

# **BY-LAWS**

OF

## **PORT MACQUARIE SWIMMING CLUB INCORPORATED**

**Adopted November 27<sup>th</sup> 2025**

### **1. STATUS OF BY-LAWS**

#### **1.1 Power to Make By-Laws**

- (a) These By-Laws are made by the Port Macquarie Swimming Club Incorporated under Clause 36. They are binding on all Members. In the event of a conflict between these By-Laws and the Constitution, the Constitution will prevail.
- (b) The Club Committee has the power to update, amend or create new By-Laws at any committee meeting, with any new / amended laws passed by the committee becoming effective immediately
- (c) New / amended By-Laws shall be communicated to all members as soon as reasonably possible following their adoption and shall remain accessible to all members via the club website.

#### **1.2 Definitions and Interpretation**

The definitions in the Constitution apply to these By-Laws. In addition, the following definitions apply:

**“Clause”** means a clause of the Constitution.

**“Competition”** means and includes:

- (a) any championship organised or conducted by the Club;
- (b) any championship, competition, series or meeting sponsored by or conducted by or on behalf of the Club, or attended by Club Members

**“Swimmer”** means an Individual Member who competes at Club or higher level.

**“SAL”** refers to Swimming Australia. **“SNSW”** refers to Swimming NSW

## **2. INTEGRITY BY-LAW**

### **2.1 National Integrity Framework**

Port Macquarie Swimming Club has adopted the National Integrity Framework.

The National Integrity Framework (NIF) is a set of rules that all members of our sport need to follow when it comes to their behaviour and conduct in swimming including obligations to report misconduct. Those rules are contained in the following policies (available below):

- a) [Safeguarding Children & Young People Policy](#)
- b) [Member Protection Policy](#)
- c) [Improper Use of Drugs and Medicine Policy](#)
- d) [Competition Manipulation & Sports Gambling Policy](#)
- e) [Complaints, Disputes & Discipline Policy \(CDDP\)](#)
- f) [Code of Conduct](#)

## **3. COMMITTEE BY-LAWS**

### **3.1 Composition of the Committee**

The composition of the Committee as required by Clause 14 may consist of the following:

- (a) Office bearers (Executive Committee) as required by Dept of Fair Trade, being;  
President, Secretary, and Treasurer
- (b) Other Office Bearers (Executive Committee) being;  
Vice President(s), Race Secretary, Registrar
- (c) General Committee members

### **3.2 Election of Committee**

- (a) Where there is more than one nomination for any position, a ballot for that position shall be held. Where there are nominations for the positions of office bearer and Committee, the positions of the office bearers shall be determined first.
- (b) The Annual General Meeting shall appoint at least two tellers for each ballot.
  - i. Members shall record their vote by placing a mark (cross or tick) opposite the name of the candidate(s) of choice for that office.

- ii. On the count of votes in respect of any position, the candidate(s) who has received the highest number of votes shall be declared elected to that position(s).
- iii. In the case of an equality of votes for any position it shall be resolved by lot to eliminate the unsuccessful candidate(s).
- iv. If a ballot paper is not completed in accordance with By-Law 5(c) the ballot paper shall be deemed to be informal.
- v. The result of the ballot shall be declared at the Annual General Meeting.
- vi. All ballot papers for the annual elections are to be destroyed after the declaration of the poll.

### **3.3 Committee Member Responsibilities**

Committee members shall:

- (a) guide any standing committees to which they may be assigned on all matters affecting the Constitution, By-Laws, Policies and rules or any previous decision of the General Meeting or the Committee;
- (b) act honestly, independently and with due diligence in all decision making;
- (c) ensure that the resources of the Club are effectively and efficiently managed to fulfil the Objects;
- (d) contribute to the development of the Clubs strategic and business plans;
- (e) attend any assigned committee and act as the Committee adviser in the formulation of committee work plans;
- (f) present recommendations and reports of any assigned standing committee to the Committee.

### **3.4 President**

The President shall:

- (a) promote the image of the Club at all times and lead the pursuit of the Objects and carry out such duties as requested by a General Meeting and the Committee;
- (b) be responsible for the leadership and overall administration of the Club;
- (c) represent the Club on external bodies as determined by the Committee; and
- (d) coordinate the Committee activities and ensure that the Committee properly undertakes its governance role.

### **3.5 Secretary**

- (a) The Secretary of the Club must, as soon as practicable after being appointed as secretary, lodge notice with the Association secretary and SNSW of his address and contact details.
- (b) The Secretary must ensure full and accurate minutes of all members in attendance, questions, matters, resolutions and other proceedings of each Committee meeting and General Meeting are entered in the Club's minute book.

### **3.6 Treasurer**

The Treasurer of the Club must ensure:

- (a) that all money due to the Club is collected and received and that all payments authorised by the Club are made;
- (b) that correct books and accounts are kept showing the financial affairs of the Club, including full details of all receipts and expenditure connected with the activities of the Club; and
- (c) as soon as practicable after the end of each financial year, a statement containing the following is prepared:
  - i. the income and expenditure for the financial year just ended, and
  - ii. the Club's assets and liabilities at the close of the year.

### **3.7 Appointment of Other Officers (Executive Committee)**

- (a) The Committee may appoint the following officers:
  - i. Vice President
  - ii. Registrar
  - iii. Race Secretary
- (b) Applications shall be invited for the positions specified as determined by the Committee.
- (c) Applications for officer positions specified may include a précis submitted by the applicant of their background, experience and qualifications pertinent to the position.

### **3.8 Vice President**

Duties of the Vice President shall be:

- a) To assist the President in club matters & governance where necessary, or as requested by the President
- b) To chair meetings in the President's absence.

