



Sunshine Coast Water Polo Association By-Laws

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1. Definitions:

- 1.1** Any expression in these by-laws shall have the same meaning as defined in the Constitution
- 1.2** In addition
- 1.2.1** “Eligible” means to comply with the rules and regulations in accordance with these by-laws.
- 1.2.2** “Home Club” means the club/Association with which the athlete was registered at the time of the Championships
- 1.2.3** “Executive” means the Executive Committee of Sunshine Coast Water Polo Association

2. Duties of the Executive and Salaried Staff:

2.1 President

- Oversee the management and administrative operation of the association.
- Provide leadership and support to all members.
- Be fair and reasonable and show consideration and understanding towards the expectations of others.
- Be unbiased and impartial, give clear direction and set an example for others to follow.
- Attend and chair monthly committee meetings.
- Be an effective and efficient Chairperson, encourage focused discussion and have a sound knowledge of debating and meeting procedures.
- Represent the association at a local, district and regional level in a positive and professional manner.
- Remain informed of all association activities and be aware of future planning initiatives.
- Ensure the list of responsibilities delegated to the association Committee and various office bearers are widely communicated and understood.
- Have a good and clear understanding of the association’s rules, the constitution and the responsibilities of the various office bearers.
- Ensure the association rules, constitution and by-laws are respected and observed by everyone involved.
- Encourage players and officials to abide by the QWPI rules, regulations and codes of conduct.
- Oversee the association’s financial management procedures and budgeting.
- Ensure at all times the management of the association remains positive and progressive and the objects and aims of the association are respected and observed.
- Be prepared to make difficult decisions on behalf of the association if necessary and insist on all members respecting and abiding by the association's discipline provisions.

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2.2 Executive Committee Members:

Vice President

- Act on behalf of the President in the President's absence.
- Coordinate the planning activities of the association.
- Regularly liaise with the Executive Committee on other tasks to be undertaken.

2.2.1 Treasurer

- Maintain responsibility for the financial management of the associations' accounts and financial dealings.
- Communicate with other association office bearers and be fully aware of the financial position of the association at all times.
- Keep the committee informed of all financial trends and any areas of concern.
- Issue receipts and promptly deposit all monies received.
- Maintain a daily takings register for all money received.
- Make all payments by cheque where possible and keep up to date accurate records of income and expenditure.
- Be responsible for ensuring that adequate accounts and records exist regarding the association's financial transactions.
- Be one of the signatories on the association's cheques.
- Prepare regular bank account reconciliations.
- Ensure that appropriate systems are initiated to prevent other association members handling, depositing, paying out or otherwise dealing with association funds, without the Treasurer's permission.
- Prepare budgets for the forthcoming year describing potential sources of income and expenditure.
- Present monthly breakdowns of income and expenditure to the committee.
- Prepare and present financial statements to association committee meetings and the AGM.
- Prepare financial statements for the association's Auditor at the conclusion of each financial year and ensure that audited accounts are returned for presentation at the AGM.
- Present financial statements to the QWPI when required.
- Ensure that all insurance documentation is completed, paid and kept up-to-date and inform the Committee of all issues relating to insurance.
- Invest surplus funds and manage the association's investment program.
- Prepare annual financial accounts for auditing and provide the auditor with Information as required.
- Ensure annual returns and statement of accounts are lodged with the Office of Fair Trading within one month of the AGM.
- Be able to work in a logical orderly manner, keep good records and carefully handle money and cheques, arranging regular time periods to maintain the association's books of account.
- Have a sound knowledge of the rules, regulations and financial requirements of the QWPI and the association.
- Be aware of the association's future plans and development initiatives.

