

SOUTHERN SPORTING CAR CLUB INCORPORATED 1991
Established 1954

CONSTITUTION

1. OBJECTS

- a. To promote, foster and conduct motor sport generally in all its branches, but particularly with respect to the area of competition at Club level.
- b. To promote friendship and courtesy on the road, socially and in competition between members of the Club.
- c. To promote and engender social activities.
- d. To conduct meetings and classes whereby members may obtain knowledge enabling them to become better drivers and maintain their vehicles at a high standard of efficiency.
- e. To affiliate with the Confederation of Australian Motor Sport (CAMS), acknowledging its constitution and observing the National Competition Rules.

2. MEMBERSHIP

Membership shall be open to any persons interested in furtherance of the objectives of the Club. Application for membership shall be in writing and shall be in such form as the Committee shall determine. Proposed membership may be accepted by the Committee of the Club at its discretion. If accepted as members of the Club, membership shall commence from date of receipt of application and payment of subscription. Honorary Life Membership shall be free of annual subscription, and may be conferred on members at the Annual General Meeting, provided due notice has been given in accordance with Clause 8. Honorary Membership may be conferred on non-members by the Executive Committee for period not exceeding three calendar months.

3. REGISTER OF MEMBERS

The Public Officer will maintain a register of members of the Club specifying the name, address and annual membership receipt number of each person who is a member of the club.

4. PAYMENT OF SUBSCRIPTION

All annual subscriptions shall be payable on the first day of January on which day the financial year shall commence. Any member whose subscription is unpaid on the last day of the month of February shall cease to be a member and the name of such member shall be erased from the register of the club but may be re-instated by the Committee upon available vacancy and on payment of all arrears. Subscription rates shall be determined annually by the Committee.

5. LIABILITY OF MEMBERS

The liability of a member of the Club to contribute towards the payments of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of the prescribed membership fee for the current year.

6. DISCIPLINARY- PROCEDURES

In all disciplinary procedures the "rules of natural justice" will be adhered to, which ensures fairness to all. In particular, any disciplinary procedure will be without bias, will give each side the opportunity of stating its case, all sides will be heard, and not to hear one side behind the back of the other. A person must have notice of what they are accused and relevant documents must be disclosed to all parties interested. In short, not only should justice be done, but it should be seen to be done.

7. MANAGEMENT

The Management of the Club shall be vested in a Committee which shall consist of the President, Vice President, Secretary, Treasurer and not more than five (5) other ordinary members of the Club. The President may be the Chairperson of all meeting except that in his/her absence the Vice President may be Chairperson, then failing that any Committee person may take the Chair. The total number of Committee shall total nine(9).

That for the purpose of the Associations Incorporation Act 1984 the Vice President, Secretary or Treasurer shall be the Public Officer as decided by the Committee.

In the event of a casual vacancy in the position of Public Officer then the President shall be the Public Officer. The Committee shall be elected at the Annual General Meeting and shall hold office for a period of twelve(12) months from the date of election.

The whole of the Committee shall retire at the subsequent Annual General Meeting and shall be eligible for re-election.

Any office bearer or member of the Committee failing to attend two consecutive Committee meetings without apology or just cause shall thereby render themselves liable to exclusion from that office or Committee by the Committee.

In the event of a casual vacancy in the Committee, the position will be filled by election at the next General Meeting or Special General Meeting after the vacancy has been declared, or if the vacancy is not filled then the Committee may appoint a financial member to serve the balance of the term.

A casual vacancy in the office of a member of the Committee occurs if the member:

- (i) dies
- (ii) ceases to be a financial member of the club
- (iii) resigns office by notice in writing given to the Secretary
- (iv) becomes an insolvent under administration within the meaning of the Companies (NSW) Code.

POWERS OF COMMITTEE

The Committee shall have power to make and publish any by-laws for the better management and control of the Club which shall not be inconsistent with this Constitution, and shall have the power to invite any other person to attend Committee Meetings who may be of assistance to them in a professional and technical or skilled manner for their advice and guidance thereon, provided that such person shall not be entitled to a vote upon the Committee.

The Committee in addition to the powers herein specified conferred upon them shall have the control of the finances of the Club, power to engage, control and dismiss servants, and all such administrative powers as may be necessary to properly carry out the objectives of the Club in accordance with these rules.

DUTIES OF SECRETARY

The Secretary of the Club shall conduct the correspondence of the Club and subject to the control of the Committee, shall have the custody of all documents belonging to the Club. The Secretary shall keep full and correct minutes of all proceedings of the Club and of the Committee.

DUTIES OF TREASURER

The Treasurer shall keep the accounts of the Club and shall make up the annual statement of accounts and balance sheet of the Club to the end of December in each year, which shall be typed or printed and circulated amongst the members with the notice of the Annual General Meeting

8. MEETINGS

ANNUAL GENERAL MEETING

The Annual General Meeting of the Club shall be held on the first Monday of June in each year, wherein the Annual Report and Balance Sheet shall be presented, and elections held for the Committee. An Auditors Report may be called for by a majority of members present.

SPECIAL GENERAL MEETINGS

The Committee shall call a Special General Meeting when any question of urgent importance shall arise and shall be bound to do so on the requisition in writing of not less that five (5) percent of the total number of members, convene a Special General Meeting of the Club.

A requisition of members for a Special General Meeting:

- (i) shall state the purpose or purposes of the meeting
- (ii) shall be signed by the members making the requisitions
- (iii) shall be lodged with the Secretary: and
- (iv) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

If the Management Committee fails to convene a Special General Meeting to be held within one (1) month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a Special General Meeting to be held not later than three (3) months after that date.

