

ONKAPARINGA RAMBLERS CAR CLUB

INCORPORATED 1967

Registration Number: A3157

CONSTITUTION AND RULES

List of Rules and Appendices

1. **NAME**
2. **OBJECTS**
3. **Membership**
4. **SUBSCRIPTIONS AND AFFILIATION FEES TO OTHER ORGANISATIONS AND ASSOCIATIONS, and Employment.**
5. **MEETINGS**
6. **COMMITTEE**
7. **ELECTIONS**
8. **QUORUM**
9. **FINANCE**
10. **AMENDMENTS**
11. **PETITIONS CLAUSE**
12. **VOTING**
13. **INTERPRETATION**
14. **DAMAGE TO PROPERTY**
15. **OPEN MEETINGS**
16. **CHAIRPERSON**
17. **COMPLAINTS**
18. **CONFLICT OF INTEREST**
19. **WINDING UP OF THE ASSOCIATION**

Appendices

A – Functions of Office Bearers

ONKAPARINGA RAMBLERS CAR CLUB

INCORPORATED 1967

Registration Number: A3157

CONSTITUTION AND RULES

1) NAME

The name of the Association shall be ONKAPARINGA RAMBLERS CAR CLUB INCORPORATED, (there after called the Association)

2) OBJECTS

- A) To promote and develop motoring, the sport of, and the pastime of motor competitions e.g. reliability trials, hill climbs, gymkhanas, autocross, various types of Off Road events such as short course and long course, speed events, and to co-operate with other Associations or Organizations with similar objectives in Australia, and elsewhere.
- B) To assist charitable, religious, and sporting Organizations, Community projects, and similar bodies to raise funds by conducting competitions and events for such purposes.
- C) To provide, establish and maintain such tracks, circuits, and course as are required for the above purposes.
- D) To acquire by gift, purchase, lease, or otherwise such land, plant, equipment and appliances, and erect such buildings or other improvements as are required for the purpose of the Association and to improve such land, buildings and erections thereon, and to do all things necessary to maintain and care for the same.
- E) To raise money by subscriptions, donations, entrance fees, licences, permits, public functions, debentures, liens, and otherwise for the purposes of the Association.
- F) To ensure that all events conducted by the Association, are so conducted in regard to the safety requirements of the current State and Federal legislation, and or any other Associations, and Entities the Association is affiliated who have an interest in the event. With a view to the safety of the Association members and families, and all other persons present, including any general public within the confines of the event. .
- G) To do all such things as are conducive, or incidental to the attainment of the above objects or any of them.

3) Membership

Membership may be granted to the applicant of the following types provided the probationary requirements as outlined from time to time by the Association are complied with, save that the Committee may waive the probationary requirements for a proposed individual applicant, provided that all members of the Committee are in total agreement, or as where varied in the requirements of the individual types of Membership.

A record shall be maintained of all the Member's detail's, and status in the Association. This record will also maintain Members position in the Association, attendance at meeting or other functions associated with or on behalf of the Association.

a) Individual Membership

An Individual Membership may be granted to a person where they have reached the age of majority (18 years subject current Australian Commonwealth, State Laws and Statutes). The individual member must pay all fees and charges as set at the AGM by the

ONKAPARINGA RAMBLERS CAR CLUB

Association each year or from time to time to obtain and maintain all the rights and benefits accorded to a full member under the rules of the Association.

b) Family Membership

A Family Membership may be granted to persons in a family group consisting of one or two parents or guardians over the age of majority; the siblings must be living at the same geographical address; and where the siblings have not reached the age of majority, being less than 18 years of age. The Family Membership must be paid as set at the AGM by the Association each year or from time to time, to obtain and maintain all the rights and benefits accorded to a full member under the rules of the Association, save that the voting rights will only be accorded to the person or the member nominated in the Family Membership application as parent or guardian who has achieved the age of majority.

c) Associate Membership

An Associate Membership may be granted to outside individuals only, and on written application to the Committee, or as nominated by two individual Members and agreed to by the full Membership of the Association; for services rendered to the Association by individuals. An Associate Membership may be granted to an individual for a single event only once per calendar year, or alternatively for a full year depending on the circumstances of the individual and the application.

