

**NUNAWADING SWIMMING CLUB INCORPORATED  
STATEMENT OF BY-LAWS**

Approved by NSC Board 30/08/16

**BL1. STATEMENT OF BY-LAWS**

- [1] The By-Laws listed below should be read in conjunction with the current constitution of the Nunawading Swimming Club Inc.

**BL2. BOARD SUB-COMMITTEES:**

- [1] The Board shall create Sub-Committees as deemed necessary to assist in decision-making and the swimming operations of the Club.
- [2] The following Sub-Committees will report to the Board:
- (a) Swim Committee.
  - (b) any other Sub-Committee that is deemed necessary for short term projects or long term support.

**BL4. SWIM COMMITTEE:**

- [1] The purpose of the Swim Committee is to:
- (a) Provide support for all club and domestic swimming competitions.
  - (b) Provide support for all club social and fundraising activities.
  - (c) Actively seek involvement from parents, swimmers and other members of the club.
  - (d) Ensure effective communication of swimming activities and club functions to parents, swimmers and others.
- [2] Subject to these Rules, each ordinary member of the Swim Committee shall be nominated and/or elected and shall hold office until the Annual General Meeting (AGM) next after the date of election but is eligible for re-election and/or nomination.
- [3] In the event of a casual vacancy occurring in the office of an ordinary member of the Swim Committee, the Swim Chairperson may appoint a member of the Club to fill the vacancy and the member appointed shall hold office, subject to these Rules, until the conclusion of the AGM next following the date of the appointment.
- [4] The elected members of the Swim Committee shall be:
- (a) Swim Chairperson
  - (b) Competition Officer
  - (c) Intra-Club Officer
  - (d) Team Manager Coordinator
  - (e) Metro East Delegate
  - (f) Technical Official Officer
  - (g) Awards & Records Officer
  - (h) Social Coordinators x 2
- [5] The nominated members to the Swim Committee shall be the Head Coach and/or one coach representative.
- [6] The elected and nominated positions can be varied by approval of the Board
- [7] All members of the Swim Committee shall hold a current working with children's check

**BL5. ELECTION OF SWIM COMMITTEE MEMBERS:**

- [1] Nominations of candidates for election of Swim Committee members must be:
  - (a) made in writing, signed by two members of the Club and accompanied by the written consent of the candidate which may be endorsed on the form of nomination [refer appendix BL1]; and
  - (b) delivered to the Secretary of the Board or nominated representative not less than 7 days before the date fixed for the holding of the AGM.
- [2] If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed elected.
- [3] If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- [4] The ballot for the election of members of the Swim Committee must be conducted at the AGM in such a manner as the Board may direct.
- [5] Positions not filled at the AGM through nomination will remain vacant until such time as a suitable candidate is identified. An appointment, once ratified by the Board will then be made to fill the vacancy.

**BL6. VACANCIES:**

- [1] The office of a member of the Swim Committee becomes vacant if the Swim Committee member
  - (a) ceases to be a member of the club; or
  - (b) resigns from office by notice in writing given to the Board Secretary.

**BL7. MEETINGS OF THE SWIM COMMITTEE:**

- [1] The Swim Committee shall meet a minimum four times in each swimming year at such place and such times as the committee determines.
- [2] Other meetings of the Swim Committee may be necessary from time to time and will be convened by the Swim Chairperson.
- [3] The Swim Chairperson may call for interim reports to share status updates with Committee members between meetings.

**BL8. NOTICE OF SWIM COMMITTEE MEETINGS:**

- [1] Notice of each Swim Committee meeting must be given to each member of the Swim Committee at least 7 business days before the date of the meeting.
- [2] Items to be discussed under General Business must be notified to the Swim Chairperson at least 4 days prior to the meeting.

**BL9. QUORUM FOR SWIM COMMITTEE MEETINGS:**

- [1] **Greater than** 50% of members of the Swim Committee constitute a quorum for the conduct of the business of a meeting of the Swim Committee.
- [2] If a quorum is not present the meeting may continue, however, any decisions made by the members present must be ratified by a minimum 75% of Swim Committee members either at the next meeting or by email circulation by the Swim Chairperson.
- [3] Any vacant position on the Swim Committee shall not be used to determine a quorum.

**BL10. PRESIDING AT SWIM COMMITTEE MEETINGS:**

- [1] At a Swim Committee meeting, if the Chairperson is absent, or unable to preside, the Board may assign a Board member to act as Chairperson for that meeting, or if it is a late withdrawal, the members present must choose one of their members to preside.

