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Irish Water Safety

Area Committee – Rules and Regulations

An Cuman Sábháilteacht Uisce – Irish Water Safety, by virtue of the provisions of Statutory Instrument 361 of 1999 is empowered to establish Committees to promote safety awareness in matters relating to water safety. In order that the Water Safety Association under the Council be recognised nationally and internationally as an entity, the organisation shall be known as “Irish Water Safety”. Hereunder are the Council’s rules for the appointment, management and progress of Local Water Safety Area Committees (hereinafter referred to as Area Committees) during period of office.

1. Definition of Territorial Areas

- 1.1. The Council will define the territorial area of jurisdiction of Area Committees. The Council will review the territorial areas as existing at date of the Rules. The existing areas will continue as the territorial areas of jurisdiction of the Area Committees. The Area of jurisdiction of an Area Committee may be reviewed and altered if necessary by the Council in the interest of the promotion of water safety awareness.
- 1.2. At least 14 days notice will be given, preferably on a personal basis, by personal contact, telephone or letter to persons who may be interested in forming an Area Committee and the notice will include the location and time of the meeting.

2. Purpose of the Area Committee

- 2.1. Each Area Committee will exist to plan, promote and implement water safety activities within its area in accordance with its programme as approved by the Council, to foster friendship and co-operation among those interested in the promotion of water safety nationwide.

3. The following are services which will be provided by the Area Committee:

- 3.1. Promotion of public awareness and advancement of education in water safety.
- 3.2. Promotion of measures for the saving of persons from drowning and the prevention of drowning accidents.

- 3.3. Provision of instruction in water safety, swimming, water rescue and resuscitation.
- 3.4. Organisation and implementation of an annual water safety programme for its area, and such other services relating to the promotion of water safety as the Council may from time to time require or approve.

4. Water Safety membership within the jurisdiction of the Area Committee.

- 4.1. Local administration is under the management of the appointed Area Committee as approved by the Council.
- 4.2. A person can only be a registered member within one Area Committee's jurisdiction.
- 4.3. Under normal circumstances a person will only be a member where he/she resides.
- 4.4. A register of all members and their appropriate categories shall be maintained and updated annually by each Water Safety Committee. A copy of this register shall be kept at the headquarters of the Irish Water Safety. Membership Cards will be issued from headquarters in receipt of annual subscriptions. The amount of such subscriptions to be determined by Council.
- 4.5. If a member notifies in writing the Secretary of the Area Committee or the Chief Executive Officer of the Irish Water Safety his/her intention to withdraw support or resign membership in the area where operating this will be accepted as notification of resigning membership under these rules.
- 4.6. A person, who has resigned under these rules, may be permitted to return to active membership on application in writing to the Chief Executive Officer of Irish Water Safety. The Chief Executive Officer will examine the facts and take into consideration the representations and views of the Area Committee on the matter. The Council will at its discretion decide in the interest of Water Safety the best course of action to be taken. The Council's decision is final.
- 4.7. Members convicted of a felony, or in the opinion of the Council, bring the Association into disrepute, cease to be members of Irish Water Safety and all honours accrued cease to have effect from the date of conviction.

5. Categories of membership.

- 5.1. Persons or Groups appointed by the Irish Water Safety.
- 5.2. Water Safety Examiners, Trainee Examiners, Instructors, Trainee Instructors and CPR Instructors.
- 5.3. Water Safety Officers nominated by Local Authorities.

- 5.4. Persons other than Water Safety Officers, nominated by the relevant Local Authorities.
- 5.5. Local personnel (Organisers) or (Honorary Members) as approved by the Area Committee and ratified by the Council, who give ongoing assistance to Water Safety within the area will be classed as members.
- 5.6. Representatives of clubs and organisations involved in aquatic activities and who assist in the promotion of water safety, (one representative from each club or organisation).
- 5.7. One representative from corporate associate members in good standing.

6. Registered members shall be entitled:

- 6.1. To attend the Annual General Meeting or Extraordinary General Meetings, to speak and to vote at such meetings, to stand for election within the Area Committee and to seek a nomination within the Area Committee for election and thus be considered for appointment to the Council by the Minister of Environment & Local Government.
- 6.2. Representatives under Section 5.6 and 5.7 shall be entitled to attend and speak at Annual General Meeting or Extraordinary General Meeting but are prohibited from voting or holding office within the Area Committee.
- 6.3. To participate in competitions, courses, seminars etc. as approved by the Area Committee.
- 6.4. To avail of services provided by Irish Water Safety.

