

GUIDELINE: CONSTITUTION OF DIVING SOUTH AUSTRALIA INCORPORATED

This guideline should be read in conjunction with the Constitution.

Section 1 Principles

Item	Explanation
<p>Principle 1 - Continuity</p> <p>The continuity of DSA is the first priority.</p> <p>This means the Board and/or President of the DSA may take such action to ensure the continuity of DSA.</p> <p>This includes the ability of the board (or President) to seek further board members at any time if the board numbers decrease for any reason (for example resignations).</p>	<p>DSA is a community based sporting organisation.</p> <p>It relies on volunteers to support and manage the organisation. This includes Directors of the Board.</p> <p>Providing the Directors are acting in good faith and have no conflicts of interest they should be permitted to perform the role to the best of their ability. Previous constitutions placed a time-limit on serving on the board, this can have unexpected consequences in that there is loss of continuity, skills and experience.</p>

Any action that overrides a constitution rule is temporary until the next AGM.	Sometimes a decision has to be made to ensure the ongoing viability of the organisation.
<p>Principle 2 - Member</p> <p>A member is a paying athlete who has registered with DSA.</p> <p>If the member is under 18, the right of the member to attend meetings and vote are transferred to a caregiver.</p> <p>Other membership categories may be approved by the Board. Membership categories may have different rights or responsibilities.</p>	To continue as a member you must be financial. What this means you must be up-to-date with any membership fees, registration and any other applicable charges.

Section 2 Name of the Association

The name of the incorporated association is "Diving South Australia Incorporated". ("**Association**").

For consistency purposes of the term **DSA** (Diving South Australia) will be used throughout the constitution and the supporting guideline.

Section 3 Definitions

The table defines terms used in the constitution and this supporting guideline.

Term	Definition	Explanation
Act	Associations Incorporation Act 1985 (SA).	<p>This is the legal act of South Australia parliament:</p> <p>“An Act to make provision for the incorporation, administration and control of associations; and for other purposes.”</p> <p>https://www.legislation.sa.gov.au</p>
Annual General Meeting (AGM)	<p>The AGM is held once a year.</p> <p>The purpose of the AGM is to:</p> <ul style="list-style-type: none"> • Elect Board • Approve the financial reports • Appoint an auditor • Any other business. 	The AGM agenda will be communicated to all members.
Appointed Director	<p>An Appointed Director is one elected at the AGM.</p> <p>An appointed Director can also be appointed at other times.</p>	To support the principle of the continuity the President and/or Board may appoint
Board	Is the group or committee of directors for the purposes of the Act.	<p>The Board will observe the Act:</p> <p>“An Act to make provision for the incorporation, administration and control of associations; and for other purposes.”</p>

Chair (Chairperson)	The leader of the Board. Also known as the President of the Board.	<p>The President of the Board is elected as one of the Directors. The Board will agree who is the Chair.</p> <p>The Board can decide to rotate the Chair role.</p> <p>If the Chair is absent, the Board can organise a deputy or acting Chair.</p>
Constitution	<p>The constitution of the association.</p> <p>Sometimes thought of as the foundation document of the organisation or 'rule-book'.</p>	The constitution is the key governance document for DSA.
Director	<p>Is a member of the Board. It includes:</p> <ul style="list-style-type: none"> • Elected Directors • Appointed Directors. 	<p>Directors have the authority of the board.</p> <p>All Directors must act in good faith.</p> <p>All Directors must declare any conflict of interest, and act appropriately.</p>
Diving	Sport of diving.	Not to be confused with scuba diving!
Elected Director	An elected director is a member of the Board that was elected at the AGM.	
Financial Year	01 July through to 30 June of the next year.	Corresponds to the Australian financial or tax year.
Function	A function in the constitution can be a power, authority and/or a duty.	Example: One of the board's functions is to set the membership fees. It has the power

		<p>and authority to do so.</p> <p>The board has a duty to hold board meetings on a regular basis.</p>
General meeting	A member meeting.	<p>Can include:</p> <ul style="list-style-type: none"> • AGM • SGM • Any other member meeting
Individual Member	<p>Principle 2 - Member applies</p> <p>An individual member is a registered athlete that is actively part of dive training.</p> <p>Other membership categories exist.</p>	Refer Section 6 for membership table that details rights and responsibilities.
Life Member	<p>The Board can consider and award life membership to individuals.</p> <p>Any member can nominate an individual for life membership by submitting an application to the board.</p> <p>Life membership is a very special award to recognise outstanding contribution to the sport of diving.</p> <p>It is not necessarily based on length of service.</p>	<p>See Appendix 6 for membership table that details rights and responsibilities.</p> <p>Life members do not have voting rights.</p> <p>A life member may have a voting right if it is granted or received through another membership category.</p>