**BL11. VOTING AT SWIM COMMITTEE MEETINGS:**

- [1] Questions arising at a meeting of the Swim Committee shall be determined on a show of hands or, if a member requests, by a poll taken in such a manner as the person presiding at that meeting may determine.
- [2] Each member present at a meeting of the Swim Committee [including the member presiding at the meeting] is entitled to one vote and in the event of an equality of votes on any question the person presiding may exercise a second casting vote.

**BL12. REMOVAL OF A MEMBER OF THE SWIM COMMITTEE:**

- [1] The Board may by resolution remove any member of the Swim Committee before the expiration of his/her term of office and appoint another member in his/her place to hold office until the expiration of the term of the first mentioned member.
- [2] A member who is the subject of a proposed resolution referred to in sub-rule [1] may make representations in writing to the Secretary or President of the Club and may request that the representations be provided to the members of the Club.
- [3] The Secretary or the President may give a copy of the representations to each member of the Club or, if they are not so sent, the member who is the subject of a proposed resolution referred to in sub rule [1], may require that they be read out in the meeting.

**BL13. MINUTES OF MEETINGS:**

- [1] The Swim Chairperson, or a member delegated by the Chairperson, must keep minutes of the resolutions and proceedings of each Swim Committee meeting, together with a record of the names of persons present at these meetings.
- [2] The minutes of each meeting must be completed and forwarded to the CEO within 5 days and then be distributed to the Board prior to their next monthly meeting.

**BL14. SWIM COMMITTEE POSITION DESCRIPTIONS:**

- [1] The members of the Swim Committee shall be guided by the following position descriptions:
- (a) The Swim Chairperson shall;
    - (i) Be the contact person for all Swim Committee members.
    - (ii) Chair the meeting of the Swim Committee.
    - (iii) Liaise with each Swim Committee member to support them in achieving the responsibilities of their roles.
    - (iv) Distribute an agenda to all members of the Swim Committee at least 5 days prior to a Swim Committee meeting.
    - (v) Distribute the minutes of all Swim Committee meetings to all members of the Swim Committee and the Board within 5 days of the meeting.
    - (vi) Shall award the Swim Chairperson's Award to an outstanding Club volunteer at the Annual Presentation Function.

- (b) The Intra-Club Officer shall;
  - (i) Co-ordinate club swim meets including:
    1. Nuna PB Challenge
    2. Any additional Intraclub initiative
  - (ii) Confirm the Intra Club dates with the Head Coach at least two terms in advance.
  - (iii) Confirm the Nuna PB Challenge program format with the Head Coach.
  - (iv) Provide a report after each intra club meet for inclusion in weekly email newsletter.
  - (v) Ensure results of all Intra Club are provided to Club Coordinator within 48 hours of each meet.
  
- (c) The Team Manager Co-ordinator shall;
  - (i) Be primarily responsible for the recruitment, training and allocation of Team Managers, from a variety of squads, for all meets and Club trips as required.
  - (ii) Shall award the Team Manager's Award to an outstanding Team Manager volunteer at the Annual Presentation Function.
  
- (d) The Metro East Delegate shall;
  - (i) Attend all District meetings to represent the Nunawading Swimming Club
  - (ii) Vote on all matters raised by the District and or other Clubs, keeping the name, respect and integrity of the Nunawading Swimming Club and its swimmers above all else.
  - (iii) Report to the Swim Chairperson within 5 days of a District meeting on any actions that need to be implemented by the Club (eg Host a Metro East meet).
  - (iv) Report to the Swim Committee on outcomes from District meetings.
  
- (e) The Head Coach shall;
  - (i) Provide leadership to the Swim Committee and its members to ensure full support of coaching initiatives and competition strategies;
  - (ii) Book Aqualink Nunawading for Intra Club meets and Club Championships.
  - (iii) Complete all other duties described in the Head Coach's Position Description under the direction of the CEO.
  
- (f) The Competition Officer shall:
  - (i) Ensure the program of events is available for online entry and promoted on the NSC and SV websites at least 4 months prior to the event;
  - (ii) Support the Club Coordinator in the preparation and conduct of the Nuna Long Course, Short Course, Club Championships and any other Club meets including entries, programs, pool setup, and management of the event on the day.
  - (iii) Submit appropriate documentation for approval by Swimming Victoria of Nunawading qualifying meets within 24 hours of meet completion.
  - (i) Ensure results are sent through to the Club & Squad Coordinator to be posted on the NSC website within 24 hours of the meet's conclusion.
  