7. Special Safety Committees:

The Garda Síochána and Defence Forces Safety Committees, with water safety involvement shall be managed by members of those services actively engaged in water safety activities as approved by their Authorities, details of which will be submitted to the Irish Water Safety on an annual basis.

8. The Annual General Meeting:

- 8.1. Election Officers to Area Committees.

The support for water safety awareness in any area will be assessed by the Chief Executive of the Council. If there is sufficient support and none exists at present an Area Committee may be established by the Council. If there is not sufficient support in the area alternative arrangements will be made by the Chief Executive Officer for the management of the area.

8.2. Period of office of elected Area Committee

The period of office of an Area Committee shall not be more than 12 months or for such lesser period as determined by the Council. The Annual General Meeting will take place between the 1st January and 15th March each year.

8.3. Notice of proposed Annual General Meeting (AGM)

The Chief Executive will be notified by letter by the Area Committee Secretary giving 14 days notice. Persons as defined in rule 5, will be informed by letter or by public notice in a newspaper circulating in the area, of the date and location of the proposed AGM. 14 days notice of the meeting will be given in either case, which will include date, time and place of the meeting.

8.4. The quorum for an AGM, after all concerned were duly notified of the time, date and place of the meeting, should not be less than 6 members.

8.5. The business of the AGM will be:

8.5.1. To deal with the minutes of the last AGM and intervening Special General Meetings.

8.5.2. To consider and to adopt the report of the outgoing committee on its activities during the previous year.

8.5.3. To consider and adopt the Accounts of the Area Committee for the previous year and the Honorary Treasurer's Report.

8.5.4. To deal with correspondence relevant to the AGM.

8.5.5. To elect Officers and Committee to manage the area for the year.

8.5.6. To appoint two Honorary Auditors for the year.

8.5.7. To deal with notices of motion.

8.5.8. Any other business relevant to the meeting.

8.5.9. To appoint a Certificates and Awards Secretary.

8.6. Membership of the annual "elected" Area Committee shall comprise:

- Chairperson
- Vice-chairperson
- Honorary Secretary
- Honorary Treasurer
- Child Liaison Officer (CLO) shall be appointed rather than elected by each Area Committee. An Area Committee may appoint two CLO's

- Members of the Water Safety Area who are elected at the AGM and who agree on the Committee. The number elected shall be as appropriate to a particular Area Committee but shall not be less than 6 or more than 15 members.
 - Members of the Water Safety Area who are co-opted by the Committee.
 - The Local Authority Water Safety Officer shall be an ex-officio member of the Area Committee covering his area of responsibility.
 - Any member of the Committee resident in an area will be ex-officio member(s) of the Area Committee
 - The Chairman of the Council and the Chief Executive Officer of the Council shall be ex-officio members of all Area Committees. Rule 4.2 does not apply in this case.
- 8.7. The Area Committee may appoint Sub Committees or work groups for the time being to organise specific activities or to consider and report on any questions specifically referred to them. All such sub committees or work groups shall be chaired by a member of the committee and may include persons other than the members. All such sub committees shall terminate on the day of the Annual General Meeting.
- 8.8. The Area Committee shall meet as frequently as it seems fit, at least 4 times a year to enable it to carry out its functions and duties.
- 8.9. Committee members are expected to attend all such meetings.
- 8.10. The names of all the officers and members elected at the Annual General Meeting will be submitted without delay (by the Area Committee Secretary) to the Council for approval.
- 8.11. All appointments to the Area Committee and changes will be forwarded by the Secretary to the Chief Executive Officer as soon as practicable after the AGM meeting. The Council after consideration and confirmation that the rules have been complied with will approve of the election of the officers for the area.
- 8.12. Replacement of an Area Committee.

Should an Area Committee resign leaving the area without a Committee, or fail to carry out its duties as a Committee, the Council will in the latter case give notice to the Committee Chairman, Secretary, or other persons remaining on the Committee and give reasons why the existing Committee should be disbanded and replaced. Any replies will be considered within a specified time limit. The Chief Executive Officer will arrange for the interim management of the area pending an election in the area, which will take place within 28 days of the appointment of the interim management. He may appoint in the best interest of Water Safety, an Officer from his staff to take charge of the area pending an election in the area, which will take place within 28 days of the appointment of the interim management. He may appoint in the best interest of Water Safety, an Officer from his staff to take charge of the area pending the election of a new area committee and may appoint an Officer from his staff to

act as Chairman of the interim Area Committee. Continuity in the promotion of water safety awareness will always be primary consideration of the Council in the interests of saving life and effective Area Committees will be required for this purpose.

