

**West Australian Car Club (Inc)
Constitution**

1. DEFINITIONS

- 1.1 In this Constitution, unless inconsistent with the context or subject matter
- Club means the West Australian Car Club (Inc);
- Committee means the Management Committee, as constituted for the time being;
- Gender means whenever the masculine gender is used, it shall be construed as including the feminine gender. Whenever the feminine gender is used, it shall be construed as meaning the feminine gender only
- honorary member means a Member of the Club for whom membership is not conditional upon payment of subscription and shall include
- Patron
Vice Patron
President
Treasurer
Secretary
Life Members.
- meeting means a meeting of the Club whether monthly annual or special;
- member means a financial, honorary or life member of the Club;
- Secretary means the Secretary of the Club for the time being;
- Sports Committee means the Sports Committee for the time being-

2. DESCRIPTION

- Name** 2.1 The name of the Club shall be the 'West Australian Car Club (Inc)'.
- Colours** 2.2 The colours of the Club shall be Black and Yellow-gold.
- Badge** 2.3 The distinguishing badge of the Club shall be a design approved by the Committee from time to time.
- Official Journal** 2.4 The Clubs official journal shall be "*Western Motoring*". All notices to members as laid down in these rules shall be deemed to be given if published in the official journal.

3. OBJECTS

- Promote and encourage motoring** 3.1 To promote and encourage motoring and to co-operate with kindred bodies in fostering and maintaining motoring as a sport.
- Organise competitions** 3.2 To organise and conduct competitions, sports and entertainments, social outings and to encourage good fellowship among members.
- Achieve high standard of road safety** 3.3 To encourage members and general public to achieve and maintain a high standard of road safety, courtesy and driving skills.
- Affiliation with** 3.4 To affiliate with CAMS Limited and recognise its Articles of Association

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CAMS Limited and agree to observe and abide by the National Competition Rules of CAMS Limited.

4. POWERS

Purchase, lease etc property or equipment 4.1 To purchase, take on lease, or otherwise acquire for the purposes of the club any real or personal property or equipment whatsoever and from time to time sell or otherwise dispose of all or any of the same.

Erect alter maintain buildings 4.2 To erect, alter and maintain any buildings required for the purpose of the club and to sell, improve, maintain, develop, lease, mortgage, dispose of, turn to accounts or otherwise deal with all or part of the property of the same.

Provide facilities to members 4.3 To provide offices, conference rooms, libraries, reading rooms, clubs, workshop, laboratories or other buildings and conveniences in connection therewith, and to permit the same and any other property of the club to be used either gratuitously or for payment.

Borrow and raise funds 4.4 To borrow or raise money from the members of the club or otherwise for the purposes of the club and to create, execute and issue mortgages, debentures, debenture stock or other securities with or without a charge upon all or any of the property of the club.

Take or accept gifts of property 4.5 To take or accept any gift of property whether real or personal and whether subject to any trust or not for any one or more of the objects of the club.

Do all lawful acts 4.6 To do all such lawful acts, matters and things as are incidental or conducive to the attainment of the objects of the club.

5. INCOME AND PROPERTY

All income used for promotion of the objects of the Club 5.1 The income and property of the club, whencesoever derived, shall be applied solely towards the promotion of the objects of the club as set forth in this Constitution, and no portion thereof shall be paid or transferred, directly or indirectly, by way of dividend, bonus, or otherwise howsoever by way of profit to the members of the club. Provided that nothing herein contained shall prevent the payments in good faith for remuneration to any officer or servant of the club or to any member of the club or other person in return for any services actually rendered to the club.

6. MEMBERSHIP

All members have equal rights except Juniors 6.1 All Members shall have equal rights and privilege except that Junior members may only compete in their respective class and that Social Members may compete in Club competition, but not receive Club competition points (in class or outright).

6.2 The Club shall consist of the following classes of members -

Full member 6.2.1 Full member - shall be a member who has attained the age of 18 years, and has paid the prescribed fee as laid down by the Committee from time to time.