- (g) The Technical Official Officer shall:
  - (i) Be Swimming Victoria qualified.
  - (ii) Maintain all technical equipment and report any replacement or new equipment required to the Squad and Club Coordinator.
  - (iii) Be responsible for the recruitment and on-going training of Club officials.
  - (iv) Appoint required officials for all Nunawading meets.
  - (v) Ensure the appropriate technical officials are appointed for the Nuna LC, Nuna SC, Club Championships and any other Club meets to ensure each meet is recognised as a Qualifying Meet.
  - (vi) Shall award the Technical Official Officer's Award to an outstanding Club technical official at the Annual Presentation Function.

- (h) The Awards & Records Officer shall:
  - (i) Coordinate all medals and trophies for Club Championships and PB Challenge with the Squad and Club Coordinator.
  - (ii) Coordinate all medals and trophies for the Club Annual Presentation Function
  - (iii) Maintain and update all club records listed in BL23 on a monthly basis.
  - (iv) Provide all swimmers who break records with record certificates within 4 weeks of their record breaking swim.
  - (v) Provide a list of club records broken for publication in Nuna News each month.
- (i) The Social Coordinators shall:
  - (i) Coordinate volunteers and catering for the Nuna LC, Nuna SC, Club Championships, other Nunawading meets and selected Metro East meets.
  - (ii) Coordinate volunteers and catering for the Club Breakfasts.
  - (iii) Coordinate volunteers and catering for social functions including the annual Christmas Party and Presentation Function.
  - (iv) Actively seek involvement from parents of the club.

#### **BL15. INTRA CLUB MEETS:**

- [1] The Nunawading Swimming Club Intra Club competitions will consist of the following meets:
  - (a) Club Championships
  - (b) Nuna PB Challenge
  - (c) Any other meets as determined by the Head Coach
- [2] The Club Championships shall:
  - (a) Be held once every season.
  - (b) Consist of the following events
    - (i) 100m butterfly, breaststroke, backstroke and freestyle and the 200 IM for all age groups 11 years and over,
    - (ii) 50m butterfly, breaststroke, backstroke and freestyle, and a 100 freestyle for age groups 10 years and under.
  - (c) Include aggregate points in each age group (9, 7, 6, 5, 4, 3, 2, 1) which are tallied to determine each age group Club Champion, for which trophies/medals will be presented.
  - (d) Be open to all NSC members, with all squad members encouraged to enter.
- [3] The Nuna PB Challenge shall:
  - (a) Fulfil the following objectives:
    - (i) To introduce new swimmers to all aspects of competition so they can gain confidence
    - (ii) To encourage our swimmers to focus on individual self-improvement
    - (iii) To create opportunities for swimmers and parents to meet other families
    - (iv) To help parents learn the various aspects of timekeeping
  - (b) Be conducted once each school term, as a series of two or three meets where swimmers try to improve on their personal best times.
  - (c) Have points awarded for each swim as follows:
    - 2 points for first swim in an event
    - 2 points if time swum is slower than PB
    - 3 points if time swum equals PB or up to 1 second faster
    - 5 points if time swum betters PB by 1.00 second or more
  - (d) Award a medal / trophy to 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> girls and boys in each age group (8/u, 9, 10, 11, 12, 13/over) at the end of the series, based on points earned in that Term.
  - (e) Award the David Cook PB Challenge Trophy at the annual Presentation Function to the boy and girl who accumulate the most points over the preceding 12-month period.
  - (f) Awards may only be won by NSC members.
  - (g) Be open to swim school children who are nominated by their swim teachers, however they must become club members within one term of their first swim at the Nuna PB Challenge if they wish

to continue to be involved.

**BL16. NUNAWADING SWIM MEETS:**

- [1] The Club shall conduct a number of swim meets each year depending on the National, State, District and Club calendars. These meets may include the:
  - (a) Nunawading Short Course Meet
  - (b) Nunawading Long Course Meet
  
- [2] The Nunawading Short Course Meet and Nunawading Long Course Meet shall be:
  - (a) one day meets with sessions split by age groups
  - (b) conducted at a time that will assist swimmer performance and ensure business success
  - (c) open to swimmers who are members of their State Association
  - (d) used as fundraisers for the Club

**BL17. METRO EAST MEETS:**

- [1] Swimmers shall be encouraged to participate in Metro East meets so long as they fit into the NSC Competition calendar and squad training program.

**BL18. PERPETUAL BEST SWIMMING PERFORMANCE TROPHIES:**

- [1] SUTHERLAND TROPHY:
  - (a) The Sutherland Trophy shall be awarded at the annual Presentation Function to the male and female swimmers who achieve the best swimming performance according to the most current FINA international point score.
  - (b) Swimmers must be 17 years or over at 1<sup>st</sup> May from the previous year to be eligible for this trophy.
  - (c) 'The best swimming performance' shall be awarded for swims done at official FINA sanctioned long course meets in Olympic events only.
  