Associate Members will not have voting rights, but will have all the other rights and benefits that would normally be accorded to a full member.

Associate Membership may be granted to applicants below the age of majority with a minimum age of 12 years, but only where there is fully written and signed parental or guardian consent with each and every application. The presented and signed parental or guardian signed consent must be renewed each year.

The Associate Member must pay all fees and charges as set at the AGM by the Association each year or from time to time, to obtain non-voting status, but all other benefits and rights accorded to a full member under the rules of the Association.

d) Life Membership

A Life Membership may be proposed by the Committee or by not less than two financial Members of the Association and may be granted with the agreement of the majority of current financial Members of the Association at the AGM; provided that the Nominee full fills at least two of the following minimum criteria as varied from time to time by the Members of the Association at an AGM.

The Nominee must have:

- i. Been a continuous financial member of the Association without a break for a minimum of 20 years
- ii. Served on various committees within the Association and/or appointed to represent the Association on a regular basis at various nominated Bodies or Organisations and or Committees outside the Association.
- iii. Served the Association in an outstanding manner in promoting the objects of and in the development of the Association over the period.

A nominal fee may be set by the Association from time to time to comply with current State or Commonwealth legislation, and will accord the life member the rights and benefits accorded to a full member under the rules of the Association.

e) Honorary Membership

ONKAPARINGA RAMBLERS CAR CLUB

Honorary Membership may be granted at the discretion of the Association to a non competition person/s or companies, as nominated by two individual Members and agreed by the full membership of the Association for services rendered to the Association by outside individuals.

f) Application for Membership

- A) Any person wishing to become a member (here after called the nominee) of the Association, shall apply in writing to the Committee, on the form provided (obtainable from the Committee).
- B) The Committee shall have the right to accept or reject the application of the nominee. Further should any application be rejected, the Committee is not required to assign a reason for the rejection, but may do so as it sees fit.
- C) A nominee shall if accepted by the Committee, be initially admitted as a probationary member. If probationary membership is granted to the nominee, the nominee must fulfil a probationary period by attending three general meetings, and/or two competition meetings before membership will be granted or rejected.
- D) Nominees will not have voting rights until full membership is granted, but will enjoy all other rights and benefits normally received by full members on payment of the subscription fee.
- E) If membership is given to the nominee, the nominee shall voluntarily subscribe to the objects of the Association, and shall be deemed to have agreed to be bound by the Constitution and any rules or by-laws made there under.
- F) The Committee shall have the right to terminate the membership of any member for any of the following reasons:
 - 1) Failure to fulfil responsibilities delegated to that member.
 - 2) For behaving in a manner unbecoming of a member at any club function or competition meeting etc.
 - 3) Failure to observe the objects or rules of the Association.
 - 4) For becoming un-financial.
 - 5) For regularly failing to attend, or send an apology for non-attendance at club functions or meetings.
 - 6) Any other detrimental action by the member considered to be just cause, after the member has been given due warning by the Committee for termination of membership.
 - 7) A member has the right to appeal the decision of termination of membership by the Committee. The appeal shall be by the method as described in the Associations Incorporations Act.
- G) Resignation of membership,
A member may at any time resign their membership by giving notice in writing to the Secretary, but shall remain liable for any annual subscription and all arrears due, and un-paid, at the date of their resignation. Any member resigning after the 31st day of January shall remain liable for the subscriptions which became due on the 1st day of November in the preceding year.

4) SUBSCRIPTIONS AND AFFILIATION FEES TO OTHER ORGANISATIONS AND ASSOCIATIONS, and Employment.

The annual subscription shall be fixed by the members at the Annual General Meeting, and shall be for the period commencing on the 1st day of November each year, when the subscription shall be due and expiring on the 31st day of October the following year. A member shall not be deemed un-financial until their subscription is 3 months in arrears. Where the Association is affiliated to other Organisations and Associations which have

ONKAPARINGA RAMBLERS CAR CLUB

individual membership levies/affiliation fees, these levies/affiliation fees shall be added to all membership fees as set.