Honorary member 6.2.2 Honorary member - shall be a member who is the President, or the

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Treasurer, or the Secretary as elected from time to time and shall also include the Patron, Vice Patrons, and Life Members.

Social member	6.2.3	Social members - shall be a member who has paid the prescribed fee and does not intend to compete in club competition and accrue Club competition points.
Junior Member	6.2.4	Junior member - shall be a member who has paid the prescribed fee and is over the age of 12 years and under the age of 18 years.
Minimum Age	6.3	Any person of or over the age of 12 years shall be eligible for nomination as a member.
Written application, proposed and seconded	6.4	All intending members must make written application in the form laid down in Appendix A and must be proposed and seconded by a financial member of the Club. Nominations shall be dealt with at a Committee meeting.
Membership application accompanied by Subscription	6.5	Each application for membership must be accompanied by one years subscription, except where application is made after 30 June, in which case an application may be accompanied by the fee laid down from time to time. Any application for membership shall be approved by a majority of the Committee. Successful applicants shall be advised of their election.
Unsuccessful Applicants	6.6	Unsuccessful applicants shall have returned to them any fees paid and the committee shall give just reason for the rejection of any application for membership.
Life member privileges	6.7	A Life member shall have all the privileges and rights of a full member. He may be elected only at an Annual General Meeting and only on the motion by the Committee.
	7.	RESIGNATIONS
Resignation to be in writing	7.1	Any members who desire to resign shall inform the secretary in writing. The committee shall accept the resignation provided all moneys owing to the club by the members have been paid.
Reinstatement	7.2	A member whose name has been removed from the Register may apply at any time for reinstatement, and such member may be reinstated upon such terms and conditions as the Committee deems fit.
	8.	DISCIPLINE OF MEMBERSHIP
Member may be reprimanded etc.	8.1	A member may, by the majority of the Committee be reprimanded, or suspended, or expelled from the Club, and if necessary, removed from a committee, if deemed to have -
Infringing rules	8.1.1	Willingly infringed any of the rules or regulations of the club;
Dishonesty	8.1.2	been guilty of dishonesty;
Disrepute	8.1.3	been guilty of conduct either within or without of the Club which is likely to bring the club into disrepute or is prejudicial to the interests, progress or character of the Club;

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Conduct unbecoming	8.1.4	been guilty of conduct deemed to be derogatory to any members-
Reprimand etc in writing	8.2	Such reprimand, suspension, expulsion or removal shall be given to the member in writing-
Complaint defended	8.3	Where a complaint of a nature has been laid against a member such shall be given an opportunity to defend himself against the complaint. A notice that a complaint has been laid shall be forwarded in writing to the member giving particulars of such complaint and setting a time and date when such member should present himself for examination and explanation.
Evidence	8.4	The Committee may after hearing the evidence give their decision or may reserve their decision to a later date. Whether or not the member should be called to hear their decision is at the discretion of the Committee.
Failure to submit	8.5	Where a member after notice fails to submit himself to the Committee for examination and explanation the Committee may reach a decision on the evidence then before them. The case shall not be reopened unless the member can give a reasonable excuse for his failure to attend as required by the notice.
Right of Appeal	8.6	There shall be right of appeal against the decision of the Committee to the General meeting.
	9.	SUBSCRIPTION
Annual Subs	9.1	The annual subscription is due the first day of January each year. The amount of the subscription shall be determined by the Committee from time to time and payment of the fee shall make the member financial until 31 December.
Reduced fee after 30 June	9.2	Any member joining after 30 June shall pay a reduced fee as laid down from time to time.
Unfinancial after 30 days	9.3	Any member whose subscription is in arrears for thirty (30) days after the due date for payment shall be deemed unfinancial and may not compete in Club competition.
Unfinancial notice	9.4	Where a member is deemed unfinancial the Treasurer may send a notice of such fact to the member with a Notice of Warning in such form as the Committee may decide. Such Notice shall inform the member that in the event of non-payment continuing for a period greater than one month from a stated date the member shall lose all privileges of membership.
	10	MEETINGS
AGM in June	10.1	The Annual General Meeting shall be held during the month of June in each year for the purpose of receiving the Secretary's and Treasurers Annual Reports and the Audited Balance Sheet, for the election of all Officers, except Treasurer for the ensuing year and for any general business.
General meeting	10.2	General meetings of financial members shall be held monthly or at such