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2.2.2 Secretary

- Maintain responsibility for the efficient management, coordination, communication and smooth running of the association's administrative tasks.
- Provide a communication link between members, committee and outside agencies.
- Ensure proper handling of all correspondence and record keeping.
- Clear the mailbox regularly particularly before committee meetings so the correspondence can be dealt with at meetings.
- Draft a list of all inward and outward correspondence to be distributed and discussed at meetings.
- Present lists and clarify all items of correspondence at committee meetings that require discussion and identify all main points.
- Keep minutes from all meetings and distribute to the Committee prior to next meeting.
- File copies of all correspondence and retain for at least three (3) years.
- Maintain a sound knowledge of the reporting requirements of the *Associations Incorporation Act, 1981* and ensure that the association reports to the Office of Fair Trading as necessary.
- Communicate all matters of importance from QWPI, General Committee Meetings and other places and organisations to association members.
- Be the link between the QWPI and the association on all levels.
- Maintain a sound knowledge of QWPI rules, regulations, memorandums and minutes from all meetings.
- Maintain confidentiality on relevant and delicate matters.
- Have a good working knowledge of meeting procedures.
- Have a good understanding of the association constitution, association rules and regulations and responsibilities of all office bearers.
- Be aware of the future directions and plans the association.
- Co-operate with and assist office bearers with their responsibilities.

2.2.3 Promotions Officer

- Develop and maintain local media contacts in television, radio, newspaper and internet.
- Develop media releases concerning upcoming events, interesting personalities and association and individual highlights or achievements and communicate newsworthy items to media contacts.
- Maintain a sound understanding of on-going and future association activities.
- Develop and implement a public relations program as approved by the committee.
- Advertise all the positive aspects of the association's activities, highlighting at all times the need for support and acceptance of the association and the Codes Of Conduct and behaviour rules of the QWPI.
- Liaise with team managers to ensure match reports are received each week.
- Coordinate and assist in the publication of association newsletters and reports.
- Liaise with other association members on a regular basis.
- Keep the committee informed of on-going activities.

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2.2.4 Seniors Coordinator

- Represent the seniors at association level and ensure all team managers are kept up to date with association requirements.
- Manage the seniors competition, making sure that all administrative and operational planning and activities are completed.
- Liaise with the Registrar and team managers to assist with the completion of registration, competition draws and venues.
- Be responsible for all association gear used for the seniors competition and ensure its prompt return at the finish of the season.
- Ensure that all team managers know when they are playing each week and the location of pools.
- Represent the seniors at coaches and managers meetings and association meetings as required.
- Provide relevant information to the Promotions Coordinator.
- Liaise with other committee members regularly.
- Ensure that all seniors competitions, tournaments and social events are organised well in advance and run on time and within budget.
- Ensure that seniors progress scores are kept up-to-date through each season.
- Have a sound understanding of the rules and regulations of the association and QWPI.
- Have a good working knowledge of the association's constitution and rules.
- Be aware of the future directions of the association.
- Ensure all team managers respect and support the Codes of Conduct and rules and regulations of the association and QWPI.

2.2.5 Juniors Coordinator

- Represent the juniors at association level and ensure all team managers are kept up to date with association requirements.
- Manage the juniors competition, making sure that all administrative and operational planning and activities are completed.
- Liaise with the Registrar and team managers to assist with the completion of registration, competition draws and venues.
- Be responsible for all association gear used for the juniors competition and ensure its prompt return at the finish of the season.
- Ensure that all team managers know when they are playing each week and the location of pools.
- Represent the juniors at coaches and managers meetings and association meetings as required.
- Provide relevant information to the Promotions Coordinator.
- Liaise with other committee members regularly.
- Ensure that all juniors competitions, tournaments and social events are organised well in advance and run on time and within budget.
- Ensure that juniors progress scores are kept up-to-date through each season.
- Have a sound understanding of the rules and regulations of the association and QWPI.
- Have a good working knowledge of the association's constitution and rules.
- Be aware of the future directions of the association.

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- Ensure all team managers respect and support the Codes of Conduct and rules and regulations of the association and QWPI.

2.2.6 Schools Coordinator

- Represent school players at association level and ensure all team managers are kept up to date with association requirements.
- Manage the school competitions, making sure that all administrative and operational planning and activities are completed.
- Liaise regularly with individual schools participating in the competitions.
- Liaise with the Registrar and individual schools to assist with the completion of registration, competition draws and venues.
- Be responsible for all association gear used for the schools competitions and ensure its prompt return following use.
- Ensure that all school water polo coordinators know when their teams are playing each week and the location of pools.
- Represent schools at coaches and managers meetings and association meetings as required.
- Provide relevant information to the Promotions Coordinator.
- Liaise with other committee members regularly.
- Ensure that all schools competitions, tournaments and social events are organised well in advance and run on time and within budget.
- Ensure that schools' progress scores are kept up-to-date through each season.
- Have a sound understanding of the rules and regulations of the association and QWPI.
- Have a good working knowledge of the association's constitution and rules.
- Be aware of the future directions of the association.
- Ensure all school water polo coordinators respect and support the Codes of Conduct and rules and regulations of the association and QWPI.