9. Powers of an Area Committee

- 9.1. No members of an Area Committee has power to act on his own, with the exception that the officers having consulted with each other, may make an urgent decision. Such urgent decisions should be communicated in writing to the Chief Executive Officer as soon as practicable. Such matter will come before the Area Committee at its next meeting.
- 9.2. The Committee must act as a body and will not enter into any contract on behalf of Irish Water Safety.
- 9.3. A quorum for an Area Committee meeting will be one quarter of the Committee plus one.
- 9.4. All Committee meetings are covered by the Standing Orders of the Council.

10. Extraordinary General Meeting (EGM)

- 10.1. An EGM shall be called by the Hon. Secretary on the direction of the Area Committee or on the receipt of a written request detailing notice(s) of motion signed by not less than one third of the members of the area as defined in rule 5.
- 10.2. The meeting shall be held within three weeks of receipt of request. The date, time and venue shall be decided by the Area Committee.
- 10.3. Fourteen days notice of motions shall be given to registered members entitled to be present for such meetings.
- 10.4. One quarter of the Area registered membership, two of whom shall be officers of the Area Committee will form a quorum.
- 10.5. Notice of proposed EGM

The Chief Executive will be notified by letter by the Area Committee Secretary giving 14 days notice. Persons as defined in rule 5, will be informed by letter or by Public Notice in a newspaper circulating in the area, of the date and location of the proposed EGM. 14 days notice of the meeting will be given in either case, which will include date, time and place of meeting.

11. Finance

The financial procedures of the Area Committee shall be carried out strictly in accordance with the financial procedures guidelines issued by Irish Water

Safety.

12. Committee Meetings

- 12.1. The normal rules and procedures for the conduct of meetings will apply to meetings of the Area Committee.
- 12.2. Meetings should be held with least cost to the Area Committee, no travelling or other personal expenses are paid for attending at Area Committee meetings.

13. Chairperson shall:

- 13.1. Preside at all committee meetings and all general meetings.
- 13.2. Confer with the secretary regarding agenda for all meetings.
- 13.3. Be responsible for the good management of the Committee and shall ensure that decisions of the committee are given effect.
- 13.4. In consultation with the Secretary will call extra meetings of the committee if necessary.
- 13.5. Attend Chairpersons meeting called by the Council and if unable to attend, will appoint the Secretary or other Officer of the Committee to represent the Area Committee at the meeting.

14. Secretary shall:

- 14.1. Keep an accurate record of the proceedings of all meetings held in a minute book.
- 14.2. Keep in safe custody all documents, which are the property of the Council. These documents may not be given to any person without the full knowledge of the Committee and must be available on request to the Chief Executive Officer.
- 14.3. Conduct all correspondence on behalf of the Area Committee.
- 14.4. Confer with the Chairperson regarding the agenda for all meetings.
- 14.5. Inform the Chairperson if volume of business dictates that extra meetings are necessary.
- 14.6. Notify members of Committee meetings and agenda giving appropriate notice but at least 7 days in advance.
- 14.7. Inform the Chief Executive Officer of the names of those persons elected to the Area Committee as soon as possible after the holding of the AGM.

- 14.8. Notify the Chief Executive Officer of those persons seeking membership of the Area Committee under rule 5.5 for approval by Committees.
- 14.9. Maintain a register of all members a copy of which will be sent to the Chief Executive Officer of the Council; rule 4.4 refers. If there is no area committee then the responsibility falls on the Chief Executive or such other officer as he/she may nominate.
- 14.10. Forward a copy of the Area Committee annual programme to the Chief Executive Officer as defined in rule 17.3.
- 14.11. The following will be recorded in the minute book:
 - Date and time of meeting
 - Name of the presiding Officer
 - List of members present.

Brief details of the business of the meeting shall also be minuted:

- Details of Communications received
- Letters approved by the Committee for issue
- Matters arising from the previous meeting
- Matters attended to by the Officers in the absence of a formal committee meeting
- Details of the current financial position in the area, with reference to the budget and projected end of year forecast as presented by the Treasurer
- Approval for courses, conferences to be held within the area and permission sought from the Council to run such courses and conferences
- Approval of all travelling and subsistence expenses
- Decisions on other matters on the agenda of the meeting

15. Treasurer shall:

- 15.1. Receive and lodge promptly all funds paid to the committee.
- 15.2. Establish and maintain an account as approved by the Council, in an approved bank as per the financial procedures. Only one bank account will be open.
- 15.3. Give a summary of the Committee's financial position at each meeting.
- 15.4. Pay all bills and invoices under the delegated authority of the Committee. All bills and invoices shall be paid by cheque and each cheque shall have two signatures i.e. that of the Treasurer and either the Chairperson or the Secretary as per the financial procedures.
- 15.5. Record the expenditure and receipts of the Committee and prepare a statement of accounts for the Annual General Meeting.