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monthly		time as the Committee may from time to time determines.
Power to call extraordinary meeting	10.3	The President shall have the power to call any extra meeting he deems necessary by giving three (3) days clear notice to the members concerned in any manner which he deems to be sufficient and shall call such meetings at the written request of not less than ten (10) of the financial members of the Club.
Management Committee meetings	10.4	The Management Committee and other committees shall arrange their own meetings according to the amount of business requiring attention.
Failure of Officer to attend meetings	10.5	Where any officer of the Club fails to attend three (3) consecutive, or a total Of six (6) committee meetings in any one year, without being excused for special reasons by the Committee, is liable to forfeit his position or positions and another member may be appointed to fill the vacancy or vacancies.
Official vacancy	10.6	Where an official position becomes available either by death, resignation, or expulsion, insanity or by virtue of section 10.5, another member of the club may be elected at a general meeting upon a majority vote to hold such position temporarily until an election becomes due when such position shall again become vacant.
	11	COMMITTEES
Social and General affairs	11.1	The business, social and general affairs of the Club shall be under the management and control of the Management Committee.
Sporting activities	11.2	The sporting Activities of the Club shall be under the management and control of the Sports Committee.
Management committee to supervise Sports	11.3	The Management Committee will at all times supervise the activities of the Sports Committee and may remove any business from the Sports Committee if it considers it necessary.
Delegation	11.4	The Management Committee may hand business to the Sports Committee for the purpose of being personally dealt with by it or may request that the Sports Committee prepare a report in writing for submission to the Management Committee.
Term of Office	11.5	All officers, except Treasurer shall continue to occupy their positions until 30 June of that year and if not re-elected shall hand over all papers etc. connected with their office to the Management Committee. The Treasurers term of office shall be from 1 May until 30 April.
	12	ELECTION OF OFFICERS
Advertising positions vacant	12.1	There shall be published in the May issue of <i>Western Motoring</i> a list of all Club positions, other than Patron Vice Patron and Treasurer, which will become vacant. Nominations for position of Treasurer shall be called for in the March issue of <i>Western Motoring</i> and election of the Treasurer shall take place at the April General Meeting.
Nominations	12.2	Any member may apply in writing to the Secretary before the Annual General Meeting or the April General Meeting offering himself, for election in a stated position or positions or offering himself for election in such position or alternative positions.

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- 12.3 A member may be nominated by another member provided that the signature of that member is appended signifying his approval to being so nominated.
- Election of Patron and Vice patron** 12.4 At the Annual General Meeting the President shall commence with the announcement of Patron and Vice Patron.
- Order of election** 12.5 He shall then offer for election in any order at his discretion those positions which have been applied for by nominations. Where there are two or more candidates, election shall be by secret ballot, the result to be immediately disclosed. Each position shall be dealt with separately.
- 12.6 The President may hold office of CAMS Delegate and those members holding the position of Vice President, CAMS Delegate, Patron, Vice Patron, Hon. Medico or Machine Examiner, and Property Officer, or elected under section 16.2 as an assistant to these positions, may be elected to one other position in the Club. Apart from the above provision no member shall hold more than one position in the Club during anyone year.
- 12.7 Section 12.6 does not apply to any member appointed to special sub-committees created from time to time by either the Management Committee or Sports Committee.
- Vote for positions** 12.8 Where there is only one nomination received for any position the election of that nominee shall be subject to a majority vote by the members present.
- Vacancy filled at later date** 12.9 Any position remaining vacant after the meeting has closed may be filled at a later date by the Committee on receipt of a nomination in writing stating the position sought. The appointment to be ratified by a majority of members at the next general meeting.
- Re-election of President** 12.10 A president may seek re-election to that position.
- 12.11 A president may at the end of his term apply for nomination in any of the positions in section 16 in accordance with the provisions of this section.