2.2.7 Referees Coordinator

- Represent association referees at association level and ensure all referees are kept up to date with association requirements.
- Manage the allocation of referees to each competition and game, making sure that all administrative and operational planning and activities are completed.
- Liaise regularly with individual referees to ensure that their needs regarding training and development are being addressed.
- Ensure that all training and development sessions and social events for referees are organised well in advance and run on time and within budget.
- Maintain a database of all referees which includes details of all games they control.
- Manage the reward and recognition program for service from referees.
- Ensure that all referees know when they are refereeing each week and the location of pools.
- Represent referees at coaches and managers meetings and association meetings as required.
- Provide relevant information to the Promotions Coordinator.
- Liaise with other committee members regularly.
- Have a sound understanding of the rules and regulations of the association and QWPI.

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- Have a good working knowledge of the association's constitution and rules.
- Be aware of the future directions of the association.
- Ensure that all referees respect and support the Codes of Conduct and rules and regulations of the association and QWPI.

2.2.8 Registrar

- Supervise and be responsible for the proper registration of all players, coaches, trainers and other officials within the association.
- Contact QWPI offices to discuss registration requirements prior to sign-on and collect relevant documentation and information as necessary.
- Plan and conduct sign-on days each year.
- Properly obtain and record each player's details and maintain an up-to-date register of members throughout each season.
- Develop and prepare team lists.
- Complete documentation for each player as required by QWPI.
- Coordinate the association's compliance with its Volunteer Screening Policy, screening all coaches, managers, first aid officials and Committee members.
- Ensure registration dates and times for QWPI are met.
- Prepare a list of players for each age group for distribution to team coaches and managers.
- Provide information as required to the QWPI (in accordance with Privacy Legislation) to enable player records to be maintained.
- Have a sound understanding of QWPI rules and regulations.
- Have a good working knowledge of the association's rules and regulations.
- Be aware of the future directions of the association.
- Keep the committee informed of the status of registrations at each monthly meeting.
- Be aware of legal privacy regulations and ensure the requirements are implemented.
- Ensure that any documentation issued by the QWPI for circulation to players and association members is duly circulated to those intended.

2.3 The Salaried Staff of the Association

The Board may employ and dismiss salaried staff of the Association, as required, under an employment agreement to:

- a) be responsible for carrying out the day to day duties of the Association to ensure the effective and efficient running of the Association under the direction of the Board;
- b) deal with such matters as delegated by the Board.
- c) liaise with all Committees ensuring the objective of the Association is achieved and developed upon.
- d) as an invited, ex-officio officer, serve on Association Committees as required by the Board without voting powers.

All staff will receive a duty statement detailing their roles and responsibilities. The duty statements may be changed as required subject to approval of the Board.

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3. Members

There are currently four clubs/associations affiliated with the Sunshine Coast Water Polo Association:

- Noosa Water Polo Association
- Kawana Water Polo Club
- Caloundra Water Polo Club
- Maroochydore Water Polo Club

4. Subscriptions

Subscriptions payable by a member will be as prescribed by the Board as set out in clause 6.1, 6.2, and 6.3 of the constitution, but in any event prior the member competing in any water polo competition conducted by or approved by the Association; and no member or person shall be eligible for appointment, election, or to hold a position, as an official of the Association, or to participate as a voting member at a General Meeting, whilst there are subscription fees of that person or member outstanding beyond the due date set by the Association