### **3.9 Registrar**

Duties of the Registrar shall be:

- a) To create membership products in Swim Central with membership levels and fees as decided by the committee
- b) To oversee membership of the club including monitoring of adult members associated with each junior member under the age of 18, as per Section 4.4
- c) To respond to and assist with enquiries from members and prospective members regarding membership products
- d) To periodically provide a report to the committee on Club Membership

### **3.10 Race Secretary**

Duties of the Race Secretary shall be:

- a) To create entry forms and competition programs for club nights and meets run by Port Macquarie Swimming Club
- b) To monitor for upcoming meets and events run by other clubs, SNC or SNSW, and link entries on Swim Central
- c) To consult with the Coach and Team Manager on relay team selections for club and championship meets, and submit relay team entries once agreed upon.

## **4. MEMBERSHIP BY-LAWS**

- 4.1 Fees will be payable by all Members, with the exception of Life Members, for whom no fees shall be payable.
- 4.2 The annual registration fees payable to the Club in respect of each Individual Member will consist of a SAL and SNSW component which includes registration and insurance cover and a Club administration fee as determined by the Committee from time to time.
- 4.4 All junior members (under 18) are required to have a parent or guardian who is also a club member; either swimmer, club supporter or Life Member. The committee may terminate the membership of any junior if a parent or guardian refuses to obtain a membership.
- 4.5 The Committee may refund any fee which in its opinion is warranted.

## **5. COMPETITION BY-LAWS**

### **5.1 Championships and other meets**

The Committee shall determine the order of events and the duration of the Championships and such other swim meets as it determines from time to time, giving as much notice as possible to Members. The Committee shall also determine

annually the format for the conduct of the Championships Meet for the ensuing year, provided that the format so determined shall be advertised at the time of calling entries for the Meet.

## **5.2 Championship conditions of entry**

- (a) The Committee may approve qualifying times (if any) for entry to championship events and other conditions of entry as appropriate to the meet.
- (b) All entrants in the Club Championship shall abide by and be subject to the By-Laws and the SNSW general rules, swimming rules, by-laws, policies, and published procedures as applicable.
- (c) To be eligible for Club Championship points, swimmer must have participated in a minimum of 6 club nights for that season, prior to the first session of Club Championships. The committee may make an exception to this rule in the event of injury, or if a swimmer is new to the club. Swimmers not having participated in 6 club nights may still participate in Club Championships for qualifying times only.

## **5.3 CHAMPIONSHIP ENTRIES AND AGE DETERMINATION**

- (a) The Club Championship entry and age determination shall require:
  - i. an entry for a Championship event shall be made at the direction of the Committee either via Swim Central or on a form otherwise provided. Entries shall include the entrant's best time for the distance, being equal to or better than the qualifying time approved for this event (if any), and in the case of an age event, date of birth; and
  - ii. an entrant in an Age Championship shall be of the specific age on the first day of the meet series and if the Committee so desires, shall produce a certificate of registration of birth or other satisfactory evidence of date of birth signed by the parent or guardian of the entrant.

## **5.4 TEAM SELECTIONS**

- (a) Relay teams shall be decided by the Race Secretary and Club Coach.
- (b) Relay team selection for any minor club level meets shall be based on inclusivity and participation, with minimal regard for fastest times.
- (c) Relay team selection for Area Championship level and above (being SNC Division 1, Country, State, Nationals) shall be based on the swimmers with the fastest official long course personal best times as recorded in Swim Central, with the aim of entering the fastest possible combination of swimmers
- (d) For National, State and Country Relay Selection, swimmers should first be selected from those swimmers with individual qualifying times for that meet. In the absence of sufficient qualifying swimmers to form a team, the Race Secretary and Coach may at their discretion invite swimmers who do not have

individual qualifying times to attend the meet as relay-only swimmers. Such selections should be presented to the Executive Committee for approval prior to entry.

- (e) In the event of disagreement on relay teams, the Race Secretary and/or Club Coach shall approach the Executive Committee for a decision.
- (f) The Race Secretary is responsible for entering relay teams into Swim Central before the entry closing time
- (g) If any swimmer who accepts a position on a relay team withdraws from their relay without legitimate reason, the committee reserves the right to exclude that swimmer from future relay teams for a period of one year.

## **5.5 EMERGENCY POWERS**

Under special circumstances the Committee may cancel or suspend all or any Club Championships as they deem necessary.

## **6. SWIMMING BY-LAWS**

### **6.1 LAWS AND RULES GOVERNING PORT MACQUARIE SWIMMING CLUB**

The technical laws of World Aquatics as set out in the handbook of World Aquatics with regard to swimming shall (where practicable) be applicable and binding on all competitions held by the Club, with the exception of any unofficial club nights.

### **6.2 FORFEIT OF FEES AND PRIZES FOLLOWING DISQUALIFICATION**

Where a Swimmer is disqualified or suspended in respect of an event, all fees paid and prizes won by such Swimmer shall be forfeited. The Committee will have full power to confiscate any prize and redistribute or deal with the matter at its discretion.

## **7. MISCELLANEOUS BY-LAWS**

### **7.1 Colours & Badge**

- (a) The colours of the Club will be royal blue, yellow/gold and black
- (b) The badge of the Club shall be



### **7.2 AVAILABILITY OF AMENDED PAGES**

Where an addition to, amendment or rescission, wholly or in part, is made to the Constitution, By-Laws, Policies or rules, updated copies of the relevant pages shall be available on request to the Members within two calendar months of any such addition to, amendment or rescission of, whether wholly or in part or otherwise shall be posted on the Clubs website.