

# **NEW SOUTH WALES PROFESSIONAL SKATERS' ASSOCIATION INCORPORATED**

Incorporation No: INC9877

## **BY-LAWS**



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## 1 Definitions

**the Association** means the New South Wales Professional Skaters' Association (NSWPSA)

**By-laws** means these rules enacted and amended time to time by the Association to provide a framework for its operation and management

**Committee** means the Office Bearers and Ordinary Committee Members

**Members** means Junior/ Full and / or Senior/Life Financial Members

**APSA** means Australian Professional Skaters' Association

## 2 General

The Association is the NSW State Member of Australian Professional Skaters' Association Incorporated who is recognised by the Australian Sports Commission as the body responsible for ice figure skating coach education within Australia.

- (a) These By-Laws are binding on all Association members in matters relating to the coaching of ice figure skating in NSW.
- (b) In any conflict or inconsistency between these By-Laws, and rules of the APSA By-Laws, the APSA By-Laws will prevail.
- (c) The governance of the Association falls under the guidelines of the Associations Constitution, By-Laws and Policies and Procedures.

## 3 Policies and Procedures

The Association shall maintain Policies and Procedures to ensure the effective running and management of the Association. Policies and Procedures will be adopted from APSA and shall be accessible on the Associations website.

## 4 Member and Protection Policy

The Association shall maintain an up to date Member Protection Policy. The Member Protection Policy will be adopted from APSA and shall be accessible on the Associations website.

## 5 Code of Ethics

The Association shall maintain a Code of Ethics for its members to abide by and to encourage professionalism within the coaching of figure skating. The Code of Ethics will be adopted from APSA and shall be accessible on the Associations website.

## 6 Roles and Responsibilities of Office Bearers

The Office Bearers of the Association are as follows:

- President
- Vice-President
- Treasurer
- Secretary

The duties of the Office Bearers include but are not limited to the following:

### (1) President

The President shall preside at all meetings. In their absence, the Vice President. At meetings where the President and Vice President are absent the members shall elect a Chairman for that meeting from a member of the Committee.

It is the duty of the President to:

- (a) ensure regular committee meetings are organised;
- (b) determine that a quorum is present and in order to commence the meeting;
- (c) dealing with agenda items in order of appearance (re-ordering if necessary)
- (d) ensure all Committee members have the opportunity to speak, addressing the meeting through the Chair;
- (e) maintain a neutral position during discussions and decision making including forming decisions or motions and put forward to the meeting to vote on;
- (f) maintain order throughout the meeting and keeping discussion and decision making relevant and within time;
- (g) deliver a casting vote in the event of an equal vote
- (h) sign minutes of the previous meeting after they have been confirmed as a true record;
- (i) represent the Association at all levels of the skating community;
- (j) liaise with the Committee in the establishing and / or updating of policies. Policies can only be accepted or altered by the Office Bearers if relating to the daily running of the Association, or by the Committee for any other matters. (Unless otherwise stated in the Constitution).
- (k) liaise with the Committee to establish, implement and / or Update procedures as required. Procedures may be altered by the Office Bearers;
- (l) ensure that the Association adheres to the Constitution, By- Laws and Policies and Procedures;
- (m) liaise with APSA in the capacity of delegate if so appointed under clause 26 of the Constitution or liaise with the appointed delegates and APSA;

- (n) Assist the MPIO/Complaint's officer with complaint handling or if no appointed member, handle complaints in liaison with the Vice President under the terms of the Constitution and Member Protection Policy;
- (o) assist Committee members with their duties as necessary;
- (p) ensure up to date "Handover" documents are maintained
- (q) submit a President's report to the Secretary fourteen (14) days prior to the Annual General Meeting.

## **(2) Vice-President**

It is the duty of the Vice-President to:

- (a) assist the President with their duties;
- (b) in the absence of the President, to preside at a meeting the Vice-President shall preside and undertake all such duties as required of the President.
- (c) submit a Vic-President's report to the Secretary fourteen (14) days prior to the Annual General Meeting.

## **(3) Secretary**

It is the duty of the Secretary to:

- (a) be responsible for the performance of all secretarial duties required by the Association and must, as soon as practicable after being appointed as secretary, lodge notice with the Association of his or her address;
- (b) keep records of all appointed office bearers and members of the Committee;
- (c) keep Minutes (written or electronic) of proceedings at all meetings of the Association;
- (d) give notice of all meetings in accordance with the Associations Constitution;
- (e) conduct all general correspondence and keep copies (either electronically or hard copies) of such correspondence;
- (f) advertise Annual General Meeting fourteen (14) days before the date of the meeting, and,
- (g) ensure that the Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting. The signature of the chairperson may be submitted by electronic means.
- (h) ensure all correspondence and official records of the Association (other than financial records) are up to date, accurate and in order and available to be looked at by those authorised to do so;
- (i) ensure that meeting papers (agenda, correspondence, and previous minutes) have been distributed;
- (j) liaise with Office Admin on all facets of the electronic membership management and correspondence.

