity and/or the State Centre CEO will apply whatever sanction(s) and take such actions as are dictated in the circumstances by law or government policy and that they reasonably consider to be in the best interests of all parties.
- c. The SLS Entity shall advise relevant authorities (e.g. SLSA and other authorities as required by law) if the matters before the hearing involved a minor.

6.9.5 When a member is convicted of a Serious Criminal Offence

- a. As soon as an SLS Entity or an officer of an SLS Entity becomes aware that a Member has been found guilty of a Serious Criminal Offence (either on his/her own plea or following a trial and irrespective of whether a conviction is recorded or not), the relevant SLS Entity shall immediately inform the State

Centre CEO who shall act in accordance with the SLSA Criminal Offences Policy and shall ensure that Policy is complied with.

- b. Subject to **clause 6.9.7** below the convicted person is automatically expelled from membership of Surf Life Saving at all levels and in all states and territories. [Note: A Life Member who is convicted also has his/her Life Membership(s) automatically revoked.]

6.9.6 Membership (new & renewal) applications from persons with past convictions for Serious Offence(s)

- a. No Club shall knowingly accept a membership application from or for a person who has a prior recorded conviction for a Serious Criminal Offence without the prior approval of its State Centre. If a Club or any other SLS Entity accepts an application from or for a person who has a prior recorded conviction for a Serious Criminal Offence without the prior written approval of its State Centre that membership is null and void and of no effect. A State Centre is not obliged to consider or accept any application for membership from a person who has a prior recorded conviction for a Serious Criminal Offence.
- b. If a Club receives a membership application from or for a person who has a prior recorded conviction for a Serious Criminal Offence, the application must be referred to the State Centre CEO who shall, taking relevant policies into account, determine whether the application can be accepted for consideration. Should there be any doubt or special circumstances, the State Centre CEO may refer the matter to a Judiciary Committee for determination as to whether to accept the person into membership and any conditions for such acceptance.
- c. There is no appeal against the State Centre CEO's or a Judiciary Committee's decision under this clause 6.9.6.

6.9.7 Discretion

- a. Subject to clause 6.9.7(b), the State Centre CEO may in his/her absolute discretion but after making full and proper investigation and inquiry vary a sanction imposed under this Policy.
- b. The discretion in clause 6.9.7(a) is not available to the State CEO where the Serious Criminal Offence has involved a minor.

7 SECTION 7 - STATE CENTRES AND BRANCHES

STATE CENTRES AND BRANCHES

7.1 Authority of State Centres

- 7.1.1** State Centres are authorised by clauses 11 and 12 of the SLSA Constitution. A State Centre may formulate Branches to assist in administering lifesaving in that State Centre. Other than Branches and Affiliated Clubs there can be no other level of formal incorporated surf lifesaving entity within a State without the written approval of both SLSA and the relevant State Centre.
- 7.1.2** State Centres and Branches will establish appropriate structures to deliver SLSA's Objects within their respective jurisdictions. State Centres must ensure they appoint appropriately qualified personnel to SLSA Advisory Committees and other committees established by SLSA from time to time.
- 7.1.3** Notwithstanding anything in any State Centre Constitution should the Board of a State Centre reasonably consider that a situation (for example, financial, administrative, governance, lifesaving) has developed within a Branch (as relevant) or Club or other recognised surf lifesaving group which gives that Board concern and is prejudicial or detrimental to the Club, Branch, State Centre or the image of surf life saving, the State Centre Board has the authority to initiate discussion and investigate the operations of such Branch or Club or recognised group and then if necessary the authority to appoint person/s to take over control and re-establish a sound and satisfactory administration within that Branch or Club or recognised group and for such time as considered necessary.
- 7.1.4** In Queensland and New South Wales a Branch Executive has similar authority in respect to its Clubs or other recognised groups and may take independent action to its State Centre, provided the procedure in **Regulation 7.1.3** is followed. In such situation, the State Centre shall be immediately notified of the action taken by the Branch.
- 7.1.5** A State Centre Board in New South Wales or Queensland may request a Branch (in their respective State) to initiate action against a Club or other recognised group within the Branch in accordance with regulation 7.1.3 or to act on behalf of the State Centre and report to them in the matter.

8 ANNEXURE 1 - SLSA LOGO

Annexure 1.1 SLSA Logo

