

AUSTRALIAN FREEDIVING ASSOCIATION

(A Company Limited by Guarantee)

BY LAWS

1. Definitions and Interpretation

In these By Laws, except insofar as the context or subject matter otherwise indicates or requires;-

“**AFA**” means Australian Freediving Association;

“**Affiliated Club**” means a club within the definition of by-law 10.1 of these By Laws;

“**AIDA International**” means the Association Internationale pur le Développement de l’Apnée. It is the worldwide federation and governing body for breath-hold diving;

“**AIDA National**” means a member of the **AIDA International** general assembly, as set out in the **AIDA Statutes**;

“**AIDA Statutes**” are the statutes governing **AIDA International**;

“**Board**” means the board of directors of the **company**;

A reference to a “clause” in these By-laws is a reference to a clause in the Constitution.

2. Relationship to AIDA International

2.1 The **AFA** is the sanctioned Australian representative and member of the General Assembly of **AIDA International**, the worldwide governing body of freediving.

2.2 The **company** should not act in contravention of the statutes or by-laws of **AIDA International**.

3. AIDA International matters

3.1 The **AFA** is a member of the general assembly of **AIDA International** which means that it is entitled to one vote on assembly matters.

3.2 The directors decide by resolution how the **AFA** votes on **AIDA International** assembly items.

3.3 The directors should, where applicable, seek feedback from the **company**’s members before passing a resolution on **AIDA International** assembly items.

3.4 If the resolution pertains to an **AIDA International** general assembly matter and involves multiple choice the vote may be conducted using a preferential basis.

3.5 Notwithstanding clause 55.2 the directors may by majority vote pass a circular resolution for **AIDA International** general assembly matters if all directors entitled to vote on the resolution state their voting intention or their abstention in the manner set out in clause 55.3 or clause 55.4.

4. **Categories of membership**

4.1 The **company** has the following member categories:

- (a) Ordinary member
- (b) Honorary life member
- (c) Competition member
- (d) Have-a-go member
- (e) Affiliated club member
- (f) Corporate member

4.2 There is no limit on the number of members in each membership category.

5. **Membership fees**

5.1 Members shall pay a membership fee.

5.2 The membership fee shall be paid on an annual basis, except for those membership categories whose membership lasts for less than a year (i.e. competition members and have-a-go members).

5.3 The directors shall set the membership fee and announce the fee for the following calendar year at the annual **general meeting**.

5.4 By-law 5.1 notwithstanding, there shall be no fee payable for honorary life membership of the **company**.

5.5 The directors may set different membership rates for the same category of membership.

5.6 The directors may place additional requirements or constraints on those members who access lower or discounted membership fees.

6. **Ordinary membership**

6.1 Ordinary membership is available to individuals

6.2 An individual member of an **affiliated club** may exercise the rights of an ordinary member of the **company** once they have paid the requisite membership fee to the **company**. This fee may be paid directly to the **company** or paid to the **company** by the affiliated club on behalf of the member, with the method of payment being subject to an agreement between the club and the **company**.

6.3 Ordinary members are entitled to compete in national and international AIDA competitions.

6.4 Ordinary Members are entitled to one vote at all **general meetings** held during their paid up membership year.

6.5 Ordinary members are eligible to stand for election as a director or for a **committee** position

6.6 Ordinary members are entitled to full representation by the **company** on any matter affecting them that concerns freediving, and are entitled to compete in National and International Competitions and are eligible for selection to represent Australia at world championships and other invitation only competitions.

7. Honorary life membership

7.1 A person whom the **company** decides to honour may be nominated as an honorary life member of the **company** by resolution of the committee.

7.2 A person will become an Honorary life member of the **company** if the Committee's nomination is approved by a **special resolution** of the **company** at a **general meeting**.

7.3 Honorary life members have the same responsibilities and privileges as an ordinary member.

8. Competition membership

8.1 Competition Membership is available for those who wish to compete in an **AFA** sanctioned competition.

8.2 **Competition** members must:

- (a) not be an Australian citizen
- (b) not ordinarily reside in Australia, and
- (c) be a financial member of another **AIDA National** or **AIDA Observer**.

8.3 The **committee** may waive the requirement of by-law 8.2(c) if an individual is not a citizen of a country with an **AIDA National** or **AIDA Observer** and does not ordinarily reside in a country with an **AIDA National** or **AIDA Observer**.

8.4 Competition members are not entitled to vote on matters pertaining to the **company**, including at any **general meeting** held during their membership period.

8.5 Competition members may not be a director and may not hold a position on the **committee**.

8.6 Competition membership is valid is for the duration of a specific **AFA** sanctioned competition and a period of up to two weeks prior to said competition.

9. Have-a-go membership

9.1 Have-a-go membership is designed for novices who wish to undertake a club induction, participate in a promotional event, or participate in a non-ranking **AFA** competition (i.e. Recreational Grade).

9.2 An individual may only be a have-a-go member once. If an individual wishes to continue their association with the **company**, they must join as an ordinary member.

9.3 Have-a-go membership is valid for a specified time period of no longer than one week.

- 9.4 Have-a-go members are not entitled to vote on matters pertaining to the **company**, including at any **general meeting** held during their membership period.
- 9.5 Have-a-go members may not be a director and may not hold a position on the **committee**.
- 9.6 Have-a-go members may participate in Recreation Grade (or other non-ranking competition) at the organiser's discretion. Have-a-go members are expressly not permitted to participate in **AFA** or **AIDA International** ranking competitions, nor are they able to attempt an Australian or World Record.