- 15.6. Have the books and accounts ready to present to the Area Committee not later than 14 days prior to the Annual General Meeting and to be made available for Headquarters inspection.
- 15.7. Keep a record of all equipment and stock belonging to the Council.
- 15.8. Make available all relevant documentation to the CEO or other such officer as he/she shall nominate and to cooperate fully with an audit of the accounts of the Area Committee.

16. The Child Liaison Officer (CLO) shall:

- 16.1. Promote awareness of the Code of Ethics and Good Practice within the organisation and particularly among the young people involved. This would be best done by the production of information leaflets etc. and by the facilitation of regular information meetings.
- 16.2. Influence the policy and practice within the organisation to ensure that all policy and decisions take account of the young people's needs.
- 16.3. Facilitate communication within the organisation.
- 16.4. Provide an accessible resource for young people to express their concerns, views or worries regarding their involvement in the organisation.
- 16.5. Act as an advisory resource to the adults involved in the organisation on child protection issues ensuring that statutory guidelines and procedures are followed.
- 16.6. Communicate to members the Procedures for Reports or Accusations of Child Abuse drawn up by the organisation.
- 16.7. Accurately, and immediately, record in the Children's Liaison Record Book the report or suspicion following the reporting of same to him/her and notify the officers of the Area Committee and the CEO.
- 16.8. Attend the meeting of the officers and make his/her report and to attend the National Child Liaison Officers Seminar.
- 16.9. Be confidential regarding any reports received and to discuss the matter with no one apart from those laid down in the procedures.
- 16.10. Return the Children's Liaison Record Book to headquarters if there is a change of personnel in the C.L.O. position. This occurs when there are entries in the book.

17. Management

- 17.1. The Area Committee shall have full responsibility for the effective and proper administration of the water safety programme as approved by the Council and also for the selection and control of personnel involved in the management of the programme.
- 17.2. In the interest of proper management and in complying with rule 4.1 the Area Committee is responsible for administration, control and allocation of personnel in relation to the activities of water safety within its jurisdiction.
- 17.3. The Area Committee must ensure that the programme is managed competently with the available resources and that all personnel strive to achieve this goal.
- 17.4. Any disputes or complaints arising should be dealt with by the Area Committee, bearing in mind the requirements of “Natural Justice”, which demand that, a person or persons under investigation must be given a fair opportunity to express their views on the complaint (matter complained of).
- 17.5. Should the matter be considered to be of a serious nature outside the scope of the normal good management of an Area Committee it must be reported to the Chief Executive Officer of the Council without undue delay by the Secretary. Any direction given by the Chief Executive Officer must be acted on by the Committee.
- 17.6. In the event of an issue not being resolved to the satisfaction of either party a request in writing can be made to the Council to have the matter examined. The result of such examination shall be conveyed to both parties when completed and will be final.
- 17.7. The Area Committee shall not be entitled by right to withdraw recognition of a member’s technical qualification. This right is invested in the Council.
- 17.8.
 - (a) A person may be deprived of membership rights as a result of the examination of a complaint made to an Area Committee. A full report must be submitted to the Council, should the Area Committee seek to have the member deprived of membership. No action may be taken prior to the written decision of the Council being given.
 - (b) In the interest of proper management and consistent with good practice in relation to the Code of Ethics and Good Practice (issued by the Minister for Sport and Youth Affairs, June 1996) and internal regulations adopted by the Council, where a member of the Association or of the Area Committee suspects child abuse or is in receipt of an allegation of child abuse, then that person shall cause a meeting of the officers of the Area Committee to be convened without delay to consider the matter and to formulate a report. Notice of the said meeting and the purpose should be forwarded immediately to the CEO and the National CLO. If that person cannot reasonably convene a

meeting within three days, then he/she must fully report the matter to the CEO. The report shall set out all matters pertaining to the allegation or suspicion including, but without prejudice to the generality of the foregoing, the time and place of the alleged incident(s), the name of the child alleged to be involved, the name of the member or other person alleged to be involved, the nature of the conduct suspected or complained of, and the recommendation arising from the meeting as to whether the member suspected or complained of should be suspended.

If the officers of the Area Committee, or if the officers of the Area Committee are not available to meet, the CEO deems that a suspension is necessary and advisable, the member being suspended shall be formally notified in writing by the CEO and a copy of the said notification shall be forwarded to the Area Committee. The Members Register shall be amended accordingly.