Member	<p>Principle 2 - Member applies</p> <p>An individual member is a registered athlete that is actively part of dive training.</p> <p>Other membership categories exist.</p>	See Appendix X for membership table that details rights and responsibilities.
NSO	National Sporting Organisation.	The NSO in Australia is Diving Australia
Objects or Objectives	<p>Why the organisation is in business</p> <p>Answers: What does the organisation do?</p> <p>Objects or Objectives can be the reason the organization exists.</p>	Refer: Section 4
Ordinary resolution	<p>A decision taken at a member meeting. OR A decision taken at a Board meeting.</p> <p>The decision is passed by the majority of those members with voting rights.</p> <p>The decision is usually an agenda item. There should be sufficient information for those present to make an informed decision and vote accordingly.</p>	<p>A decision can be an approval, rejection or some other course of action.</p> <p>For example: The Board may approve, reject or postpone the publication of the financial accounts.</p>
Participants	Persons who take part or support the sport of diving.	Not all participants will be members.

	<p>This includes:</p> <ul style="list-style-type: none"> • Divers • Coaches • Competition officials • Judges • Referees • Volunteers. 	
President	<p>The chair of the Board.</p> <p>This person is the 'leader' of the board and the head of DSA.</p>	<p>The President of the Board is elected as one of the Directors. The Board will agree who is the President</p> <p>The Board can decide to rotate the President role.</p> <p>If the Chair is absent, the Board can organise a deputy.</p>
Regulations	<p>Regulations include:</p> <ul style="list-style-type: none"> • Rules • By-laws • Policies. <p>Regulations are approved by the Board.</p> <p>The primary regulations are DSA policies that are available on the website.</p>	<p>Like most organisations, DSA requires rules, regulations, by-laws and policies to ensure a safe working environment.</p> <p>It is important to respect regulations.</p>
Seal	<p>Seal is a legacy mechanism to signify the DSA authority. (as in a wax seal).</p>	<p>As an alternative to the Seal, Board Communications will be endorsed with the</p>

	<p>Generally in modern business alternative methods are now legal and acceptable.</p> <p>It is retained in the DSA constitution for legacy purposes.</p>	<p>wording “Endorsed/Approved by the DSA Board on {date}” Approved by {President/Portfolio Board Member}.</p> <p>Electronic approvals are permitted providing they are correctly recorded.</p> <p>Such endorsements or approvals need to be recorded in the Board records (usually Board meeting minutes).</p>
Special General Meeting (SGM)	<p>The SGM can be held on request to deal with items of special importance.</p> <p>A SGM can be requested by:</p> <ul style="list-style-type: none"> • Two or more Directors of the Board • Five or more voting members petitioning the board • As directed by the NSO • As required by an external regulator, Government body or as a result of a legal direction. <p>The purpose of the SGM is to:</p> <ul style="list-style-type: none"> • Discuss special agenda items And making a decision or other course of action as appropriate. • Any other business. 	<p>The SGM agenda will be communicated to all members.</p> <p>To support Principle 1 - Continuity; an SGM may be appropriate method to handle events such as loss of training venue for an extended period or similar business continuity issues.</p>
Special Resolution	A special agenda item for use at an AGM or SGM or other general meeting.	Special Resolution are used in certain cases. They should be used with care.

State	Means a State or Territory of Australia.	
Sport	Means the sport of diving.	

Any other term not defined above may be defined in 'The Act' and will apply unless the board has issued a determination or ruling.

Section 4 Objectives

The objectives of the association are to:

#	Objective	Means	Example
4.1	Education	Diving lessons, training and awareness	Coaching and mentoring
4.2	Administration DSA administers the sport in South Australia.	<ul style="list-style-type: none"> • Conduct - Rules & regulations • Financial Management • Commercial arrangements • Human Resources • Customer service • Competition and event management • Policy, processes and procedures • Sales, Marketing and Promotion • Health & Safety 	<p>DSA has various powers and authorities to manage and operate.</p> <p>DSA is the administrative body for diving in South Australia.</p> <p>DSA is both the State organisation and a Diving Club.</p> <p>DSA manages the membership database.</p>

4.3	Professional standards DSA aims for continuous improvement	<ul style="list-style-type: none"> • Standards • Quality • Improvement 	DSA has an emphasis on improving athlete and coaching performance.
4.4	Positive environment DSA offers a supportive environment where achievement is valued	<ul style="list-style-type: none"> • All are supported to reach their potential • Athletes are good 'sports' • Athletes are encouraged to become proficient • Abilities are enhanced • Fitness levels both physical and mental are supported • Coaching development is ongoing • DSA works in cooperation with other organisations • Education and training opportunities (learning) 	DSA is a community based organisation Training programs supports a positive environment

