



# CONSTITUTION OF THE HISTORIC MOTOR CYCLE RACING REGISTER OF SOUTH AUSTRALIA INC. (H.M.C.R.R.S.A.)

## - THE RULES -

### **RULE 1: NAME OF THE ASSOCIATION**

The name of the Association is the Historic Motor Cycle Racing Register of South Australia Inc.

### **RULE 2: THE OBJECT OF THE REGISTER**

- 6.5 To enable members of the Register to promote and race historic and classic motorcycles and sidecars according to M.A. General Competition Rules.
- 6.5 To give assistance in the form of advice to members and non-members on the type of machines and modifications allowed in historic and classic racing.
- 6.5 To promote historic and classic racing as a sport in the true spirit of sportsmanship.

### **RULE 3: INCOME AND PROPERTY**

The income and property of the Register, whence so ever acquired, shall be applied solely towards the promotion of the objects of the Register as set out herein.

### **RULE 4: LIMIT OF LIABILITY OF MEMBERS**

Every member of the Register undertakes to contribute to the assets of the Register, in the event of the Register being wound up during the time he/she is a member or within one year thereafter towards the debt and liabilities of the Register contracted before the time he/she ceases to be a member, provided that liability is limited to such fees as are overdue, together with a further annual fee at the rate applicable at the date he/she ceases to be a member.

### **RULE 5: QUALIFICATIONS FOR MEMBERSHIP**

Members shall have an interest in;

- Historic and classic racing
- Machines eligible for historic and classic racing
- Promotion of historic and classic racing

## **RULE 6: MEMBERSHIP**

Application shall be made in writing to the Treasurer. Refer to Rule 10 about membership fees.

### **Membership Categories**

#### 6.1 Ordinary Membership:

shall be any person who makes application and pays the required fees to the treasurer.

#### 6.2 Family Membership:

a class of membership to cater for membership of a number of family members living at the same address.

For the purposes of Licensing, any family member who is over 18 must hold ordinary membership.

#### 6.3 Short Term Membership:

provides for membership of up to 4 consecutive days for visitors to Club events. A maximum of two applications only for this class of membership in any one calendar year, per individual, permitted

#### 6.4 Honorary Membership:

For services rendered to the Club or for any other reason a person may, on the recommendation of the Committee, be elected as an Honorary Member with full privileges without fees or subscription, for a period as determined by the Committee.

#### 6.5 Honorary Life Membership:

6.5.1 The Committee may, after receipt of nomination from any other financial member, grant to any person so deserving Honorary Life Membership.

6.5.2 Nomination for life membership shall be made in writing and supported with a seconder, to be received by the Secretary at least two (2) clear months before the Annual General Meeting. The Secretary shall, before the Annual General Meeting, ascertain whether the nomination is eligible.

6.5.3 The Committee shall have the discretion as to the number of Honorary Life Members so honored in any year. At the Annual General Meeting the President shall announce the Honorary Life Member(s).

6.5.4 Honorary Life Members shall enjoy full privileges of the Register's facilities and functions and may exercise discretion in relation to the payment of the annual subscription.

6.5.5 Honorary Life Members shall be required to pay an honorarium to maintain a race licence.

## **RULE 7: OFFICERS OF THE REGISTER**

7.1 Officers of the Register shall be elected in the manner set out hereunder. All officers shall perform their functions in an honorary capacity without financial gain, however, they shall;

- be reimbursed for all costs and expenses properly incurred on behalf of the Register;
- be indemnified against any costs or losses arising in the course of their duties.

7.2 The Officers of the Club shall consist of the President, Vice President, Honorary Secretary, Honorary Treasurer, Competition Secretary, Librarian, Editor and Publicity Officer.

7.3 Officers of the Club shall hold office for a period of one (1) year at the termination of which such Officers shall be eligible for re-election.

## **RULE 8: COMMITTEE**

- 8.1 The Committee of the club shall consist of the Officers of the club, together with five (5) financial ordinary members from the rank and file of the Club members.
- 8.2 The Committee shall control the affairs of the club.
- 8.3 Any matter on which the Constitution is silent and which is brought before the Committee shall be determined by the Committee and any such determination shall be binding upon all members subject to no amendment being carried in accordance with Clause 18.
- 8.4 Members of the committee shall hold office for a period of one (1) year at the termination of which such members shall be eligible for re-election.
- 8.5 Should any office or position on the committee become vacant for any reason whatsoever, the vacancy shall be filled by election as soon as practicable at a General Meeting.
- 8.6 If any committee member is absent without leave from three (3) consecutive meetings, the Committee may resolve that such member shall vacate his/her seat and another member shall be elected by the members of the Register.
- 8.7 Other Positions
  - 8.7.1 Auditor - audit books and accounts and report on balance sheets.
  - 8.7.2 Patron(s) - invitation to be extended yearly and confirmed at the Annual General Meeting. Patrons do not form part of the Committee.