- [2] THE GRAEME AND HELEN WOOLLES TROPHIES
  - (a) The Graeme and Helen Woolles Trophies shall be awarded at the annual Presentation Function to the male and female swimmers who achieve the best swimming performance according to the most current FINA international point score.
  - (b) Swimmers must be 14 years to 16 years at 1<sup>st</sup> May from the previous year to be eligible for these trophies.
  - (c) 'The best swimming performance' shall be awarded for swims done at official FINA sanctioned long course meets in Olympic events only.
  
- [3] MEYER - HOUGHTON TROPHIES
  - (a) The Meyer and Houghton trophies shall be awarded at the annual Presentation Function to the male and female swimmers who achieve the best swimming performance according to the FINA international point score.
  - (b) Swimmers must be 13 years or under at 1<sup>st</sup> May from the previous year to be eligible for these awards.
  - (c) 'The best swimming performance' shall be awarded for swims done at official FINA sanctioned long course meets in Olympic events only.
  
- [4] THE URSULA RAUTER AND LIZ CLARKE TROPHIES
  - (a) The Ursula Rauter trophy for boys shall be awarded at the annual Presentation Function to the male swimmer who achieves the best swimming performance at the Victorian Long Course Championships in 11/u events based on gold, silver & bronze medals and final placings if required.
  - (b) The Liz Clarke trophy for girls shall be awarded at the annual Presentation Function to the female swimmer who achieves the best swimming performance at the Victorian Long Course

Championships in 11/u events based on gold, silver & bronze medals and final placings if required.

[5] ANNE CURRIE MULTI CLASS 'SWIMMER OF THE YEAR' TROPHY

- (a) The Anne Currie Multi Class Swimmer of the Year Trophy shall be awarded at the annual Presentation Function to the male or female Multi Class swimmer who achieved the highest ranking at an International meet in the previous season from 1 May to 30 April.
- (b) If no Multi Class swimmer attended an International meet, the Multi Class swimmer with the highest ranking at the Australian Championships in that season shall receive the award.
- (c) If no Multi Class swimmer attended the Australian Championships, the Multi Class swimmer with the highest ranking at the Australian Age Multi Class Championships shall be awarded the trophy.
- (d) If no Multi Class swimmer attended the Australian Age Multi Class Championships, the Multi Class swimmer with the highest ranking at the Victorian Championships shall be awarded the trophy, on the condition that the minimum standard achieved is a Victorian Championship finalist.
- (e) There is no age restriction for this award.

[6] OPEN WATER 'SWIMMER OF THE YEAR' TROPHY

- (a) The Open Water Swimmer of the Year Trophy shall be awarded at the annual Presentation Function to the male or female swimmer who achieved the highest finishing position at an International Open Water swim meet in the previous season from 1 May to 30 April.
- (b) If no swimmer attended an International meet, the swimmer with the highest finishing position at the Australian Open Water Championships in the 5km or 10km event, in that season, shall receive the award.
- (c) If no swimmer attended the Australian Open Water Swimming Championships, the swimmer with the highest finishing position at the Australian Age Open Water Swimming Championships, in that season, shall be awarded the trophy.
- (b) Swimmers must be 12 years or over at 1<sup>st</sup> May from the previous year to be eligible for this award.

**BL19. MAJOR ANNUAL TROPHIES**

[1] CLUB TROPHY SUB-COMMITTEE

- (a) Each year the President shall establish a Club Trophy Sub-committee
- (b) The Club Trophy Sub-Committee shall be made up of 5 persons consisting of two (2) coach members, two (2) non-coach members of the Swim Committee and one (1) Board representative (selected by the President and is a non-member of the Swim Committee) The President shall be the non-voting Chairperson for the Sub-Committee.
- (c) No competitive swimmer who is eligible for the award may sit on the Sub-Committee.

