

BY-LAW

NO. 2

ISSUE: Funding Assistance Program

COMMENCED: 10/9/2009

LAST UPDATED: 13/8/2020

PROVISIONS:

1. Funding assistance in the form of contribution may be available to members for the following –
 - (i) Swimming fees up to \$500 per season
 - (ii) Athletics training up to \$500 per season
 - (iii) Acquisition of a racing ski up to 50% of the total cost to a maximum of \$1,500
 - (iv) Acquisition of competition racing Malibu Board up to 50% of the total cost to a maximum of \$900
 - (v) Other forms of training or coaching fees up to \$500 per season that may be approved by the Executive Committee

Note: This By-Law does not relate to funding assistance for junior activity members which is covered by a separate junior activities policy. Details of the policy can be found on the club website.

2. The level of funding available for the Assistance program will be as provided for in the Club's annual budget. The Director Sport may seek approval for additional funding from the Executive Committee.
3. (a) Funding assistance can be applied for by U15, U17, U19 and open competitors of the club. Funding assistance is not available for Masters competitors. Members are entitled to make one application only per season.
 - (b) Applications by open competitors will only be considered if the member –
 - (i) is a full time student, or
 - (ii) is not in full time employment, or
 - (iii) can demonstrate financial hardship
4. (a) All applications for funding assistance will be determined by the Executive Committee which will base its decisions on the member's –
 - (i) Compliance with the patrol, membership and other obligations of the club,
 - (ii) Record of competition in surf carnivals

- (iii) Consistency of attendance at carnivals
- (iv) Approach and application to training,
- (v) Potential for improvement in performance outcomes,
- (vi) Previous funding assistance applications made by the member,
- (vii) The standard of equipment being sought by the member
- (viii) Previous compliance with those matters outlined in clause 7(iv), (xi) & (xii).

(b) Applications for swim fees, athletics training or other approved forms of training or coaching fees shall only be accepted after the conclusion of the Australian Surf Championships in any given season and for the purposes of 4(a)(i) – (v), the relevant period for consideration will be that current season.

(c) Applications for acquisition of craft will preferably be made prior to or early in any given season, and for the purposes of 4(a)(i) – (v), the relevant period for consideration will be the previous season.

5. All requests for funding assistance must be made in writing to the Director Sport. The application must include information that demonstrates how the member meets or otherwise addresses the matters provided for by clause 4 and details of the member's goals for the season and beyond.
6. The Director Sport will refer the application to the Executive Committee together with a recommendation. The Executive Committee is not obliged to accept any recommendation of the Director Sport and any decision of the Executive Committee is final.
7. Approved funding assistance will be subject to the following conditions –
 - (i) The member must comply with all patrol requirements
 - (ii) Unless otherwise exempted by the Director Sport, the member must compete in the club championships, Freshwater Australia Day carnival, SNB Branch, State and Australian championships and all other nominated carnivals as may be determined by the Director or Club Head Coach
 - (iii) the member must regularly attend relevant scheduled training sessions unless otherwise exempted by the Director Sport or Club Head Coach
 - (iv) the member must not engage in any behaviour that is unbecoming or prejudicial to the objects and interests of the Club or is likely to bring the Club and or surf life saving into disrepute
 - (v) if the funding involves assistance to purchase craft, the member is responsible for the payment for repairs for any damage caused outside of competition or official training unless otherwise exempted by the Director Sport

- (vi) if the funding involves assistance to purchase a Malibu board, the member is required to obtain a cover for the board for use when in storage or when being transported to and from carnivals and or training.
 - (vii) if the funding involves assistance to purchase craft, the craft must be washed down and stored in a rack within the Club's premises except when being held away from the Club premises for the purposes of travel to carnivals and or training
 - (viii) any craft acquired remains at all times the property of both the Club and the member proportionate to the financial contribution of each and may not be disposed of unless both the member and Director Sport agree.
 - (ix) if the member seeks to leave the club (by virtue of a full or competitive transfer) and wishes to retain possession of the craft, he or she will be required to repay a proportion of the funding provided by the Club. If the member's departure occurs 6 months or less after the contribution is provided, the member is required to repay the full amount of the Club's funding prior to the transfer being approved.
 - (x) if the member is provided assistance for swimming, athletics or other training or coaching fees and he or she seeks to leave the club by virtue of a full or competitive transfer within 6 months of receiving the assistance, he or she will be required to repay the full amount of any assistance provided prior to the transfer being approved by the club.
 - (xi) unless otherwise exempted by the Director Sport the member must attend nominated fundraising events as may be determined by the Director, the Club presentation night and squad/team meetings.
 - (xii) the member must compete in club clothing in all team and individual events unless otherwise required by carnival rules and must wear club clothing when in attendance at the Australian Surf Titles.
8. On the recommendation of the Director Sport and or Club Head Coach, funding assistance may be provided to a member in one of the following ways –
- (i) In a single payment at a time to be determined by the Executive Committee, or
 - (ii) part-payments at times and in amounts to be determined by the Executive Committee
9. (a) If a member who has received funding assistance does not comply with the conditions outlined in clause 7, the Executive Committee shall, on the recommendation of the Director Sport, have the power to -