- A) The Association may as it sees fit on agreement of the majority of the financial Membership at a General Meeting, employ service providers, contractors, and or individuals, as required for the supply of goods and services to aid with the objects of the Association.
- B) At All times the costs of the employment of the said service providers, contractors, and or individuals, as requested, shall be cost effective to the individual event only, and not be open ended.

5) MEETINGS

- A) The Annual General Meeting shall be held in the month of November in each year. Seven days notice of an AGM must be in written form, via either the Association's website or delivered to the individual member. All administrative and financial reports for the 12mths prior to be presented to the members at the AGM. Should the audited administrative and financial reports not be available for the AGM they may be presented as unaudited and only used as the indication of the status of account's. The Audited financial report shall be presented no later than the next General Meeting or Special General Meeting called for that purpose to confirm or vary to suit any financial matters arising from the AGM.
- B) General meetings of all financial members shall be held on a monthly basis, or otherwise as advised by the Committee.
- C) Special General Meeting may be called at any time by the President for a single or small number of purposes of an urgent nature, such matters but not exclusive to those arising from Clause 11, or concerning this Constitution and interpretation or the Rules requiring prompt attention and resolution of the general membership. This meeting shall be arranged with a notice to all Financial Members of the date and purpose of the meeting. The date and time of the Meeting shall be set to allow the attendance of financial members as for an AGM.

6) COMMITTEE

- A) At the Annual General Meeting, the following persons shall be elected to the:- President, Vice President, Secretary, Treasurer, Assistant Secretary, Chairpersons of any Sub- Committees, and the Association representatives to outside Organisations and Committees as the Association sees fit. Tenures for the positions of President and Vice President are for a period of two years, with all other positions being of one year.
The elections of President and Vice President are to be carried out in alternate years. The position of any Committee member absent for three consecutive Committee meetings without leave of absence shall automatically be declared vacant. Acceptance of any apology shall be deemed as leave of absence.
An Executive Committee if required shall consist of the following persons: President, Vice President, Secretary, Treasurer, Assistant Secretary, and Chairpersons of any Sub- Committees, and the Public Officer. Ref: Appendix 'A' - Functions of the Office Bearers as varied from time to time.
Acceptance of any apology shall be deemed as leave of absence.

ONKAPARINGA RAMBLERS CAR CLUB

- B) The Committee shall have the power to co-opt other financial members to the Committee and may fill casual vacancies as required, and also may nominate representatives for the Association to outside bodies.
- C) The Committee shall be responsible for the management of the Association as required by the Associations Incorporation Act and shall have the power and authority to appoint such persons as are necessary to carry out the objectives of the Association
- D) The Committee may appoint Sub-Committees. The President and Vice President shall be ex-officio members of all Committees but not necessarily Chairperson.
- E) The Committee must appoint a Public Officer, as required by the Associations Incorporation Act, who may hold any other office in the Association except that of Auditor.
- F) The Committee shall appoint an Auditor who shall not be a member of the Committee.
- G) The Committee shall fix fees and charges for the services rendered to or by the Association and entry fees for events.
- H) The Committee or their appointed Sub-Committees shall be responsible for the conduct of all competitions, events and functions held or organised by the Association. It shall have power to make the rules and regulations, and lay own such conditions and fix such fees and prizes as the Committee shall deem fit for the proper conduct of competitions, events and functions. The Committee may appoint officers, judges, marshals and other persons as they may consider necessary for the safe conduct of such competitions, events and functions.
- I) Resignations of any office bearer must be in writing to the Secretary or the President. Should any vacancy occur, in the Committee or office bearers of the Association other than in the normal course of elections the Committee shall fill such vacancy from the financial members of the Association and such members duly elected shall hold office for the unexpired portion of the predecessor's term. Should the resignation be from the President, then the Vice President will automatically assume the chair until the next General Meeting or Special General Meeting where nominations will be called for the position of President.
- J) Expulsion of a member
 - a). Subject to giving a member an opportunity to be heard or to make a written submission, the Committee may resolve to expel a member upon a charge of misconduct detrimental to the interests of the Association.
 - b). Particulars of the charge shall be communicated to the member at least one month before the meeting of the Committee at which the matter will be determined.
 - c). The determination of the Committee shall be communicated to the member, and in the event of an adverse determination the member shall, (subject to d) below), cease to be a member 14 days after the Committee has communicated its determination to the member.
 - d) It shall be open to a member to appeal the expulsion from the Association at a General Meeting. The intention to appeal shall be communicated to the Secretary or Public Officer of the Association within 14 days after the determination of the Committee has been communicated to the member.
 - e). In the event of an appeal under d) above, the appellant's membership of the Association shall not be terminated unless the determination of the Committee to expel the member is upheld by the members of the Association in General Meeting after the appellant has been heard by the members of the Association, and in such event membership will be terminated at the date of the General Meeting at which the determination of the Committee is upheld.