[2] BUTLER / NUGENT / CAUNE TROPHIES:

- (a) The male and female winners of the Butler Trophy, the male winner of the Nugent Trophy and female winner of the Caune Trophy shall be decided by secret ballot by members of the Club Trophy Sub-Committee using the following process.
- (b) Prior to the annual Club Trophy Sub-Committee meeting to determine award winners,
  - (i) the coach members on the Sub-Committee shall meet with the coaching team to gain feedback on suitable swimmers to be nominated for each award;
  - (ii) the Swim Committee representatives on the Sub-Committee shall meet with the Swim Committee, excluding any coaches, to gain feedback on suitable swimmers to be nominated for each award;
- (c) Once decided upon the Coach and Swim Committee nominations should be sent through to the President
  - (i) If the combined Swim Committee and Coaches nomination list totals 6 or less nominations for each award the Club Trophy Sub-Committee shall meet and vote to determine the winners;

- (ii) If the combined Swim Committee and Coach nomination list totals more than 6 nominations for any of the Club trophies, the Club Trophy Sub-Committee shall meet, firstly to select the 6 most suitable nominations and then to vote to determine the winners.
- (d) Voting shall be based on consideration of the following areas and using the procedure detailed in [e]:
  - (i) Swimming ability
  - (ii) Participation in club activities
  - (iii) Sportsmanship
  - (iv) Leadership qualities
- (e) While each member of the Club Trophy Sub-Committee is eligible to vote, a parent of a swimmer nominated for a specific award shall not vote for that award. Voting shall be completed as 3-2-1 with 3 votes for the person highest ranked. The President shall count the votes. The swimmer with highest number of votes shall win the award. If the winning number of votes is equal, there shall be a re-vote including only the swimmers who equaled in the original vote. Voting for the recount shall be 1 vote each for the highest ranked person. If there are equal votes on the second count, the Head Coach shall have a deciding vote.
- (f) The names of the winners of the Butler Trophy and Nugent and Caune Trophies shall remain confidential to the President, Club & Squad Coordinator and Awards Officer until their presentation.

#### **BL20. ANNUAL TROPHIES**

- [1] THE DAVID COOK TROPHIES
  - (a) The David Cook trophies shall be awarded at the annual Presentation Function to the overall top male and female point scorers at the Nuna PB Challenge for the previous 12-month season.
  - (b) Points for all swimmers attending the PB Challenges over the season will be added together.
  - (c) Swimmers must be club members to be eligible to win these trophies.

#### **BL21. SERVICE AWARDS:**

- [1] The Board shall recognise members with a service award as follows:
  - (a) 10 years' involvement;
  - (b) Every 5 years after 10 years.
- [2] Service awards shall not be automatic but will be considered and awarded by the Board on a case by case basis taking into account the type of service and involvement the member has given.
- [3] Service awards may also be given to 'friends' of NSC who may not be club members.

#### **BL22. CLUB CAPTAIN SELECTION & ROLE:**

- [1] The male and female Club Captains for each season shall be decided by the President, CEO, Head Coach and High Performance Coach.
- [2] The Club Captains should:
  - (a) Provide leadership to all Club members throughout the season.
  - (b) Be a positive role model for all members of the Club.
  - (c) Encourage club members to be involved in activities and events.

#### **BL23. CLUB RECORDS:**

- [1] The Club shall keep the following club records:
  - (a) Male Long Course Records;
  - (b) Female Long Course Records;
  - (c) Male Short Course Records;
  - (d) Female Short Course Records



- (e) Male Nunawading Club Championship Long Course Records
- (f) Female Nunawading Club Championship Long Course Records

- [2] A swimmer who breaks a Club Record is required to inform the Club Awards & Records Officer of the details of the record broken within 14 days of breaking the record.

**BL24. CLUB COMPETITION TRIPS AND TRAINING CAMPS:**

- [1] All competition trips or training camps involving NSC members where the team travels and/or stays as a team will follow points [2] to [9] below.
- [2] The ratio of NSC staff (team managers and/or coaches) to swimmers on all NSC competition trips or training camps shall not exceed 1:8.
- [3] For trips, camps and competitions whereby Team Managers and Coaches travel with the team, these people shall have the following responsibilities for the duration of the trip/camp:
  - (a) Team Managers shall:
    - (i) Manage all aspects of the air and/or ground travel, accommodation and meals.
    - (ii) Manage the conduct of all team members and after consulting the Head Coach, discipline or provide feedback to team members as required.
    - (iii) Provide support to the coaching team in areas of team sheets for relays, swimmer withdrawals, medal presentations, swimmer statistics, marshalling and any medical support.
    - (iv) Act as the liaison between the swimmers, coaches and parents as required.
  - (b) Coaches shall:
    - (i) Be present, provide support and advice to swimmers at the pool in all aspects of competition preparation, competition review and athlete management.
    - (ii) Select relays at swim meets where entries have been entered.
    - (iii) Work closely with the Team Manager in regards to relay selection, swimmer withdrawals and any other area required.
- [4] Team members must be 12 years or older on the first day of the trip to travel with Nunawading to Interstate competitions / training camps.
- [5] For overnight trips within the state of Victoria or border city, swimmers 11 years and under on the first day of the trip, may travel as members of the Nunawading team, if selected, but must be accompanied by an adult/guardian.
- [6] For day trips within the state of Victoria, club swimmers and parents may be invited to travel with the team. Team Members aged 11 years and under must be accompanied by a parent or guardian.
- [7] A parent / guardian may also be a guardian for additional children aged 11 years and under provided the children's family have provided the Club with a written letter of consent. A parent may be a guardian for a maximum 4 children, including their own. Guardians shall be organised by the families.
- [8] The parent / guardian shall:
  - (a) become part of the team in regards to all activities, transport, accommodation and meals;
  - (b) follow the directions of the Team Managers and Coaches and ensure the children in their care do the same;
  - (c) assist the Team Managers and Coaches if and when appropriate or asked;
  - (d) pay their share of the travel, accommodation and meals costs;
  - (e) look after all children in their care;
  - (f) share accommodation with the children in their care;
  - (g) hold a current working with children's check
- [9] All Team Members shall follow the direction of the Team Manager and Trip Head Coach.

