



## MANAGEMENT COMMITTEE GUIDELINES

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*Thank you for your commitment to serving on the Management Committee of the Dinah Beach Cruising Yacht Association Inc (The Association / DBCYA).*

*The following information and guidelines have been developed so that each Management Committee member will have a clear understanding of the role they have been elected to and the operational standards that they will be expected to perform to.*

*All newly elected members are required to sign a **Consent of Commitment** form (attached) to confirm they agree to abide by the required standards and obligations as described in this document.*

### OVERVIEW

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DBCYA provides sailing related facilities, services and activities for cruising yachtsmen and the wider community. Senior membership is required to obtain access to the Association's overall facilities and to vote at annual and special general elections. Social membership provides access to DBCYA's bar and kitchen facilities.

DBCYA is a membership-based Incorporated Association, governed by its Constitution and required to abide by the relevant legislations of the Associations Act. The Association has been issued a perpetual lease from the NT Government to operate from its current location on the proviso it continues to abide by its constitution, actively provide services to members and adhere to legislative requirements.

The DBCYA Management Committee (MC) is elected by its voting members to represent their interests, act in accordance with the Constitution, and uphold the values of the Association.

The MC is also required to ensure that DBCYA achieves its objectives, meets its statutory obligations, and, in doing so, meets acceptable standards of accountability and propriety. The MC also determines and monitors appropriate organisational standards.

The MC must at all times recognise the trust placed in it and endeavour to meet the needs of its stakeholders.

The MC of the Association is comprised of:

<u>Position</u>	<u>Portfolio</u>
Commodore	
Vice-Commodore	(Annual wet season racing series committee)
Rear Commodore	(Social committee)
Treasurer	(Financials)
Secretary	(Record keeping)
Public Officer	
4 x ordinary committee members	

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## FUNCTIONS of the DBCYA MANAGEMENT COMMITTEE

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1. **Accountability** - ensure the Association meets its obligations, manages its finances and operates transparently.
2. **Strategy** – develop and implement the Association’s long-term goals and make sure it pursues its constitutional purposes.
3. **Resourcing** – secure funds and other resources to support the objectives of the Association.
4. **Advocacy** – represent the Association to the community, the members and stakeholders
5. **Monitoring** – ensure the Association is run as required under its governing documents and the law.

## RESPONSIBILITIES of the DBCYA MANAGEMENT COMMITTEE

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Serving on the DBCYA Management Committee implies a broad range of duties and responsibilities. Every MC member is expected to, over the course of their involvement, be actively involved in the development of the Association and undertake the following responsibilities:

1. To read, understand and adhere to the DBCYA Constitution.
2. To attend at regular and special MC meetings.
3. To work with management to develop and implement long-term strategic directions for the organisation, advise and collaborate with management in the development of critical strategies, approve plans incorporating specific objectives for achieving those directions and strategies.
4. To review agenda, minutes and other MC papers and management reports provided;
5. To be willing to chair or participate in at least one sub-committee (members with existing portfolios excepted) and attend its assigned sub-committee meetings, participate in its work and activities and report back to the MC;
6. To cover all of your own costs associated with being a MC member, and to seek prior approval from the MC for expenditure on the Association’s behalf outside of determined budgets and authorities.
7. To submit to a Police Criminal History Check (volunteer status) or provide documentation demonstrating a Police Criminal History Check in the previous six months (executive members only)
8. To actively work as a team and assist the MC, the General Manager and the Association in reaching its developmental goals.

## GOVERNANCE POLICIES -

CONFIDENTIALITY; CODE OF CONDUCT; CONFLICT OF INTEREST; BULLYING & HARASSMENT; EQUITY

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All MC members are required to read, understand and abide by the Governance policies, plans and procedures of the Association (namely the Code of Conduct, Confidentiality; Conflict of Interest; Bullying & Harassment and Equity policies), the Operational policies, plans and procedures of the Association, (namely the Environmental Management Policy; Emergency Response Plan; Pontoon Usage and Dinghy Storage Policy; Car Parking Policy; Matters to be Dealt with under Section 36B of the DBCYA Constitution Policy), plus any relevant Association policies, plans and procedures as approved by the Management Committee as they arise.

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## DBCYA SUB-COMMITTEES

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As a member of the DBCYA MC you may also be required to Chair at least one sub committee and thus also be bound by the responsibilities of a Sub Committee Chair.