#### **(4) Treasurer**

It is the duty of the Treasurer of the Association to oversee the financial affairs of the Association and to ensure:

- (a) the keeping proper books of accounts (electronic or written) showing the financial affairs of the Association, including full details of all receipts and expenditure connected with the activities of the Association;
- (b) receive all monies for and on behalf of the Association and immediately thereupon pay them into such bank or banks as the Committee from time to time decide, to the credit of the account or accounts in the name of the New South Wales Professional Skaters' Association Incorporated;
- (c) pay all accounts approved by the Committee or General Meeting;
- (d) submit a statement of the financial position of the Association at each Committee Meeting and Annual General Meeting. Prepare a Balance Sheet and Statement of all Accounts to the Secretary fourteen (14) days prior to the Annual General Meeting;
- (e) the financial reports are current and in order, according to the requirements for a Tier 1 or Tier 2 association as per the Associations Incorporated Act 2009, and,
- (f) undertake any other financial duties deemed appropriate by the Committee.

### **7 Roles and Responsibilities of Ordinary Committee Members**

Ordinary Committee members will be given designated positions and portfolios to ensure the successful running of the Association. These are to include;

#### **(1) Assistant Secretary**

The assistant secretary shall assist the Secretary with their duties as required.

#### **(2) Member Protection Information Officer/Complaints**

The Member Protection Information Officer/Complaints shall:

- (a) be the first point of contact for any enquiries, concerns or complaints around harassment or abuse;
- (b) receive all complaints and handle them in accordance with the Member Protection Policy (at Attachment C), and,
- (c) co-ordinate the Association's Child Protection activities and convey a clear message about the importance of Child Protection to the people involved in the Association;
- (d) co-ordinate the Association's response to Child Protection;
- (e) know the DOCS helpline number and have copies of standard reporting forms;
- (f) be aware of, or create, reporting procedures to deal with allegations of abuse;
- (g) ensure anyone involved within the Association has someone to go to if they have concerns or need information on child Protection;

- (h) the member taking on this role should complete the MPIO training with NSW Office of Sport to become a fully accredited MPIO.

### **(3) Event/Seminar Officer**

It is the duty of the Event/Seminar Officer to:-

- (a) liaise with APSA with the organisation and delivery of accreditation course within NSW and in liaison with the Association;
- (b) organise events or seminars for the coach development of the Associations members;
- (c) source presenters and venues for proposed events or seminars;
- (d) liaise with the committee in organising events or seminars;
- (e) liaise with Office Admin to create events/seminars in management software and advise members;
- (f) liaise with APSA to determine update points applicable to proposed event/seminar;
- (g) submit an Event/Seminar report to the secretary fourteen (14) days prior to the Annual General Meeting outlining the number of courses completed online and face to face that were held throughout the year and activities planned for the upcoming year where applicable.

## **8 Roles and Responsibilities of Appointed Positions**

### **(1) Website Officer**

It is the duty of the Website Officer to:-

- (a) maintain the Associations website and or social media platforms as deemed necessary;
- (b) keep the website up to date with all relevant communications, Constitution, By-Laws, Policies & Procedures and other material as deemed appropriate by the Committee;
- (c) ensure any fees relating to the upkeep of the website e.g payment for domain name, website fees, social media etc are notified to the Treasurer for payment;
- (d) ensure the website is displayed in a professional manner, and,
- (e) submit a website report to the secretary fourteen (14) days prior to the Annual General Meeting.

### **(2) Public Officer**

It is a requirement under NSW Legislation that the Associations Incorporated in NSW MUST have a public officer who resides in NSW.

The Public Officer may or may not be appointed to the Ordinary Committee however, it is in the best interest of the Association to have a Public Officer who is involved in the coaching of figure skating and is knowledgeable of the running and requirements of the Association.

If there is no designated Public Officer, the Secretary shall be appointed as the Public Officer.

The Public Officer is responsible for:

- a) acting as the official contact for the Association, including taking delivery of documents served on the Association and bring them to the attention of the Committee as soon as possible;
- b) notifying NSW Fair Trading of any changes in the office affairs of the Association and its financial position including signatories;
- c) keeping a register of Committee Members and signatories;
- d) Lodging the Form A12 Annual Summary of Financial Affairs with NSW Fair Trading;
- e) Lodging with NSW Fair Trading other forms as appropriate (e.g Form A11 Application for extension of time and Form and Application for approval of change of name, Form A6 - application to register change of objects or Constitution, Form A9 - Notice of appointment of public officer and notice of change of Association address, Form A12 - annual summary of financial affairs Tier 2 etc);
- f) collecting all Association documents from former Committee members and delivering them to new members;
- g) returning all Association documents to a Committee member within 14 days, upon vacating office;
- h) keeping custody of any documents required by the Constitution.