In cases of specific child abuse allegations being made, or where suspicions are deemed well founded, the officers of the Area Committee, or if the officers of the Area Committee are unavailable to meet, the CEO should formally notify the local area Health Board and Garda Síochána immediately

- 17.9. The Council at all times retains the right to approve an elected Area Committee and to withdraw such approval at any time without notice. The Council also retains the right to deprive membership or restrict the activities of any member of an Area Committee.

18. Miscellaneous

- 18.1. Local Area Regulations which may be deemed necessary for the efficient management of Area Committee affairs, may be formulated and adopted subject to the approval of the Water Safety Committee, provided that they are not contrary to or opposing any of the general rules as defined in this document.
- 18.2. The Council may amend these rules from time to time as required.
- 18.3. The Area Committee will set out a programme for the year. The programme will address courses and fund raising and the general promotion within the area of water safety awareness and it will be forwarded to Headquarters prior to the 1st December of the preceding year.
- 18.4. A Member appointed by the Council or Members of the Council may attend all Area Committee annual general meetings and extraordinary general meetings and notification of all such meetings will be sent in advance, giving 14 days notice to the Chief Executive Officer at the Council's Headquarters.

19. Rules for the Election to nominate persons to be considered for appointment to the Council of Irish Water Safety.

- 19.1. Each Area Committee will strongly consider nominating suitable and interested persons to participate in the election system for the five positions on the Council every three years.
- 19.2. Area Committees are expected to participate in the election system even if they have not nominated a person from their own committee.

20. System to elect persons to the Irish Water Safety Council.

Five places may be available by a postal ballot of all Area Committees – one place for the Dublin area and four places for the rest of the country. Each Area Committee will be entitled to vote for all places to be filled from a nomination list included with the ballot paper.

(The Council will ensure that four months prior to a new Council having appointed the procedure for nomination takes effect in compliance with these rules.)

20.1. Candidates

Any member of an Area Committee may propose as a candidate for nomination any person who is active in water safety in the Area and is a member of the Committee as defined in rule 5. All such proposals shall be placed before the Area Committee, which must meet to make the final choice for nomination. Two nominations only will be accepted from each Area Committee (except in the case of the Dublin Area Committee). The responsibility to notify those entitled to propose candidates rests with the Area Committee.

Dublin Area Committee should nominate three candidates. Should less than three be nominated, only one candidate (the first one on the nomination form) will be accepted and placed on the ballot paper as with all other Area Committees.

20.2. Nominations

Persons nominated must be accredited to the nominating Area Committee as defined under 5. Area Committee's nominations must be sent to the Irish Water Safety on the official nomination paper by post and must be signed by the Chairman and Secretary or, in their absence by any two officers in the Committee and must be signed by the nominees personally. The ballot paper must be returned in the stamped addressed envelope provided. No other envelope will be accepted. The Council will define closing date for acceptance of nomination papers. No nominations will be accepted by fax or outside normal post. Nomination papers not received on or before the critical appointment time will be left unopened and declared void as will nomination papers not fully completed and correctly signed.

20.3. Voting

The list of candidates is divided into two panels, A and B. The Area Committee should select the four persons from PANEL “A” and one person from PANEL “B”, which it considers will best represent the interests of water safety at national level on the Council. A meeting of the Area Committee must be called for this purpose. The names of the persons the Area Committee wishes to vote for should be entered on the enclosed ballot paper.

Area Committee’s ballot paper must be sent to the Council on the official voting paper by post and must be signed by the Chairperson and Secretary, (or in their absence by any two officers of the Committee). The ballot paper must be returned in the stamped addressed envelope provided. No other envelope will be accepted. The Council will define the closing date for acceptance of ballot papers. No ballot papers will be accepted by fax or outside normal post. Ballot papers not received on or before the critical appointed time will be left unopened and declared void as will ballot papers not properly completed and signed. There is no obligation on Area Committees to vote for the full number of candidates on both panels.

21. Result of Election

The result of the election will be notified to the Chairperson and the Secretaries of Area Water Safety Committees, and to all candidates having been approved by the Council. The Council shall also forward the results to the Department of Environment & Local Government for informational purposes.

22. Directions concerning the Rules

A copy of these rules and all amendments thereto will be kept as Official Records of the Council by the Secretary and Treasurer of the Area Committee and will be available for inspection and reference at all meetings.

23. These regulations, as approved by the Council have amended and replaced the regulations of March 1999.

I, John Leech, Chief Executive Officer of Irish Water Safety have been directed by the Council to publish the above rules and regulations as revised and approved by the Council.



Lt Cdr John F M Leech
Chief Executive Officer
Irish Water Safety