Sub-committees may be formed to create new or further expedite or enhance existing commitments, for example progression of strategic development, coordination of annual Association activities or to provision of expert advice for key projects. Non-DBCYA members can sit on a sub-committee, however a MC member is required to chair the sub-committee and is responsible to the MC for monthly reporting, financial accountability and approvals.

It is required that Sub-Committee Chairs and members, whilst acting on the Association's behalf in their sub-committee role, shall:

1. Abide by the DBCYA Code of Conduct
2. Avoid conflicts of interest as far as possible and report possible conflicts to the MC at the earliest opportunity;
3. Provide a budget where requested, and act responsibly to meet that budget;
4. Abide by any relevant financial delegations and/or seek necessary spending approvals from the MC prior to spend;
5. Provide continuity and to ensure that the follow-up/actioning of committee issues occurs;
6. Ensure all recommendations of the sub-committee are forwarded to the DBCYA Management Committee for review and ratification;
7. Provide for effective communication and representation of the sub-committee.

## THE ROLE OF THE GENERAL MANAGER (NON-AMENDED EXCERPT FROM EMPLOYMENT CONTRACT)

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The role of the General Manager (GM) is to provide leadership to the Dinah Beach Cruising Yacht Association and to be responsible for the effective management of all of the affairs of the Association.

The GM is to develop and recommend strategic directions for the club to the MC and implement the strategic directions determined by the MC.

### **Accountability and Reporting**

The General Manager is responsible to the MC and is accountable to them for the efficient and effective management of the club. The development of an effective relationship between the MC chair and the GM is required for sound communication.

The GM is responsible to ensure that all legislative requirements governing the business and affairs of the club are adhered to and that effective working relations and communications are established with the relevant Government agencies.

The GM will ensure that the club operates in accordance with its constitution and all instruments of the MC including policies, by laws and other instructions.

The GM shall observe and exercise delegations as provided by the MC and report on their application.

The GM must report to the MC on the conduct of the club's activities and its affairs as required by the MC and shall provide an annual report to the MC following the end of each financial year.

The GM is expected to tender a Manager's Report to the MC at their regular monthly meetings, and be available to discuss any relevant issues at a mutually convenient time.

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## Responsibilities

The GM has overall responsibility for the club including but not limited to:

- the development and implementation of strategic directions of the club as determined by each MC;
- the maintenance of a sound understanding of the social and economic environment the club operates in and keep the MC advised including changing government policies, industry trends and other matters impacting on club operations and viability;
- the sound financial management of the club, while acknowledging that the accounting/bookkeeping function reports directly to the management committee;  
*(Financial management of the club includes budgeting, operating revenues and expenses, IT systems and controls and capital works funding)*
- asset and property management;
- employment of staff for the efficient and effective conduct of the club's business and the provision of good leadership to them directly or through the Bar Supervisor;
- ensuring the club's operations are conducted utilising best practice industry standards and are structured to meet the needs of club members;
- effective marketing of the club's facilities, services and activities, including providing support to any relevant sub-committees to assist with sailing related activities;
- maintaining the club's facilities to a modern standard and proposing upgrades and development options to ensure the club is viable and competitive for present and future trading;
- ensuring the policies and procedures of the club are put into effect and delegation levels are complied with and propose and make appropriate amendments as circumstances change;
- management of entertainment at the club in consultation with the Rear Commodore;
- development and documentation of procedures, regulations and bylaws to do with the efficient running of the club, and to facilitate consistent governance of the club from one MC to the next; and
- Club membership development including database management and implementation of initiatives to retain and attract new members.

## Authority

The GM has the authority to implement the business, programs and activities of the club within the limits of the approved budgets and approvals are to be sought where delegation limits are exceeded.

Financial delegations approved by the MC to the GM for capital and operational expenditure are under the authority of the GM.

Human resource management delegations in respect of staffing, recruitment, occupational health and safety, structures, remuneration and conditions and management performance are to be controlled by the GM.

Matters of high sensitivity or significant threat to the business of the club are to be brought to the attention of the Commodore for appropriate MC consideration. Significant marketing and promotion commitments are to be brought to the attention of the MC.

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### Association Objectives and Specific Tasks

The MC will agree with the GM an annual program of Association goals and objectives and major tasks with key performance indicators (KPIs).

### Performance Assessment

The performance of the GM will be assessed annually in November and will be based on achievements against the KPI's together with the assessment of overall performance in leading and managing the Association.

## CORPORATE IMAGE

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The GM is responsible for the corporate image of DBCYA.