13 MANAGEMENT COMMITTEE

13.1 The Management Committee shall consist of -

President
Vice President
Secretary
Treasurer
CAMS Delegate
CAMS Delegate (Alternate)
State Rally Panel Delegate
Hall Committee Delegate
Social Secretary
Magazine Editor
Sports Captain
Property Officer
Elected Club Members **(2)**

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Quorum	13.2	No business shall be transacted unless a quorum of six (6) members are present, one of whom shall be the President or Vice President.
Chairperson	13.3	The President, if present, shall occupy the chair. In his absence the Vice President shall occupy the chair.
Power to transact business	13.4	The Committee has the power to transact any business whatsoever on behalf of the Club provided that the aforementioned business is in keeping with the Club's objects, or specific directions of members in General meeting and is within the powers laid down in this Constitution.
Create, amend or repeal by-laws	13.5	The Committee has the power to create, amend or repeal by-laws to cover the general running of the Club. The by-laws shall have the same effect as if they were part of the Constitution of the Club and shall include the publication 'WACC <i>Club Run Rules, Regulations and Guidelines</i> '- A separate register of such by-laws shall be kept by the Secretary.
By-laws ratified	13.6	The by-laws laid down from time to time shall be ratified by the Members in General meeting or Special meeting called by the President under the provisions of section 10.1.
	14	SPORTS COMMITTEE
	14.1	The Sports Committee shall consist of - Sports Captain Elected members (5)
Quorum	14.2	No business shall be transacted unless a quorum of three (3) committee members is present.
Chairperson	14.3	The Sports Captain shall occupy the chair. In his absence a chairman shall be appointed from those members present.
Responsibilities	14-4	The Committee shall be responsible for the organising and conduct of all motorsport activities of the Club unless otherwise directed by the Management Committee. Any Club member may, with the approval of the Sports Committee, organise, and/or conduct any sporting activity of the Club
	15	GENERAL MEETINGS
Notice of meetings	15.1	Notice of General meetings shall be published in <i>Western Motoring</i> and such publication shall be deemed to be sufficient notice to members.
Quorum	15.2	Twenty (20) financial members of the Club shall constitute a quorum for all general meetings.
Adjournment of meeting after 30 minutes	15.3	If within thirty (30) minutes from the time appointed for any meeting, whether it be a Committee, General, Special or Annual General, a quorum is not present, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at the adjourned meeting a quorum (as required by section 15.2) is not present within fifteen (15) minutes from the time appointed for the meeting the officers present shall constitute a quorum.

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Special Adjournment	15.4	<p>The Chairman may with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for ten days or more at any one time, notice of the original meeting shall be given as in the case of the original meeting. Save as aforesaid it shall not be necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.</p>
Voting	15.5	<p>At any meeting of members a resolution put to the vote, shall be decided on the show of hands, unless a poll is (before or on the declaration of a result of the show of hands) demanded by at least two (2) members present and entitled to vote; and unless a poll is so demanded, a declaration by the Chairman that the resolution has been carried unanimously or by a particular majority, or lost and entry to that effect made in the Club Minute Book shall be conclusive evidence of the fact.</p>
Poll demanded	15.6	<p>If a poll is duly demanded it shall be taken in such manner as the Chairman directs, and the result of that poll shall be deemed to be the resolution of the meeting at which the poll was demanded.</p>
Poll taken forthwith	15.7	<p>A poll demanded at the request of the Chairman or on a question or adjournment shall be taken forthwith. A poll demanded on any other question shall be taken at such time as the Chairman of the meeting directs.</p>
Chairman has casting vote	15.8	<p>In the case of an equality of votes, whether on a show of hands or on a poll, the Chairman of the meeting at which the show of hands takes place or at which the poll is demanded shall be entitled to a second or casting vote.</p>
Proxy	15.9	<p>Any member unable to attend a meeting may appoint a financial member as a proxy, by notifying the Secretary in writing.</p>
Chairperson	15.10	<p>At any meeting of members the President or in his absence, the Vice President shall generally carry out the duties of Chairman.</p>
Power to expel	15.11	<p>The Chairman shall have full power to expel a member from a meeting should he deem it necessary.</p>
Question decided by majority	15.12	<p>Questions arising at any meeting shall be decided by a majority of votes. In the case of equality of votes the Chairman shall have a second or casting vote.</p>
Delegation to sub-committee	15.13	<p>Any committee may delegate any of the powers to sub-committees consisting of such members of it as it thinks fit. Any proceedings in meetings of the subcommittee shall be similar to those of the committee.</p>
Validity of acts	15.14	<p>All acts done at any meeting of the committee or sub-committee of that committee, or by any person acting as a committeeman shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such person or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the committee.</p>