Section 5 Powers

#	Power	Means	Example
5.1	Financial management DSA has the power to manage its finances	DSA can operate financial accounts and systems DSA can arrange insurance DSA can issue invoices DSA can charge membership fees DSA can charge lesson fees	DSA can open and manage bank accounts DSA can make investments DSA can operate financial systems such as accounting packages DSA can handle and process financial payments
5.2	Commercial management DSA can make arrangements with other organisations or entities (including Government, Business, Education etc.)	DSA can: <ul style="list-style-type: none"> • Work with other persons, companies and other organisations • Buy or sell goods/services • Promote itself through marketing and promotions 	DSA can work with Diving Australia to run a competition. DSA can work with commercial businesses. DSA can accept donations and grants DSA can buy equipment DSA can sell uniform items DSA can promote competitions

			DSA can publish material
5.3	Human Resource management DSA manages the employee lifecycle	DSA can: <ul style="list-style-type: none"> • Employ staff • Pay staff • Pay Benefits, allowances, expenses and awards • Allocation and rostering 	Includes the complete employee lifecycle. DSA has the power to hire and fire. DSA can assign duties DSA can manage volunteers.
5.4	Governance & Legal DSA has various obligations	DSA rules and regulations DSA code of conduct DSA is the final arbiter on all disciplinary conduct matters Health and Safety Reporting	DSA can mediate in the event of a complaint or dispute In certain cases DSA can suspend or expel a member.

Section 6 Membership

Membership lifecycle.

#	Item	Process	Explanation
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6.1	Becoming a member	<p>Application to DSA</p> <p>Fees and charges will apply. These include:</p> <ul style="list-style-type: none"> • Registration fees • Lesson fees • Competition entry • Insurance <p>Certain membership categories may have a zero or reduced fee/charge.</p>	<p>To become a member contact the DSA administration office. They will assist you with an application.</p> <p>Application can be for yourself, or for another person (for example parent-child).</p> <p>The administration team will advise you of the amount and when due.</p> <p>For athlete divers insurance MUST be paid for them to be permitted to dive or train.</p>
6.2	Staying a member	<p>Members are required to abide by the rules, regulations, policies of DSA.</p> <p>Members are required to renew their membership on an annual basis.</p>	<p>The administration team will advise when annual renewal is due.</p>
6.3	Termination	<p>Membership can end for a number of reasons:</p> <ul style="list-style-type: none"> • Cancellation • Death/serious injury • Failure to comply with rules and regulations • Breach of policy • Expulsion on disciplinary grounds 	<p>It was always sad to say goodbye, but we understand some families move out of the area or athletes find new activities.</p> <p>Just contact the administration team if you wish to end your membership; your account will need finalising subject to finance policy.</p>

6.4	Categories	DSA has several categories	
6.4.1	Individual	Anyone 18+ with a connection to the sport can apply to become an individual member.	Generally individual members are the caregiver/parent of the athlete that is under 18. Individual members have 1 vote.
6.4.2	Athlete	Athlete members are junior (Under 18) or senior (18+). Athlete members are active divers enrolled in lessons or squad.	Athlete members 18+ have 1 vote Athletes who are under 18 have their vote transferred to parent/caregiver (individual member)
6.4.3	Board	Board members that are elected or appointed	Each board member has 1 vote
6.4.4	Coach	Coaches are paid staff or unpaid volunteers that are actively coaching lessons or squads	Coaches have 1 vote
6.4.5	Volunteer	Volunteers are unpaid individuals. The membership category exists to assist with insurance and reporting.	Volunteers do not have a vote (unless they qualify in another member category that does have a vote)
6.4.6	Life	Life membership is a special category. Life members will be approved by the	Life members do not have a vote (unless they qualify in another member category that does have a

		Board.	vote). Life members can be nominated by a DSA member. Contact the administration team to submit a nomination. All nominations are considered by the Board.
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Special note: Each individual can have a maximum of one vote with the exception of a parent/caregiver who has more than one dependent athlete.

Section 7 Board

The Board may allocate portfolios (jobs/tasks) to elected Directors.

Appointed directors may be given specific duties or special projects.

The Office of Recreation and Sport recommend a 40/40/20 gender split for board membership. Where 40% Male; 40% Female; 20% Other; other as the board decides.

Section 8 AGM

If a member cannot attend they may nominate a proxy who is 18+, The proxy must have authority from the member and make it known to the chair of the meeting,

Section 9 SGM

If a member cannot attend they may nominate a proxy who is 18+, The proxy must have authority from the member and make it known to the chair of the meeting.

Section 10 Miscellaneous

No further guidance.

Section 11 Rulings

The board will make determination and rulings. Some of these will be time limited. They will be published and communicated to the members.

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