10. **Affiliated club membership**

- 10.1 Affiliated clubs are those clubs approved by the **committee**.
- 10.2 At the beginning of each Calendar year (no later than the 31st of January), each Affiliated Member Club must submit the details of
- Details of the club's committee (if applicable), and
 - Any constitutional amendments (if applicable), and
 - Club affiliation fees, and
 - The name and contact details of at least one person to act as a liaison between the club and the AFA.
- 10.3 The submission of the documentation referred to in by-law 10.2 shall maintain the club's affiliation to the **company**.
- 10.4 Clubs wishing to affiliate with the **company** must submit the following documents when applying for affiliation to the **company**:
- Details of the club's committee (if applicable),
 - A copy of the club's constitution (if applicable),
 - A copy of the club's certificate of incorporation (if applicable),
 - Club affiliation fees, and
 - The name and contact details of at least one person to act as a liaison between the club and the **company**
- 10.5 Affiliated clubs must ensure that:
- Their constitutions are consistent with the **company's** constitution.
 - Membership of their club is open to the general public.
 - All persons joining the club are members of the **company**,
 - Members of affiliated clubs can vote on **company** matters provided the member qualifies for ordinary membership.

10.6 Affiliated clubs are entitled to full representation by the **company** on any matter affecting them that concerns freediving.

10.7 Affiliated clubs are not entitled to vote on any matter pertaining to the **company**, including at a **general meeting**.

11. **Corporate membership**

- 11.1 Corporate membership is offered to institutes, businesses, companies, countries and government departments who have an interest in freediving, for a prescribed annual

fee.

- 11.2 Corporate members have no participating rights, nor can they hold office. They may offer certain services and sponsorship to the **company**.
- 11.3 Corporate members will be kept advised of diving matters being dealt with by the **company** and may advise the **company** of any matters affecting them that the **company** may be able to assist with.
- 11.4 Corporate membership may be accepted, denied or withdrawn at the discretion of the **committee**.
- 11.5 Corporate membership fees will be negotiated with the **committee** and the corporate member representative.

12. Duties of AFA Officers

The roles and responsibilities of each director appointed the following offices shall be as determined by the President and include, (but not be limited to);

12.1 President.

- (a) Organising directors meetings and the annual **general meeting**.
- (b) Has the casting voting when the vote is tied at directors meetings.
- (c) To chair any meetings of the **company**.
- (d) Direct and support the directors in achieving the goals of the **company**.

12.2 Treasurer.

- (a) Holder and administrator of all **company** funds for the benefit of the **company**.
- (b) Shall keep proper books and records of all sums received and expended on behalf of the **company**.
- (c) Produce a Statement of Financial Performance and Statement of Financial Position on an annual basis, which gives a true and fair view of the state of affairs of the **company** and sufficient to explain its transactions.
- (d) Shall arrange for all **company** funds and securities to be kept on deposit with a bank or banks approved by the directors, and shall maintain a current account or accounts upon which cheques or other orders may be signed.
- (e) Issue receipts for membership fees and other monies received.
- (f) Organise signatories for the bank account mandate ensuring there are always two signatories.

12.3 Secretary.

- (a) maintaining a register of the **company**'s members, and
- (b) maintaining the minutes and other records of **general meetings** (including notices of meetings)

12.4 Public Relations Officer.

- (a) Develop and maintain contacts with the diving and freediving community.
- (b) Create and/or edit **company** publications to be made to the media.
- (c) Respond to media requests for any information relating to freediving.
- (d) Liaising between press/media and **company** members who they wish to contact

12.5 Technical and AIDA Liaison Officer.

- (a) Be the central point of contact for all communication with **AIDA International**.
- (b) Liaise with the membership to gather comments regarding **AIDA International** issues.

- (c) To be the international representative of for the **company**.
- (d) Maintain a record of Australian judges.
- (e) Maintain a list of current Australian records.
- (f) With respect to new record attempts, ensure compliance with the **AFA** National Record Rules.
- (g) Propose and present any changes to the **AFA** Records Rules to the directors for approval.
- (h) The Technical and AIDA Liaison Officer must have experience with AIDA rules and regulations and
 - i. be an AIDA Judge, or
 - ii. have previously competed in an AIDA event.

12.6 Sponsorship Officer.

- (a) Develop and maintain connections with businesses and organisations which sponsor Australian representative athletes and teams.
- (b) Actively seek new sponsorship opportunities for Australian freediving and Australian teams.
- (c) Liaise with team members and potential sponsors to ensure duties agreed with the sponsor are carried out fully and in line with the agreement.

12.7 Clubs Officer.

- (a) Shall build the clubs network.
- (b) Shall liaise with all affiliated clubs.
- (c) Shall ensure that all affiliated clubs members are **company** members.
- (d) Shall inform the directors of any help or equipment needed by the affiliated clubs.

12.8 Competitions Officer.

- (a) To oversee the organisation any **AFA** run competitions.
- (b) To be a resource for members in running their own competitions.
- (c) To be responsible for team training.
- (d) To be responsible for team fulfilment of AIDA requirements.
- (e) To ensure international competition representation.
- (f) Maintain a record of competition entrants and results.