5. Cessation of membership - resignation, suspension, disqualification and expulsion

- 5.1** Resignation. Membership may be resigned within the Associations year by notice in writing to the Association, and shall take effect on receipt (refer clause 8.1, 8.2 of the constitution) provided that the member has no debts outstanding to the Association, otherwise membership shall cease by non-payment of the membership fee in the succeeding Association year.
- 5.2** Suspension, disqualification, expulsion. If any member or members shall wilfully refuse or neglect to comply with the provisions of the Constitution or By-laws of the Association or be guilty of any conduct which in the opinion of the Board is prejudicial to the interests and objects of the Association, the Board shall by resolution have power to suspend, disqualify or expel that member wherein:-
- (i) suspension means exclusion from participating as a member at any General Meeting or in any Water polo competition conducted or approved by the Association, unless the Board allows some of these privileges to be maintained;
 - (ii) disqualification means the exclusions provided fully under suspension and in addition exclusion from being an official of the Association or representing the Association in any capacity or being a voting member at a General Meeting of the Association;
 - (iii) expulsion means that the membership of the Association shall cease and all rights and privileges of membership shall be forfeited.
- 5.3** Before the Board shall pass a resolution as to suspension, disqualification or expulsion as a member, it shall give to that member at least 21 days notice in writing of such proposed resolution together with details of what is alleged against the member or members, and requiring the member or members to show cause as to why the proposed resolution should not be passed and further giving that member or members the opportunity to attend the meeting at which the proposed resolution is to be considered to give or submit orally or in writing an explanation or defence as seen fit.

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- 5.4** Disqualifications and expulsions resolved by the Board may be altered only by a decision taken at a General Meeting of the Association, such resolution requiring a three-quarters majority of those present and voting and being the result of a special resolution given in accordance with the Constitution.
- 5.5** Suspensions for breaches as prescribed in the FINA Rules of water polo may be determined by judiciary committees established in accordance with these By-laws or approved by the Board, such suspensions to have immediate effect subject to the provision of procedures for appeal to the Board.

6. Judiciary

The Management Committee of Sunshine Coast Water Polo shall convene a Judiciary Committee as set out in clause 8.3 of the constitution.

The Management will appoint a Judiciary Chairperson who will be responsible for the appointment of a committee. The Judiciary Committee shall consist of up to seven members - preferably non-playing person and only one from each member.

The powers and duties of the Judiciary Committee (hereinafter called "the Judiciary") shall be:

- a) The Judiciary meet as required
- b) A quorum of the Judiciary shall be three members.
- c) All meetings of the Judiciary shall be closed to the public
- d) The jurisdiction of the Judiciary shall be to hear and determine all charges and complaints made by any referee or official authorised for that purpose, against any member, official, team, club or affiliated Association for any breach of the FINA Rules of water polo or competition rules as determined by time to time by the Association, or for any conduct that may bring the Association into disrepute.
- e) All charges and complaints within the jurisdiction of the Judiciary shall be notified in writing on the prescribed form, to the Management Committee within 72 hours of the happening of the matter in respect of which the charge or complaint is made.
- f) Upon receipt of the notification of any charge or complaint the Management Committee shall as soon as practicable, notify the Judiciary members, the complainant, the defendant, and any known witnesses of said charge or complaint and shall appoint a place and time not later than seven days after receipt of such notification as aforesaid for the hearing of same and shall call upon the various persons to be present at such hearing.
- g) If for any reason the Judiciary is unable to hear a complaint or charge or complete the hearing of a complaint or charge it may adjourn the hearing for a period of not more than seven days but no longer and the Judiciary shall dispose of the matter then and no further adjournments shall be allowed unless authorised by the Board;
- h) A party to any complaint or charge before the Judiciary shall be given full opportunity of being heard on the matters in dispute and shall if the Judiciary so approves have the right to counsel and may call evidence and cross-examine any witness.

