



MANAGEMENT COMMITTEE GUIDELINES

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 each Management Committee member will have a clear understanding of the role they have been elected to and the operational standards they will be expected to perform to.

*All newly elected Management Committee 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.*

All newly elected and returning Management Committee members are required to undertake a Police Criminal History Check (volunteer status) or provide documentation demonstrating a Police Criminal History Check in the previous six months, within one month of election.

1. OVERVIEW

DBCYA provides sailing related facilities, services and activities for cruising yachtspersons and the wider community. Full membership is required to obtain access to the Association's overall facilities and to vote at annual and special general meetings. 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 members and stakeholders.

The MC of the Association is comprised of:

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

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2. FUNCTIONS of the DBCYA MANAGEMENT COMMITTEE

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.

3. RESPONSIBILITIES of the DBCYA MANAGEMENT COMMITTEE

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 or forward their apology prior to the meeting.
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 in a timely manner, agenda, minutes and other MC papers and management reports as 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 personal 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 actively work as a team and assist the MC, the General Manager, and the Association in reaching its developmental goals.

4. CODE OF CONDUCT

Committee Members are valued volunteer representatives of DBCYA and with this role comes expected standards of behaviours.

MC members must:

1. Be diligent in their role.
2. Treat all people associated with the Club, including members, volunteers, partners, external stakeholders, and other Committee Members with respect.
3. Attend to their fiduciary responsibility and make decisions based on what is best for the Club, not for individual interest or gain.
4. Not take advantage of their position on the Committee in any way.
5. Be open to feedback from members and respond appropriately.

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6. Act as a positive role model with respect to good sporting and social behaviour.
7. Adhere to the policies and procedures established by the Club (see item 5. below).
8. Adhere to the legislative requirements of the Club.
9. Respect the equipment and resources of the Club and only use these in Club related business.
10. Not receive gifts that result in personal financial benefit.
11. Always look for opportunities for improved performance of the Club operations and Committee functions.
12. Always represent the Club in a professional manner.
- 13. Do not conduct official club duties or represent the club for official club duties if under the influence of alcohol or drugs.**
14. Not speak to the media about any aspect of the Club that could damage the Club or its reputation.

5. ADHERANCE TO DBCYA POLICIES

All MC members are required to read, understand and abide by all current and future DBCYA policies, plans and procedures of the Association.

All policies are listed and updated on the DBCYA website. It is important for each member of the MC to be familiar with:

- DBCYA Code of Conduct Policy
- DBCYA Confidentiality Policy
- DBCYA Conflict of Interest Policy
- DBCYA Delegated Authorities Policy
- DBCYA Violence Bullying and Harassment Policy

DBCYA has several operational policies, plans and procedures plus overarching risk management policies including a WHS Management Plan, Environmental Management Policy and Emergency Response Plan. DBCYA, through its affiliation to Australian Sailing, is also bound by Sport Integrity Australia's 'National Integrity Framework Policies' which includes Member Protection, Child Safeguarding, Improper Use of Drugs & Medicine and Competition Manipulation/Sport Wagering policies. Sport Integrity Australia provides a complaints, disputes and discipline policy for matters deemed sufficiently serious.

6. DBCYA SUB-COMMITTEES

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 the 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.

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2. Avoid conflicts of interest and report possible or perceived 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 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.

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

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 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 fiscally effective management of the club. The development of a strong working relationship between the Commodore and the General Manager is required for sound communication between the MC and the General Manager.

The General Manager is responsible for ensuring 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 relevant Government agencies, stakeholders, and contractors.

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

The General Manager 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 General Manager must 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.

Responsibilities

The General Manager 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 to keep the MC up to date with changing government policies, industry trends and other matters impacting on club operations and viability.

The sound financial management of the club, including oversight of the accounting/bookkeeping contractor. {Financial management of the club includes budgeting, operating revenues and expenses, IT systems and controls and capital works funding}

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.

Maintaining the club's facilities to a contemporary standard and proposing upgrades and development options to the MC, to ensure the club is viable and competitive for present and future trading.

Asset and property management including managing a site preventative maintenance schedule and operational R&M for the Licenced Premises, Galley, Ablutions, Boat Park, Wharf and Careening

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Area; reporting of major repairs/maintenance issues to the MC; and progressing major infrastructure projects as required in consultation with and with support of the Infrastructure Sub-Committee for significant projects in line with the club's strategic plan/master plan and MC determinations.

Management of the club's IT, including office equipment, networking systems and CCTV and alarm systems.

Management of all aspects of Lot 7303 to ensure the club maintains its obligations under the requirements of the Occupation Licence, including maintenance, reporting and communications to all relevant stakeholders.

Ensuring the club's operations are conducted on industry best practice standards and are structured to meet the needs of club members.

Effective risk management strategies including review and monitoring of processes and procedures to mitigate risk to the club, including but not limited to data protection, site safety, insurance cover and cash handling, and reporting any breaches thereof to the MC.

Club administration, customer service and record keeping management.

Effective marketing of the club's facilities, services and activities, including support to any relevant sub-committees to assist with sailing related activities.

Effective communication strategies to keep members informed of club developments and activities.

Ensuring the policies and procedures of the club are put into effect and delegation levels are complied with and proposing appropriate amendments to the MC as circumstances change.

Management of a calendar of regular entertainment at the club, along with special events in consultation with the Rear Commodore.

Development and documentation of procedures, regulations and bylaws to enable the efficient running of the club, and to facilitate consistent governance of the club from one MC to the next.

Club membership development including database management and implementation of initiatives to retain and attract new members.

Authority

The General Manager has the authority to implement and manage:

- a) The business, programs, activities, and marketing and promotion of the club within the limits of approved budgets and delegations, while acknowledging that approvals are to be sought from the MC where delegation limits are exceeded; and
- b) Human resource management delegations in respect of staffing, recruitment, occupational health and safety, structures, remuneration and conditions, and performance management.

Matters of high sensitivity or significant threat to the business of the club are to be brought to the immediate attention of the Commodore for appropriate MC consideration.

Club Objectives and Specific Tasks

The MC will agree with the General Manager on an annual program of club goals and objectives and major tasks to be undertaken.

Performance Assessment

The performance of the General Manager will be assessed annually and will be based on achievements against the roles and responsibilities of the Position, together with the assessment of overall performance in leading and managing the club.

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8. CORPORATE IMAGE

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

9. CERTAIN PERSONS NOT TO BE MEMBERS OF COMMITTEE

In accordance with 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.

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:



23/10/2023

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CONSENT OF COMMITMENT AND MEMBER APPOINTMENT

- 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 full 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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