- (i) withhold any payments referred to in clause 8 not already paid
 - (ii) terminate the arrangement and/or
 - (iii) resume the craft.
 - (b) The Executive Committee is not obliged to follow any recommendation made by the Director Sport and any decision to terminate the arrangement and or resume the craft shall only occur after the member has been given an opportunity to explain why the breach has occurred and why the contemplated action should not be taken.
 - (c) Any craft resumed may also be reallocated to another competing member at the discretion of the Director Sport.
10. If a craft is resumed, the member is entitled to be reimbursed an amount equivalent to their equity in the craft. The amount to be paid will be based on a mutually agreed market value of the craft and if agreement cannot be reached, the amount to be paid will be based on a market appraisal of the craft.
 11. A member in receipt of funding assistance is required to sign the Acceptance of Terms and Conditions attached to this By-law. In the case of a member under the age of 18 years, a parent or guardian's signature is also required.
 12. In the event of a dispute about compliance with the provisions of clause 7, members may be called upon to provide substantiation of their attendance at club training sessions, meetings and or functions.
 13. The club will only be responsible for repairs of any allocated craft damaged in any club authorised competition or training up to a maximum of \$500. In the event of any dispute about when damage has occurred, the onus of proof in establishing when the damage occurs lies with the member.

Amount: \$

When paid:

Details of Craft (if applicable):

HISTORY OF AMENDMENTS APPROVED BY EXECUTIVE COMMITTEE

12 Aug 2010

Inclusion of cl 7(viii) & (ix) to address ownership of craft and repayment of assistance if member leaves club.

Inclusion of "equity" in cl 9 and cl 8 & final paragraph in member undertaking

8 Sept 2010

Change reference to Competition Director to Surf Sports Director throughout; cl 1 amended to increase potential assistance for ski to 50%; cl 3 amended to reflect competition age groups; cl 7 amended to include requirement to attend club functions and wear club clothing; cl 8 & 9 amended to allow flexibility with payment of assistance to members; Terms and conditions document amended to reflect changes to by-law.

10 Nov 2011

Cl 7(ix) amended to provide for repayment if full or competitive transfer made by member]

13 Sept 2012

Addition of cl 4(a)(ix), 4(b) & (c) relating to assessment criteria, amendment cl 7(ix) re transfers to apply if member seeks competitive transfer; inclusion of 7(x) relating to repayment on transfer and associated changes to acknowledgement form.

8 Aug 2013

Cl 4(a) amended to clarify EC determines applications.

21 Aug 2014

Cl 1 amended re max assistance ski (\$1500) & board (\$900), cl 6 to clarify applications referred in first instance to Surf Sports Panel, cl 7(ix) to confirm approval of transfer only if assistance repaid

13 Aug 2015

Cl 7(x) amended to remove potential exemption from repayment to bring clause in line with similar provisions in clause 7(ix). Minor grammatical and typographical errors corrected.

11 Aug 2016

Minor amendments to tidy up language' Reference to Director Surf Sports changed to Director Sport throughout, Note inserted at end of cl 1.

12 July 2018

Cl 1 amended to confirm assistance may be available; Cl 6 amended by deletion of need for requests for assistance being referred to Surf Sport Panel; Cl; 7(iii) amended to clarify regular attendance required rather than attendance at all sessions; Cl 9(a) amended by inclusion of reference to recommendation by Director Sport; New Cl 9(b) & (c) added including reference to requirement for member to show cause prior to termination of agreement or resumption; Cl 3 of Acceptance form amended to reflect provisions of Cl 7(iii).

8 Aug 2019

Cl 3(b) inserted; minor grammatical amendments to cl 7, Cl 13 inserted

13 Aug 2020

Cl 3 amended by rearrangement of order of conditions so that compliance with patrol obligation is first