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- i) No members of the Judiciary hearing any charges or complaint shall be a party to the charge or complaint.
- j) If the Judiciary by majority decision finds any charge of complaint proved, it shall have power to impose one or more of the following penalties against the defendant:
 - 1) Suspension;
 - 2) Disqualification;
 - 3) Reprimand;
 - 4) Fine;
 - 5) Forfeiture and premiership points;
 - 6) Set aside the result of a game or competition and substitute another result in lieu thereof.
- k) The Judiciary shall have power to impose one or more of the penalties mentioned in Clause j) hereof against:
 - a) any complainant, defendant, witness or other person duly notified of the complaint or charge by the Secretary and called upon to be present who shall fail to appear at any hearing of the Judiciary or any adjourned hearing of the Judiciary;
 - b) any person found by the Judiciary to be guilty of giving false or misleading evidence to the Judiciary.
- l) The Board shall notify the defendant in writing of the decision of the Judiciary as soon as practicable after the giving of such decision.
- m) Any party to a charge or complaint heard by the Judiciary shall have the right to appeal to the Board against any decision of the Judiciary.
- n) Notice of appeal to the Board shall be lodged in writing with the Secretary within seven days of the Judiciary's decision together with a short statement of the grounds of appeal and accompanied by a deposit of \$50.00.
- o) The Board shall hear an appeal pursuant to Clause m) hereof as soon as practicable after the notice of appeal has been lodged with the Secretary as provided for in Clause n) hereof.
- p) On the hearing of any appeal the Board shall hear the submission of the applicant as to the grounds of appeal and shall have power to:
 - 1) examine the Minutes of the Meeting of the Judiciary;
 - 2) rehear the evidence or any part thereof;
 - 3) hear the submissions from the parties to the original complaint or charge and for these purposes shall notify all persons required to be present at the hearing of such appeal.
- q) On the hearing of an appeal the Board has power to:
 - 1) allow the appeal and set aside the decision of the Judiciary.
 - 2) dismiss the appeal.
 - 3) refer the matter back to the Judiciary for re-hearing.
 - 4) refund to the appellant the \$50.00 deposit.
 - 5) substitute for the decision of the Judiciary such decision as the Board thinks fit the circumstances.

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- r) Any notice required to be given pursuant to these rules shall be properly given if sent to the address shown in the register book of any player and official, or his last known address and the address of the Secretary of the club and shall be deemed to have been given at the time of posting.

7. TRANSFERS

- 7.1** The close of a season which for the purpose of these By-laws shall be the 30th day of April in each year shall not automatically entitle any player of a member club or Association to transfer to another club.
- 7.2** A player wishing to transfer from one member to another shall make application to the Board on the prescribed form, such form to be accompanied by a transfer fee as determined from time to time by the Board.
- 7.3** All applications will be dealt with on their merits and should a member fail to grant a transfer within fourteen days or such further time as the Board may consider reasonable from the date of the receipt of the application, the player seeking same shall have the right of appeal to the Board.
- 7.4** It shall not be necessary for the member to which a player transfers to pay fees and levies for that year in respect of such player, should such fees and levies have already been paid by the players former member.
- 7.5** No player shall be granted two transfers in any one year without the consent of the member from which the first transfer was made and at the discretion of the Board.
- 7.6** The registration number of the player making application for a transfer shall be endorsed on the application for transfer form.
- 7.7** A player of a member wishing to transfer to or from another state shall notify the secretary of the member accordingly. The members secretary shall then inform the Board in writing of the desire to transfer and submit a certificate to the effect that the transferee has no outstanding fees or financial liabilities to the member or otherwise. The Board then shall satisfy itself that all obligations have been met under any elite player agreement which such transferee has entered into with the Association after which the Association shall notify the secretary of the State Association to which the transferee wishes to transfer the players particulars.
- 7.8** Inter-nation transfers for the purpose of playing with a member in the Associations fixtures and for the Associations representative teams shall be in accordance with the AWPI Constitution and By-laws and that of FINA.

8. INDEMNITY

Every Director, Honorary Auditor and official of the time being of the Association shall be indemnified out of the Assets of the Association against Liability arising out of the execution of the duties of his office which is incurred by him in defending any proceedings, whether civil or criminal, in which judgement is given in his favour, or in which he is acquitted or in connection with any application under the Act in which relief is granted to him by the court in respect of any negligence, default, breach of duty or breach of trust.

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9. CONFLICT OF QWPI/AWPI.

In the event that any By-laws of this Association are at variance with the By-laws of the QWPI and or AWPI then the By-laws of QWPI and or AWPI shall take precedence over these By-laws.

10. FURTHER MATTERS

Any matter relating to water polo set forth in the By-laws of the QWPI and or AWPI and not covered by these By-laws shall so far as not inconsistent with the By-laws herein be as if such By-laws had been incorporated in these By-laws.