The following protocols apply:

- The General Manager must clear use of DBCYA name and logo;
- All written materials, merchandise, advertising, marketing and promotional materials need to be cleared by the GM at artwork/storyboard stage;
- Suggestions for media stories and releases to be discussed with the GM;
- Members to act accordingly to enhance the Association's image.

## CERTAIN PERSONS NOT TO BE MEMBERS OF COMMITTEE

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As per clause 30 of the Northern Territory Associations Act, Jan 2015 (refer Attachment A), certain persons cannot legally sit on boards or committees. These include persons who:

- Are currently insolvent under administration (un-discharged bankrupt)
- Have been convicted of a fraud or dishonesty offence resulting in a prison term of three months or more

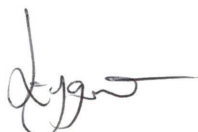
Applying and existing members must declare to the MC should they already be or become a person to which the above applies and must step down from the committee.

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*Thank you again for your commitment to ensuring that DBCYA continues to be a popular, well functioning Association. We hope your time on the Management Committee is a rewarding one.*

**Signed:**

**DBCYA Commodore:**



**Name: Joy Eggenhuizen**

**Dated:** 21/07/2021

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## CONSENT OF COMMITMENT AND MEMBER APPOINTMENT

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- I have read, understood and agree to abide by both the spirit and the letter of the DBCYA Management Committee Guidelines. I understand these guidelines will be subject to review and development by the Management Committee and I will also be bound by any such amendments as they arise.
- I have read, understood and agree to comply with the existing governance and operational policies of the Association, plus any relevant Association policies and procedures as approved by the Management Committee as they arise.
- I understand that repeated or continual failure to meet my obligations as a Management Committee member as described in the DBCYA Management Committee Guidelines may result in a request for resignation as a Management Committee member from the Management Committee.

Name \_\_\_\_\_

Signature \_\_\_\_\_

Dated: \_\_\_\_/\_\_\_\_/\_\_\_\_

*Signed by DBCYA Commodore On behalf of Dinah Beach Cruising Yacht Association:*

- I confirm the above-named, as a senior member in good standing of Dinah Beach Cruising Yacht Association Incorporated, has been nominated and accepted into the official position of DBCYA Management Committee Member.

Name \_\_\_\_\_, DBCYA Commodore

Signature \_\_\_\_\_

Dated: \_\_\_\_/\_\_\_\_/\_\_\_\_

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**EXCERPT (CLAUSE 30 IN ITS ENTIRETY) FROM THE  
NORTHERN TERRITORY OF AUSTRALIA**

**ASSOCIATIONS ACT**

As in force at 1 January 2015

**30 Certain persons not to be members of committee etc.**

- (1) A person who is an insolvent under administration or a disqualified person must not, without leave of the Commissioner, be an officer of an incorporated association.

Maximum penalty: 200 penalty units.

- (2) A person who has been convicted within or outside the Territory:
- (a) on an indictment of an offence in connection with the promotion, formation or management of a body corporate; or
  - (b) of an offence involving fraud or dishonesty punishable on conviction by imprisonment for not less than 3 months; or
  - (c) of an indictable offence; or
  - (d) of an offence against this Act; or
  - (e) a prescribed offence;

must not, within 5 years after the conviction or, if the person was sentenced to imprisonment in relation to the offence, within 5 years after release from custody, without leave of the Commissioner, be an officer of an incorporated association.

Maximum penalty: 200 penalty units.

- (3) Subsection (2) applies even if the conviction or release from custody occurred before the commencement of this Act.
- (4) When granting leave under this section, the Commissioner may impose the conditions the Commissioner considers appropriate.
- (5) The Commissioner may revoke leave granted under this section.
- (6) In this section:

***insolvent under administration*** means a person who:

- (a) under the *Bankruptcy Act 1966* (Cth), is a bankrupt in relation to a bankruptcy from which the person is not discharged; or
- (b) under the law of a country other than Australia, has the status of an undischarged bankrupt;

and includes:

- (c) a person who has executed a personal insolvency agreement under Part X of the *Bankruptcy Act 1966* (Cth) or the corresponding provisions of the law of another country, in either case if the terms of the deed have not been fully complied with; and
- (d) a person whose creditors have accepted a composition under Part X of the *Bankruptcy Act 1966* (Cth) or the corresponding provisions of the law of a another country, in either case if a final payment has not been made under that composition.

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