- [10] Swimmers who do not meet the selection criteria for a competition trip may still attend the competition, but must travel independently of the NSC Team. This includes making their own travel and accommodation arrangements.

#### **BL25. TEAM GUIDELINES:**

- [1] A NSC Team shall be made up of Team Members who may be:
- (a) swimmers who are financial members of the Club;
  - (b) parents or guardians who are attending the trip;
  - (c) coaches and Team Managers assigned to the trip;
  - (d) swimmers or coaches who are non-Club members and have been invited by the Head Coach.
- [2] A person is a Team Member from the time the relevant Team is assembled until:
- (a) the Member ceases to be a Member of the Team; or
  - (b) the Team is disbanded on the day determined by the Team Manager/Coach and notified to the Team Member;
  - (c) such earlier time as NSC may agree with that Team Member (such as where a Team Member is released from a Team rather than returning home with the Team).
- [3] The Club must give each Team Member prior written notice of the date the Team will be assembled and the date on which it will be disbanded.
- [4] NSC will provide each Team with:
- (a) coaching support;
  - (b) public relations and media advice as appropriate;
  - (c) Team Managers as appropriate;
  - (d) Physiotherapist support on selected trips;
  - (e) Medical kit for emergency use.
- [5] NSC will support each Team Member where the team is travelling and/or staying as a team with:
- (a) the coordination of travel, accommodation, meals and ground transport;

#### **[6] Team Notification**

The following policy applies for all NSC organised trips and camps

- (a) Invited Team Members will be informed of trip details with a trip notification letter delivered via email or in person
- (b) Within 7 days of receiving a trip notification letter, all invited Team Members are required to complete the trip confirmation form and pay the required deposit and indicate any alternate travel arrangements required

#### **[7] Swimmer withdrawal from the team**

The following cancellation policy applies for all camps and trips

- (a) If a swimmer withdraws from a NSC trip after returning a completed trip confirmation form for any reason, including illness or injury, all costs that cannot be recouped by the Club are payable by the team member. These may include, but not be limited to, flight, accommodation, meal and transport costs. Any amounts payable will be deducted from the deposit received and/or charged to the Team Members account.

#### **[8] Requested Changes to Trip Details**

- (a) In addition to the trip cancellation policy outlined in BL25 [7](a) the following policy applies to all swimmers requesting changes to flights, accommodation and ground transport on overnight NSC trips and camps.

- (b) If, after returning a trip confirmation form, a swimmer requests to change any details of their trip including flights, accommodation or ground transport they will be liable for:
  - (i) Any costs involved in cancelling or changing flights;
  - (ii) Any costs in relation to accommodation that is unable to be changed or refunded;
  - (iii) Any transport costs unable to be changed or refunded;
  - (iv) Any other costs unable to be recouped by NSC
- (c) Any amounts payable in [8] (b) will be charged to the Team Member's account;

## **BL26. TEAM RULES:**

- [1] Team Members must:
  - (a) fully comply with these By-Laws, the NSC Constitution and the SV Constitution;
  - (b) Comply with all reasonable directions of the Head Coach and Team Manager/s of the Team in relation to the control, management, administration and running of the Team;
  - (c) Remain in good physical condition and be capable of performing the role required by a Team Member;
  - (d) Not be involved in, nor persist with, any conduct or activity that may harm NSC, its names or reputation;
  - (e) Wear NSC Team clothing in the manner directed by the Head Coach or Team Manager/s  
Parents/guardians attending are not required to wear uniform
  - (f) Not be involved in any conduct or activity that may harm the names or reputation of any Sponsor, nor NSC's relationship or contractual obligation with any sponsor;
  - (g) Not be involved in a situation which brings the Team Member into disrepute, contempt, scandal or ridicule; and
  - (h) Not offend public opinion or the sensibilities of any class or group.
  