### **(3) Three Association Member Representatives**

The Member Representatives may be invited to meetings of the Committee to represent the members at meetings as per clause 23 of the Associations Constitution.

## **9 Quorums**

The following shall be the quorums at the respective meetings of the Association:

- (1) Annual General Meeting ..... 7
- (2) Special General Meeting ..... 7
- (3) Committee Meeting ..... 5
- (4) Sub - Committee Meeting ..... 3



## 9 Membership Fees and Subscriptions

### Membership Types and Fees

Memberships are due annually on the 1st July. Membership fees are dependent on level of participation and qualification level as a professional skater.

25% renewal fee for new members who have joined in the preceding 90 days prior to 1st July.

\*Fees listed below do not include late and admin fees that apply to late and incomplete renewals.

#### (1) New Full Membership

(Levels 1 to 7) – For accredited coaches returning to, or new to coaching in NSW:-

Application Fee	\$100.00
Membership Fee	\$160.00
Insurance	\$115.00
<b>Total</b>	<b>\$375.00</b>

#### (2) New Junior Membership

(Levels 0) – For skaters new to coaching. New Junior Memberships are offered upon successful completion of the APSA Level 0 Accreditation Course.

Application Fee	\$100.00
Membership Fee	\$ 95.00
Insurance	\$ 40.00
<b>Total</b>	<b>\$235.00</b>

#### (3) Membership Upgrade

(Upgrade from level 0 to Level 1) - Upgrade only for members upgrading from 1st Oct - 30th June inclusive.

For existing NSWPSA Junior (Level 0) Members who have recently completed Level 1 Accreditation and are now required to upgrade their NSWPSA Membership Level to a Full, Level 1 Membership.

Application Fee	\$100.00
Membership Fee	\$65.00
Insurance	\$75.00
<b>Total</b>	<b>\$240.00</b>

**(4) Combined Membership Upgrade & Renewal**

(Upgrade from level 0 to Level 1) - Combined Renewal & Upgrade for members upgrading from 1st July - 30th Sept inclusive, while simultaneously renewing their membership.

For existing NSWPSA Junior (Level 0) Members who have recently completed Level 1 Accreditation and are now required to upgrade their NSWPSA Membership Level to a Full, Level 1 Membership.

Application Fee	\$100.00
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Membership Fee	\$160.00
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Insurance	\$115.00
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<b>Total</b>	<b>\$375.00</b>
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**(5) Full Member Renewal**

(Levels 1 to 7)

Membership Fee	\$160.00
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Insurance	\$115.00
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<b>Total</b>	<b>\$275.00</b>
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**(6) Junior Member Renewal**

(Level 0)

Membership Fee	\$95.00
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Insurance	\$40.00
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<b>Total</b>	<b>\$135.00</b>
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**(7) Affiliate Member Renewal**

(Levels 1 to 7)

Membership Fee	\$130.00
Insurance	\$NIL

**Total** **\$130.00**

**(8) Associate Member Renewal**

Membership Fee	\$50.00
Insurance	\$NIL

**Total** **\$50.00**

**(9) Life Membership Renewal**

Membership Fee	\$NIL
Insurance	\$115.00

**Total** **\$115.00**

**(10) Late Fees**

Late fees of \$10.00 are applied from the 1<sup>st</sup> August and accumulate on the 1<sup>st</sup> of each subsequent month.

Failure to complete the membership renewal by not supplying required documents for accreditation within 3 months of the due date for renewal, will result in the paid membership fee refunded less a \$50.00 admin fee and the membership lapsed and suspended.

## **10 Remuneration of Committee Members**

Policies and procedures under review

## **11 Expulsion of a Member**

Policy will be adopted from APSA policy which is current under review

## **13. Voting Rights Of Life / Honorary Members And Holding Of A Position Of Office Bearer Or Ordinary Committee Member**

To ensure members of the Association who have been awarded Life / Honorary membership in recognition for their contributions to the Association maintain their right to vote or hold an elected position on the Association the following shall apply:

- (a) A Life / Honorary member will be considered, for the purpose of the Associations Constitution and these By-laws to be a full member of the Association if they fulfil ALL of the following;
- (b) the members accreditation requirements are current and up to date;
- (c) accreditation registration fees current;
- (d) are listed as 'active' coaches on APSA's accreditation database;
- (e) membership requirements for the Association are current and up to date, and,
- (f) are not affiliated or junior members of the Association.

## **14. Special Circumstances / Provisional Clause**

Where these By-laws are silent on a particular matter, a decision can be made by the Office Bearers. In exceptional or extenuating circumstances, the Office Bearers may, acting reasonably, alter, vary or waive the requirements set out in these By-laws relating to the Association.

## **15. Amendments**

These By-laws may be altered, amended, repealed or added to by a vote of the Committee in accordance with the Association's Constitution.