ONKAPARINGA RAMBLERS CAR CLUB

7) ELECTIONS

Elections shall be by ballot or show of hands whichever method is agreed to by the membership present at the Annual General Meeting.

8) QUORUM

- A) A quorum at an Annual General Meeting or other meeting of members shall be eight financial members or one sixth of the financial membership whichever is the smaller.
- B) A quorum at a Committee meeting shall not at least be less than four members of the Committee.

9) FINANCE

- A) All monies received shall be forthwith deposited in the Associations bank account. Cheques to be issued on these accounts are to be signed by two of the President, Secretary, Treasurer, Public Officer, or one other member of the Committee, or a financial Member as appointed by the Committee as a signatory.
- B) The financial year of the Association shall end on the 31st day of October. An Annual Balance Sheet and statement of receipts and Expenditure will be prepared and submitted to the Auditor
- C) The Balance Sheet and Statement of receipts and Expenditure duly audited shall be presented to the Annual General Meeting of members (subject to Clause 5a).
- D) The Association shall not borrow money on mortgage, overdraft or otherwise, nor shall the Committee or any other member or nominee spend or contract to spend or charge any assets or the credit of the Association for any sum in excess of two hundred and fifty dollars (A250.00), without first having the approval of a General Meeting of members called.

10) AMENDMENTS

These rules may be amended by two-thirds majority of the financial membership at a General Meeting, or Special General Meeting called for that specific purpose.

11) PETITIONS CLAUSE

The President shall within seven days of receiving a written petition signed by not less than eight members, call a Special General Meeting to be held within fourteen days of such receipt.

The President shall within seven days of the receipt of a written petition signed by three Committee members, call a Committee meeting to be held within seven days of such receipt. The petition and the notice of the meeting shall set out in writing the business it is desires to conduct.

If the President does not within the stipulated time, call a duly petitioned meeting, the Petitioner's may themselves call the meeting.

All requirements per clause 5 (A) shall be used to call the meeting, the meeting will be conducted in the normal manner for meetings of the Association.

Should the issue raised does not or cannot be resolved at any meeting the Committee and or Petitioners where the status quo is not acceptable, are to request the assistance of two (2) and respected longstanding experienced members of the Association. These Persons shall be known to have the interests of the Association paramount to any other influences.

The two (2) persons are to act as Moderators, and or Overseers, and are to take total control of the issue or problem, and resolve same either to the status quo, or to the benefit of the Association as they see fit.

12) VOTING

ONKAPARINGA RAMBLERS CAR CLUB

Each member shall be entitled to one vote. In the event of an equality of voting in any question it shall be resolved as to preserve the status quo. There will be no casting vote.

13) INTERPRETATION

Any doubt arising as to the application or meaning of any clause shall be decided by a two thirds majority of the financial membership of a Special or General Meeting whose decision shall be final.

14) DAMAGE TO PROPERTY

No member shall make use of any equipment which is the property of the Association without the prior consent of the Committee, and any member damaging the property of the Association may be called upon to make good such damage.

15) OPEN MEETINGS

All Association Meetings, Committee Meetings or any Sub-Committee meetings shall not be held in camera, and be open to all members.

All meetings shall be minuted and the minutes be available to the Committee Members. The Minutes shall record the Attendees, Opening time, Apologies, Confirmation of Previous Minutes, Matters Arising from Previous Minutes, Correspondence, General Business.