- [2] Team Members must follow the Swimming Australia Limited Anti-Doping Policy and Illicit Drugs Policy at all times including:
  - (a) Team Members must not take or use drugs or stimulants or participate in other practices prohibited by the International Olympic Committee (IOC), FINA, Swimming Australia and/or the Australian Sports Drug Agency Act 1991;
  - (b) Team Members must comply with any lawful demand by FINA, ASADA or WADA to undergo a test or provide a sample for the purpose of the determining whether that Team Member has contravened BL26[2](a);
  - (c) Any Team Member who refuses or fails to comply with a demand pursuant to BL26[2](b) is liable to be immediately dismissed from the Team;
  - (d) Any Team Member who becomes aware that a Team Member is in breach of BL26[2](a), must advise the Team Manager;
  - (e) If any Team Member is detected to have breached BL26[2](a) the Team Manager/s must:
    - (i) make full disclosure to the Head Coach; and
    - (ii) make full disclosure to the CEO of Nunawading Swimming Club.
  - (f) Such information is confidential and can only be used for official/disciplinary purposes.
  
- [3] Team Members shall abide by the Dry Team Policy as follows:
  - (a) From the time a Team is assembled until it is disbanded, no Team Member is allowed to drink alcohol or take any recreational drug of any kind. The phrase 'recreational drug includes any drug which is an illegal drug in any State or Territory in Australia.
  - (b) Any Team Member aged 17 years or under who breaches the Dry Team Policy is liable to have their membership of the Team terminated.
  - (c) Any Team Member aged 18 years and over who breaches the Dry Team Policy without first signing a team release form is liable to have their membership of the Team terminated.

- [4] Team Members Medical Information
- (a) Team Members must conduct themselves in such a manner so as to obtain and maintain their best possible physical fitness and health;
  - (b) Team Members must disclose immediately to Team Management any illness and/or injury that may prejudice their proper participation in the activities of the Team;
  - (c) Team Members aged under 18 years must return to their parent/guardians care if so directed by Team Management if, after consultation with a qualified medical practitioner, the Team Member is declared unfit or unable to perform to the best of their ability through illness and/or injury. Any costs involved are the responsibility of the Team Member's parent/guardian;
  - (d) Team Members aged 18 years and over must leave the Team, if so directed by Team Management if, after consultation with a qualified medical practitioner, the Team Member is declared unfit or unable to perform to the best of their ability through illness and/or injury. Any costs involved are the responsibility of the Team Member;
  - (e) The Team Manager/s or guardian is approved to authorise such emergency medical treatment as deemed necessary, if a Team Member is unable, for any reason, to provide that authorisation themselves. The cost of any such emergency treatment will be paid by the Team Member;
  - (f) Any details disclosed pursuant to this By-Law will be kept absolutely confidential by NSC. The details may only be requested, discussed and disclosed as between the Team Manager/s and the Head Coach and any appointed medical practitioner for the purpose of:
    - (i) any emergency contemplated by BL26 [4](d);
    - (ii) determining the Team member's fitness to perform to the best of their ability; or
    - (iii) official / disciplinary purposes.
- [5] Termination of Team Member
- (a) Team Management may terminate a Team Member's place on a Team by giving written notice to the Team Member if the Team Member:
    - (i) breaches any of these By-Laws;
    - (ii) is convicted of a criminal offence;
    - (iii) is suspended from any event, competition, team or squad;
    - (iv) is found guilty by Swimming Victoria or NSC of a breach or violation of their regulations or other laws;
    - (v) in NSC's opinion, deteriorates in public image; or
    - (vi) in NSC's opinion is involved in any major controversy.
  - (b) Team Management may suspend on such conditions as it considers appropriate in its absolute discretion a Team Member's place on a Team while NSC conducts any investigation into whether a Team member should be dismissed from a Team for any of the reasons set out in By-Law 26[5](a);
  - (c) The Team Member has the right to an immediate appeal if they do not agree with the suspension from the Team. The order of appeal is listed below.
    - (i) Team Management and the Team Member must meet and discuss the matter and, if possible, resolve the dispute as soon as practical after the notification of suspension comes to the attention of both parties.
    - (ii) If the Team Member is still unsatisfied with the outcome, Team Management shall provide the Team Member with the phone number of either the Member Protection Officer (or the NSC President if the Member Protection Officer is part of team management) and organise an independent hearing by the Member Protection Officer (or the President) as soon as practical
    - (iii) After providing both parties with every opportunity to be heard and due consideration, the Member Protection Officer (or President) shall make their decision and that decision shall be final.
- [6] Rights of Termination
- (a) If a Team Member under the age of 18 has their place on a Team terminated, Team Management will organise for the Team Member to be returned into the care of their parent/guardian. The cost of any travel involved will be paid by the Team Member's parent/guardian.