## **RULE 9: MEETINGS**

- 9.1 An Annual General Meeting shall be held in August each year for election of Committee members.
- 9.2 A General meeting shall be held on the third Thursday of each month.
- 9.3 Committee meetings shall be held when necessary.
- 9.4 All meetings shall be held in a formal manner, minutes shall be recorded.

## **RULE 10: FEES**

- 10.1 The joining fee including your first year subscription shall be an amount set by the Committee.
- 10.2 A member who is un-financial for three (3) months after fees become due and payable shall cease to be a member and shall be required to pay a late joining fee to become a member.
- 10.3 The Annual subscription shall be established each year.
- 10.4 Special levies may be made to cover costs of special or unusual events.
- 10.5 The actual fees or levies made will require the agreement of the Register by majority vote.

## **RULE 11: COMMON SEAL**

- 11.1 There shall be a Common Seal of the club which shall bear the name of the Club. The Common Seal shall be held in the custody of the Seal Holders.
- 11.2 The Seal Holders shall be the President and the Honorary Secretary of the Club.
- 11.3 The persons authorised to use the Common Seal are the two Seal Holders in the presence of another person who shall be a member of the Committee, provided that the Common Seal shall not be used except pursuant to a resolution of the committee.

## **RULE 12: POWER OF SUSPENSION OR EXPULSION**

- 12.1 The Committee has the power to recommend the suspension or expulsion of any member for any legitimate cause provided that such member shall have received notice in writing that a complaint has been made against him/her, and of a time appointed for its consideration by the committee when he/she may attend and be heard. Should such member fail to attend, the Committee may, after receiving satisfactory evidence, consider the complaint as though the member were present. The power to suspend or expel may only be exercised by a majority vote of not less than two thirds of the members present at a General Meeting.
- 12.2 Any office holder or any member of the Committee may be removed from office or from the Committee, as the case may be, upon the vote of a two thirds (**2/3**) majority of the financial members present at a General Meeting.

## **RULE 13: PROPERTY AND FUNDS**

- 13.1 All property of the Club shall be vested in the Committee and, subject to the control of members in General Meeting, shall be managed by the Committee.
- 13.2 The property shall be for the support of the general management and objects of the club, and for any lawful purpose which may be determined by the members.
- 13.3 The Club may be dissolved at any time for any cause whatsoever by a vote of a majority of four fifths (4/5) of the financial full members present at a meeting specially convened for this purpose.
- 13.4 After discharging all debts and liabilities, the Club's property shall be auctioned among such members and the total remaining funds divided among such members.
- 13.5 No member, by reason of his/her membership, shall have any transmissible or assignable interest in the property of the Club.

## **RULE 14: RECEIPTS**

All receipts shall be collected by the Treasurer and deposited in a bank account in the name of "Historic Motor Cycle Racing Register of South Australia Inc".

## **RULE 15: EXPENDITURE**

- 15.1 Authority to incur expenditure on behalf of the Register is restricted to officers of the Register so appointed in accordance with the Rules.
- 15.2 Any member of the Register causing any unauthorised costs to accrue against the Register shall indemnify the Register against costs or damages, which costs or damages shall be recoverable at law.
- 15.3 All expenditure accounts shall be read at a General Meeting and passed by a majority vote before payment is made.
- 15.4 Payment of accounts will be made by cheque, requiring the signatures of two Committee members or by electronic transfer.
- 15.5 Petty cash to the value of three hundred dollars (\$300.00) may be held by the Treasurer, including any Imprest accounts.
- 15.6 Balance sheets shall be submitted to the Annual General Meeting by the Treasurer.

## **RULE 16: RECORDS**

- 16.1 A record shall be kept of the names and addresses of the Officers and members of the Club.
- 16.2 A record shall be kept of the competition motorcycles owned by members of the Club.
- 16.3 A record shall be kept of the winners and placegetters in competitive events conducted by the Club.

### **RULE 17: INSPECTION OF BOOKS**

- 17.1 Any financial full member having an interest in the affairs of the Club may inspect the books of the club at any reasonable and convenient time upon previous notice having been given to the Honorary Secretary or Honorary Treasurer.
- 17.2 The financial records of the club shall be audited once annually by a person or persons appointed by the Committee.

### **RULE 18: ALTERATIONS TO THE CONSTITUTION**

Alterations to the constitution shall be made in the following manner;

- 18.1 A financial member shall propose the alterations in writing supported by five financial members.
- 18.2 The proposal must be received not later than the General Meeting prior to the Annual General Meeting, at which time the proposal shall be tabled and debated.
- 18.3 At the Annual General Meeting the proposal shall be voted on by the financial members present and shall be considered carried if the vote is in the affirmative by a two thirds ( $2/3^{\text{rds}}$ ) majority of financial members present.
- 18.4 The proposal if carried shall be considered in effect from the taking of the vote at the Annual General Meeting.

### **RULE 19: QUORUM**

- 19.1 A quorum for constituting a General Meeting shall consist of at least ten financial members with no less than 3 Committee members in attendance.
- 19.2 A quorum for constituting a Committee Meeting shall consist of at least five Committee members.