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ELECTION OF OFFICE BEARERS

Election of officials	16.1	<p>The members shall elect at the Annual General Meeting the following officers who shall hold office for one year commencing 1 July each year</p> <p>-</p> <p>Patron Vice Patron Hon. Medico Hon. Auditor President Vice President Secretary CAMS Delegates (2) State Rally Panel Delegate Hall Committee Delegate Magazine Editor Social Secretary Property Officer Members for Management Committee (2) Sports Captain Members for Sports Committee (5) First Aid Officer Machine Examiners (2)</p>
Election of Treasurer	16.1	<p>The members shall elect a Treasurer at the April General Meeting in accordance with section 11.5 and 12.1</p>
Assistants	16.2	<p>Any Club member on being elected may request that he be granted a specific number of assistants and subject to the consent of the meeting in the prescribed manner, further members may be elected in accordance with section 16.3.</p>
Assistant has no voting rights	16.3	<p>Any member elected as an assistant at the request of an elected officer may attend meetings of the relevant committee (if any) but shall not be entitled to vote unless he is acting officially at the request of that elected officer who is not present at that meeting.</p>
Re-election	16.4	<p>Any officer may offer himself for re-election.</p>
Auditor	16.5	<p>An auditor may be either an individual or a firm of public or chartered accountants. No member of the Committee, nor the Secretary, nor the Treasurer, nor an employee of the Club shall be eligible for appointment or act as an auditor of the Club during his continuance in office as a member of the Committee, Secretary, Treasurer or employee. An auditor may be a member of the Club but no person shall be eligible as an auditor who is interested otherwise than as a member of the Club in any transaction thereof and no person shall be competent to be appointed or act as an auditor who is or becomes indebted to the Club.</p>
	17	DUTIES OF OFFICERS
Patron	17.1	<p>Patron shall have no official responsibility but shall assist the club to the best of his ability. He may preside at social functions and General meetings.</p>
Vice Patron	17.2	<p>Vice Patron shall have no official responsibility, but shall assist the Club</p>

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to the best of his ability.