- (b) If a Team Member over the age of 18 has their place on a Team terminated, they will be released from, and be required to leave, the Team. The cost and organisation of any travel involved will be the responsibility of the Team Member.
- [7] Liability
- (a) Team Members acknowledge NSC may take injunctive relief in any court of competent jurisdiction to restrain any breach of these By-Laws.
- [8] Release and Indemnity
- (a) Team Members release NSC from any liability whatsoever towards the Team Member, except any liability:
    - (i) which cannot be excluded by statute or any other law; or
    - (ii) arising as a result of NSC's gross or willful negligence.
  - (b) Team Members indemnify NSC from all claims, losses, damages, costs or proceedings of any kind which may be against NSC in any way arising out of or in connection with the Team Member's participation in any Team.
- [9] Disciplinary Hearing
- (a) Notwithstanding any penalty or sanction that may have been imposed on any team member for the breach of these By-Laws, any breach or alleged breach of these By-Laws, shall be deemed to be misconduct and shall be referred to the Board for a disciplinary hearing.

**BL27. UNIFORM:**

- [1] Club members representing NSC at swim meets shall wear Nunawading Swimming Club uniform as nominated by the coaches
- [2] If no uniform is nominated, NSC Uniform will consist of:
  - (b) Club polo shirt;
  - (c) Club swim cap;
  - (d) Club tracksuit;

**BL28. CLUB TRAVEL SUBSIDIES**

- [1] Each year when the Board sets the budget, money shall be allocated as financial support to selected competitions, squad trips and camps as deemed appropriate for the season.
- [2] To be eligible for a club subsidy to attend an Australian LC or SC Championship, Australian Age, Multi-Class or OWS Championship, the swimmer must have competed for NSC at the most recent Victorian Long Course Championships in the events determined by their coach and make themselves available for club relays, if selected;
- [3] If swimmers cannot compete at any of the meets listed in [2] above due to injury, illness, a Swimming Australia swim meet or camp, it is assumed that the swimmer would have competed at the meet;

**BL29. SWIMMER SUPPORT PROGRAM:**

- [1] Each year when the Board sets the budget, money shall be allocated towards a talented swimmer support program for the new season.

**BL30. TRANSPORT & PROVIDING LIFTS**

- [1] The Club does not support swimmers aged 18 years and over who have their Driver's Licence providing lifts in vehicles to swimmers aged less than 18 years of age unless the swimmer who is driving has sought the prior consent of the passenger's parent or guardian. The Club strongly encourages any members aged 18 years and over to gain the parental consent of a swimmer aged less than 18 years before

allowing them to enter their vehicle. The Club, the Club's employees and volunteers will not be held responsible for underage members travelling in vehicles driven by other members aged 18 years and over. Travel to and from pools and other Club functions are the responsibility of and at the risk of Members.

**BL31. ALTERATIONS**

[1] These By-Laws may be altered at any time by resolution of the Board of NSC.

**BL32. DEFINITIONS**

[1] In this agreement:

- i. **SV** is Swimming Victoria Incorporated.
- ii. **NSC** is Nunawading Swimming Club Incorporated.
- iii. **Sponsor** means a sponsor of NSC.

**NUNAWADING SWIMMING CLUB INC.**

**Election of Board Members**

Nominations are now called for the following NSC Board positions

**President | Vice Presidents x 2 | Secretary | Treasurer**

**ELECTION of Swim Committee Members**

Nominations are now called for the following Swim Committee positions

**Swim Chairperson | Intra-Club Officer | Team Manager Coordinator | Metro East Delegate  
Competition Officer | Technical Official Officer | Awards & Records Officer | Social Coordinator**

**Nunawading Swimming Club | Board & Swim Committee Nomination Form**

**20\_\_/20\_\_ Swimming Season**

We, the undersigned, wish to nominate the following person

Name: \_\_\_\_\_

as \_\_\_\_\_  
(position title)

\_\_\_\_\_  
(proposer name, please print)

\_\_\_\_\_  
(Signature of proposer)

I am willing to be so nominated.

\_\_\_\_\_  
(seconder name, please print)

\_\_\_\_\_  
(Signature of seconder)

\_\_\_\_\_  
(nominee name)

\_\_\_\_\_  
(nominee signature)

\_\_\_\_\_  
(date)