### **RULE 20: TRUSTEES**

The President, Honorary Secretary and Honorary Treasurer shall be Trustees of the Club and they shall have the property and funds of the Club in their care. All cheques shall be signed and countersigned by any two (2) of the Trustees. Cheques payable to the Club may be endorsed for receipt by any one (1) of the Trustees.

### **RULE 21: STANDING ORDERS AND GENERAL RULES FOR THE CONDUCT OF MEETINGS**

- 21.1 The Annual General Meeting of the Club shall be held when practicable, on the second Thursday of August each year, at such time and place as the committee may direct. The report and financial statement for the past year shall be presented at this meeting, and the election of Officers and Committee for the succeeding year proceeded with. General business shall also receive attention.
- 21.2 General Meetings shall be held once each calendar month.
- 21.3 Extraordinary General Meetings shall be called by the Secretary upon a request in writing signed by at least five (5) financial full members of the Club. The meeting shall be called within twenty one (21) days of receipt of such a request at a time and place to be mutually agreed upon.
- 21.4 Committee Meetings shall be called as required by General meetings, at which Committee meetings such matters of management as require attention shall be determined.
- 21.5 The Club President shall take the chair at all meetings of the Club, or in his absence the Vice President shall take the chair. In the absence of both President and Vice President, a Chairman shall be elected by the members present. The Chairman shall have a casting vote in addition to his deliberate vote.
- 21.6 All motions must be moved and seconded before being put to the vote. The maximum number of amendments to any one motion shall be two. A member, except the mover of the motion, who has the right of reply, shall not speak more than once on any motion or amendment except by permission of the meeting. The member speaking shall address the Chairman in a respectful manner, and must confine

his remarks to the subject under discussion. When a point of order is raised, the member raising same shall state his point of order without debate, and, if a member be speaking such member shall resume his seat until the point of order is decided A member shall not speak for a period longer than ten (10) minutes except by permission of the meeting, except the mover of a motion who, when moving it, may speak for fifteen (15) minutes. When the ruling of the chair is challenged, the member who challenges the ruling shall be heard for not longer than five (5) minutes, and the Chairman having been heard in reply, the vote shall be taken without discussion.

- 21.7 When it shall appear to the chairman during any debate that the subject has been adequately debated and it is the evident desire of the meeting that the question be put, the Chairman shall forthwith, without debate, put the motion that the question be put and if such motion be carried by a two thirds (2/3) majority of financial full members present, the question under discussion shall be put without delay.
- 21.8 A motion or amendment may not be withdrawn without the agreement of the seconder.
- 21.9 The Chairman may give visitors permission to address members.

#### **RULE 22: VOTING**

At all meetings, financial full members only are entitled to vote, which may be taken as the Chairman may direct. An absent member shall not have the right to appoint an agent or proxy for the purpose of voting.

#### **RULE 23: ORDER OF BUSINESS**

At all meetings the order of business shall be as follows:

1. The Chairman shall take the chair and open the meeting and welcome visitors.
2. Apologies.
3. The Minutes of the previous meeting shall be read and confirmed.
4. The monthly financial statement shall be presented by the Treasurer.
5. Notice of election or resignation of members will be given.
6. Correspondence shall be read and received.
7. At an Annual General Meeting:
  - Any proposals for Life Membership shall be heard in accordance with Rule 6.
  - The old Committee shall retire and the new Committee be elected.
8. Reports concerning events and any other matters affecting the Club shall be given by the Chairman or any other member delegated to the responsibility.
9. Motions of which notice has been given shall be presented for debate and vote.
10. Other business.
11. The chairman shall close the meeting.

#### **RULE 24: RESOLUTIONS BINDING MEMBERS - ADJOURNMENT**

All resolutions passed at a meeting shall be conclusive and binding on all members of the club, whether they have been present at such meeting or not, provided that such meeting shall have been held in conformity with the Constitution.

All meetings of members and of the Committee shall have power to adjourn their proceedings.

#### **RULE 25: APPOINTMENT OF SUB-COMMITTEE**

Select or special Sub-Committees may be appointed for the prosecution of any business which a meeting may direct.

**RULE 26: RIGHT OF APPEAL**

Any member who feels aggrieved by any decision of the Committee or members may appeal against such decision at the next General meeting. The appeal must be made in writing to the Secretary specifying the particular grievance, together with evidence at least fourteen (14) days prior to the General meeting. No appeal shall be considered unless couched in proper and respectful language.

**RULE 27: RULES**

The Committee shall have the power to prescribe general rules as considered necessary from time to time for the proper conduct of Club activities.

**RULE 28: INTERPRETATION**

All cases of dispute regarding the interpretation of any section of the Constitution shall be decided by the Committee whose decision on such matters shall be final.

**RULE 29: MISCELLANEOUS**

No member or group of members shall have the right to involve the Register in any activity, promotion or matter affecting the Register without the approval of the Register by majority vote.