16) CHAIRPERSON

The President for the time being shall take the chair at all Association AGM, Special, General, and Committee Meetings. In their absence the chair shall be taken by the Vice-President or by some other Committee member chosen by the meeting. The President and Vice President shall be ex-officio members of all Committee and Sub-Committees, and not necessarily the Chairperson.

17) COMPLAINTS

All complaints shall be made in writing which shall be signed with the name and address of the complainant, and addressed to the Secretary of the Association, who shall promptly investigate the complaint, and make a report to the Committee which may then deal with the complaint as it deems fit.

Verbal complains may be made but must be in person, to a meeting of the Committee, and or General Meeting of the Association.

Anonymous complaints, either verbal or written will not be accepted.

18) CONFLICT OF INTEREST

Members of the Executive, and or any Committees in roles of authority and influence in the Association; shall hold the Associations OBJECTS and requirements as their primary responsibility. Any conflict that may arise must be reported at the time, and if required said members must also abstain from voting on the issues or subsequent related issues. At all times the Member shall ensure the interests of the Association are not compromised.

19) WINDING UP OF THE ASSOCIATION

- A) No motion for the winding up of the Association shall be submitted except at a General Meeting duly called for that purpose, and no such motion shall be deemed to be carried unless at least three fourths of the membership is present and eligible to vote, where the vote is in the affirmative, with not less than three fourths majority.
- B) Should the Association be wound up as provided for under clause 18A, the assets of the Association shall be transferred to a registered receiver for the sole purpose of converting the assets of the Association to a maximum cash basis which shall be donated to a registered charity or charities as nominated by three fourths of the members of the Association.

INCORPORATED 1967
Registration Number: A3157

CONSTITUTION AND RULES

Appendix 'A'

Functions of Office Bearers

These listed Functions rolls are indicative of usual practice recognised in principal within the Government of South Australia - Associations Incorporation Act 1985 as may be varied from time to time as required.

All Office Bearers, Committee Members while working for and on behalf of, are not exempt from adherence to Constitution and Rules of the Association as current.

President

The President shall take the chair at all Association AGM, Special, General, and Committee Meetings. To ensure all meetings are held in an orderly manner and procedures conducted. The President shall be primarily responsible for the general management of the Association within Constitution and Rules in conjunction with the other Office Bearers, and may take on other duties as agreed on behalf of the Association.

Vice President

The Vice-President shall take the chair in the absence of the President at all Association AGM, Special, General, and Committee Meetings.

The Vice President shall assist the President in their roll, and may take on other duties as agreed on behalf of the Association.

Note

The President and Vice President shall be ex-officio members of all Committee and Sub-Committees, and not necessarily the Chairperson.

Secretary

The Secretary shall be responsible for all specific or general correspondence of the Association.

Should maintain adequate correspondence files, and bring relevant correspondence before the committee or at any meetings of the Association, and should assist in the general management of the Association in conjunction with other Office Bearers.

Take accurate Minutes of Meetings, and assist to ensure the proper procedures conducted.

Treasurer

The Treasurer shall be responsible for the Associations income and expenditure, and keep records of all transactions in the Associations books. Be responsible to provide regular financial reports to the Committee, and or the Membership as required. To prepare the Associations financial reports and statements for consideration and adoption by the Committee, and or Membership as required, and provide such details as required to the Auditors as appointed. .

To keep a Register of the Membership recording up to date details, and financial status of the Membership as a whole, and as individuals.

Assistant Secretary

The Assistant Secretary (if appointed) shall take the roll of Secretary if not available, or assist as required at Meeting of the Association.

Chairpersons - Sub- Committee/s.

The Chairpersons - Sub- Committee/s shall take the Chair as appointed maintain details of the Sub Committees actions and meetings by way of a report, and minuets to the Committee of Office Bearers, or the Association at General meeting or other as required.

Public Officer.

The Public Office shall fulfil the roll as required under the under Section 56 of the Government of South Australia - Associations Incorporation Act 1985 as may be varied from time to time.

Committee Members.

These may be co-opted by a Committee from financial members to fill specific specialist rolls or to fill casual vacancies as may be required.