Hon. Medico	17.3	Hon Medico shall attend. all Club runs where possible
President	17.4	President shall preside at all General meetings and social functions, shall generally carry out the duties of Chairman, and shall give rulings when required. He shall have full power, at meetings, to expel a member from a meeting, should he deem it necessary. He shall have the power to call any extra meetings he deems necessary, of which meetings three (3) days clear notice must be given to the members concerned.
Vice President	17.5	Vice President shall in the absence of the President, take charge of all General meetings and social functions and shall, when so acting, have all the powers attached to the office of President.
Secretary	17.6	Secretary shall record all minutes of all general and Management Committee meetings of the Club and shall keep a record of the names and addresses of the Members of the Club and their respective dates of their election and shall generally carry out all duties appertaining to such office as Secretary.
Treasurer	17.7	Treasurer shall collect all moneys due to the Club from any source whatsoever and issue official receipts for all such moneys received. He shall bank all such moneys to the credit of the WA Car Club (Inc) at a bank approved by the Committee and arrange payment of all accounts when passed for payment by the Committee. When called upon he shall at all Committee meetings present a financial statement. At the Annual General Meeting he shall present an audited Financial Statement for the 12 months ended 30 April of that year and comprising a detailed Statement of the Club's income and expenditure.
Magazine Editor	17.8	Magazine Editor shall be responsible for the production and publication of the Club's official journal <i>Western Motoring</i> .
PRO	17.9	Public Relations shall be responsible for the promotion of the Club.
Sports Captain	17.10	Sports Captain shall promote, conduct and regulate all Club runs in accordance with the Club rules and regulations as laid down from time to time. He shall keep members advised of all Club competition per medium of <i>Western Motoring</i> . He shall keep a register of Club championship points for all grades.
Property Officer	17.11	Property Officer shall keep an inventory of all Club property and its location and shall be responsible for the safe keeping of all such.
Social secretary	17.12	Social Secretary shall be responsible for the promotion and conduct of all social functions.
Hon. Auditor	17.13	Hon Auditor shall examine the correctness of the financial statements prepared by the Treasurer and shall report to the members at the Annual General Meeting in letter as to whether, in his opinion, they represent a true and fair view of the Club's financial activities.
CAMS Delegates	17.14	CAMS Delegate (2)-shall attend all State Council meetings of CAMS on behalf of the Club and shall report on such meetings at the Committee meetings.

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Machine Examiners	17.15	Machine Examiners (2) shall supervise the following functions -
	17.15.1	Examination of all Clubman vehicles before such vehicles are eligible to compete in Club competition.
	17,15.2	Examination of all or any vehicle either before, during or after any competition run by the Club.
	17.15.3	Subject to being over-ruled by the Committee, the Machine Examinees decision as to whether a vehicle may continue to compete shall be final.
First Aid Officer	17.16	First Aid Officer shall hold a St. John Ambulance Association certificate (or equivalent) and shall attend all Club runs where possible.

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18. FINANCE

- Investment of Funds** 18.1 The funds of the Club may be invested in a manner as approved by members at a General meeting.
- Conjointly signed cheques** 18.2 All cheques drawn on the Club's bank account must be signed conjointly by any two (2) of either the President, Secretary or Treasurer.

19. ALTERATION OF CONSTITUTION

- Notice of Motion to amend** 19.1 Any section of the-Constitution can be amended by a Notice of Motion, in writing and stating reasons for alteration and any substitution form, such notice must be handed to the Secretary at least seven (7) days before publication of the *Western Motoring* preceding the General meeting and the Secretary shall cause such notice to be published. The motion shall be brought before the members at the next General meeting for consideration and decision.
- Majority required** 19.2 Any amendment or alteration shall require the approval of seventy-five percent (75%) of the members present.
- Filing of alterations** 19.3 Where any alteration of any description is made it shall be the duty of the Secretary to file copies of the alteration with the Registrar of the Corporate Affairs Office in accordance with the Associations Incorporation Act 1895 and it shall be the duty of the President to enquire of the Secretary whether the Act has been complied with.

20. COMMON SEAL

- Custody of secretary** 20.1 The Common Seal of the Club shall be kept in the custody of the Secretary.
- Authority to use Common Seal** 20.2 Any deed, document, debenture, security or instrument, negotiable or otherwise, which the Committee may by any resolution determine on executing, shall be under the Common Seal of the Club signed by at least two (2) duly authorised persons with the exception of cheques drawn on the Club's bank account as provided for in Section 19.1. The President, Secretary and Treasurer are authorised to use such Seal on behalf of the Club, the signature of any two (2) of them being sufficient.

21. WINDING-UP

- Liquidation** 21.1 In the event of the Club proceeding either voluntarily or otherwise into liquidation, the balance of the assets of the Club shall, after payment of all outstanding debts, be donated to a charity which the majority of those members present at a General meeting shall so nominate.