A Special General Meeting convened by a member or members as referred to in the above clause shall be convened as nearly as is practicable in the same manner as General Meetings are convened by the Management Committee.

NOTICE OF SPECIAL GENERAL MEETING

All members shall be notified in writing at their last known address at least twenty one (21) days before the Special General Meeting is to be held.

GENERAL MEETINGS

Shall be held regularly as determined by the Committee.

COMMITTEE MEETINGS

The Committee shall meet at least monthly and at such other times as deemed by the Committee.

PROCEDURE AT MEETINGS

QUORUM

At Annual General Meetings and Special General Meetings, a quorum shall be twenty (20) members present, and at Committee Meetings and General Meetings a quorum shall be five (5) members.

No item of business shall be transacted unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

If within half an hour after the appointed time for the commencement of the meeting a quorum is not present, the meeting if convened upon the requisition of members, shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than three (3)) shall constitute a quorum.

VOTING

Each Financial Member has one vote only and it must be cast personally. Proxy votes are not acceptable. Any decisions of the Committee or of the members of any Annual General Meeting or Special General Meeting or General Meeting save and except as elsewhere provided otherwise shall be decided by the majority of those present and voting.

Motions upon which the voting is equally for and against shall be declared lost.

The meeting of the Committee and of the Club shall be conducted in strict accordance with the rules of debate.

ANNUAL GENERAL MEETING – AGENDA

The agenda of the Annual General Meetings shall be:

- (a) Minutes of the previous Annual General Meeting
- (b) President's Report
- (c) Financial Report
- (d) Election of :
 - 1. President.
 - 2. Vice-President.
 - 3. Secretary.
 - 4. Treasurer.
 - 5. Committee Members (5)
 - 6. Patrons.

9. FUNDS

The funds of the Club shall be derived from annual subscription, donations, fund raising and any such other sources as the Management Committee determines, and shall be banked in the name of the Club and the bank account shall be operated by the two of the Executive. The Club is a non-profit making organisation and as such is prohibited from making an distribution to its members, whether in money, property or otherwise howsoever, of any asset, provided however that this shall not prevent payment in good faith of remuneration to any officers or servants or reimbursement of out of pocket expenses incurred in facilitating the objectives of the Club. The Committee may authorise the investment of Club funds in any approved financial institution

ACCOUNTS

The accounts shall be presented and passed for payment at a Committee Meeting and the Minutes of such approvals shall be included in the Minute Book.

PAYMENT OF SUBSCRIPTION

All annual subscriptions shall be payable on the first day of January on which day the financial year shall commence. Any member whose subscription is unpaid on the last day of the month of February shall cease to be a member and the name of such member shall be erased from the books of the Club but may be re-instated by the Committee upon available vacancy and on payment of all arrears. Subscription rates shall be determined annually by the Committee.

FINANCIAL YEAR

The financial year of the Club shall conclude on the last day of December in each year.

10. INSURANCE

- (1) The Club shall effect and maintain insurance pursuant to Section 44 of the act.
- (2) In addition to the insurance required under Clause (1) the Club may effect and maintain other insurance.

11. AMENDMENT OF CONSTITUTION

The Constitution may be amended at a Special General Meeting and must be supported by a Notice of Motion. The Confederation of Australian Motor Sport and the New South Wales Corporate Affairs Commission must approve any alterations or deletions to the Constitution.

12. NOTICE OF MOTION

- (a) Every Notice of Motion must be submitted in writing and no discussion is to take place on the Notice on Motion at the meeting at which it is submitted.
- (b) Every Notice of Motion must be publicised in the Club News at least twenty one (21) days before the date of the Meeting at which the Notice of Motion is to be discussed and voted upon.
- (c) A majority vote of not less than three quarters of the financial members present at the Meeting at which the Notice of Motion is voted on will decide a Notice of Motion.
- (d) Any financial member may submit a Notice of Motion.

13. BY -LAWS

The Committee is empowered to make, repeal and amend such by-laws as they consider necessary for the proper conduct of the club. By-laws made as aforesaid shall have effect until otherwise determined by the Committee. New, amended or repealed by-laws must be advised in writing to all members of the Club. In particular but not exclusively by-laws may provide for and regulate:
The provision of fines for the breach of any by-laws, rules or regulation. Generally all matters as are commonly the subject matter of rules, regulations or by-laws of the Club.

14. COMMON SEAL

- (a) The Common Seal of the Club shall be kept in the custody of the Public Officer.
- (b) The Common Seal shall not be affixed to any instrument except by the authority of the Management Committee and the affixing of the Common Seal shall be attested by the signatures of the Public Officer and one of either the President or Vice President.

15. CUSTODY OF BOOKS

All records, books and other documents relating to the Club are to be kept under the control of the Public Officer. These may be inspected by any member of the Club upon reasonable notice being given to the Public Officer.

16. RESIGNATION

A member may at any time, by giving notice in writing to the Secretary, resign membership of the Club but shall continue to be liable for any annual subscription due but unpaid at the date of such resignation. Any such member having discharged all liabilities to the Club and wishing to rejoin, may reapply in accordance with the rules.

17. FORFEITURE OF RIGHTS

Any member in accordance with the rules, or otherwise ceasing to be a member of the Club, shall forfeit all such rights to, or claim upon the Club, or its property.

18. DISSOLUTION

The Club shall be dissolved in the event of the membership being less than twenty (20) persons, or upon the affirmation vote of a majority of the members present at a Special General Meeting convened to consider such question. Upon dissolution, assets and funds on hand, may after payment of all expenses and liabilities, be handed over to such other club or simiiar organisation having objects such as are stated in this Constitution or such registered charity as a majority of the members present at a General Meeting may decide.