

Constitution of the South West Touring Car Club



1.0 NAME:

The name of the Club is South West Touring Car Club (Inc.) hereinafter referred to as the “Club”.

2.0 OBJECTS:

- 2.1 To promote, foster and conduct the sport of automobilism, motorsport and motoring generally.
- 2.2 To promote friendship and courtesy on the road socially and in competition between members of the Club.
- 2.3 To promote and engender social activities.
- 2.4 To conduct meetings and classes whereby members may obtain knowledge enabling them to become better drivers and to maintain their vehicles to a high standard of efficiency.
- 2.5 To associate or affiliate with CAMS Limited, acknowledging its articles of association and observing the National Competition Rules.

3.0 POWER OF THE CLUB:

- 3.1 To acquire, hold, deal with, and dispose of any real or personal property.
- 3.2 To open and operate bank accounts.
- 3.3 To invest its money –
 - 3.3.1 in any security which trust moneys may be invested; or
 - 3.3.2 in any other manner authorised by the rules of the Club.
- 3.4 To borrow money upon such terms and conditions as the Club thinks fit.
- 3.5 To give such security for the discharge of liabilities incurred by the Club as the Club thinks fit.
- 3.6 To appoint agents to transact any business of the Club on its behalf.
- 3.7 To enter into any other contract the Club considers necessary or desirable.

4.0 MEMBERSHIP:

- 4.1 Membership shall be open to any person who wishes to further the interests of the Club.
- 4.2 Any persons seeking membership shall make application to the Executive Committee and the Executive Committee shall determine whether the application is successful or not. Applications denied membership shall be advised in writing.

- 4.3 Each person admitted to membership shall be:
 - 4.3.1 bound by the Constitution and By-laws of the Club.
 - 4.3.2 come liable for such fees and subscriptions as may be fixed by the Club.
 - 4.3.3 entitled to all advantages and privileges of membership.
- 4.4 Membership categories:
 - 4.4.1 Ordinary Member
Any person who is a financial member of the Club is entitled to hold any office and enjoy the privileges of the Club.
 - 4.4.2 Junior Member
Any person under the age of 18 years may be a Junior Member. Such shall have no voting rights nor be entitled to hold any office.
 - 4.4.3 Life Membership
Any member who has given outstanding service to the Club may be elected by the Executive Committee as a Life Member. Any member may nominate a person to the Executive Committee for consideration for Life Membership.
- 4.5 The Executive Committee shall appoint a member of the Executive Committee to maintain an up to date register of the Club.
- 4.6 A member may at any reasonable time inspect the records and documents of the Club.

5.0 TERMINATION OF MEMBERSHIP:

- 5.1 Any person's membership may be terminated by the following events:
 - 5.1.1 resignation.
 - 5.1.2 false or inaccurate statements made in the member's application for the membership of the Club, breach of any rule, regulation or By-law of the Club or commit any act detrimental to the Club.
- 5.2 The Executive Committee shall have the power to suspend or expel any member of the Club for any of the events in 5.1 above.
- 5.3 Any member who is expelled, suspended or has their membership terminated shall have the right to appeal against their suspension or expulsion by presenting their cases to a General Meeting called for such purpose, and the decision of the General Meeting shall be final.

6.0 EXECUTIVE COMMITTEE:

- 6.1 Management of the club shall be vested in the Executive Committee elected by the members at the Annual General Meeting and consisting of:
 - 6.1.1 President
 - 6.1.2 Sports Captain

- 6.1.3 Secretary
- 6.1.4 Treasurer
- 6.1.5 and other duly elected ordinary members of the Club.
- 6.2 No person shall hold more than one position on the Executive Committee at any one time. A person shall cease to be a member of the Executive Committee at the conclusion of the Annual General Meeting next following his/her election and he/she will be eligible for re-election.
- 6.3 A quorum of the Executive Committee shall be 7 ordinary members.
- 6.4 If the President or Sports Captain is unable to attend, then a chairperson nominated by the meeting shall chair that meeting.

7.0 POWER OF THE EXECUTIVE COMMITTEE:

- 7.1 The Executive Committee shall carry out the day to day running of the Club and shall have the power to:
 - 7.1.1 administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and or close any such account.
 - 7.1.2 fix the manner in which such banking accounts shall be operated upon, providing all payments are passed by the Executive Committee.
 - 7.1.3 fix fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof.
 - 7.1.4 adjudicate on all matters brought before it which in any way affect the Club.
 - 7.1.5 cause minutes to be made of all proceedings at meeting of the Committee and General Meetings of members.
 - 7.1.6 make, amend and rescind rulings and By-laws
 - 7.1.7 have the power to form and appoint any sub committee/s as required for specific purposes
 - 7.1.8 may at their discretion employ a person or persons to carry out certain duties required by the Club at salaries or remunerations for such period of time as may be deemed necessary.
 - 7.1.9 should a vacancy occur on the Executive Committee during the season, the Executive Committee shall appoint a successor until the next Annual General Meeting.
 - 7.1.10 Appoint an officer/s or agent of the Executive Committee to have custody of the Club's records, documents and securities.

8.0 AUDITOR:

- 8.1 The Annual General Meeting shall elect or appoint an Auditor or Auditors.
- 8.2 The Auditor/s shall examine and audit all the books and accounts of the Club annually, and have the power to call for all books, papers, accounts, receipts etc. of the Club and report thereon to the Annual General Meeting.

9.0 GENERAL MEETINGS:

- 9.1 Annual General Meeting
 - 9.1.1 the Annual General Meeting of the Club must be held within four months of the end of the Club's financial year.
 - 9.1.2 the Secretary shall give at least fourteen (14) days notice of the date of the Annual General Meeting to members.
 - 9.1.3 all financial members may attend the Annual General Meeting.
 - 9.1.4 the quorum at the Annual General Meeting shall be a minimum of seven (7) members. If at the end of 30 minutes after the time appointed in the notice of the opening of the Meeting there be no quorum the meeting shall stand and adjourn for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business to the meeting.
 - 9.1.5 The agenda for an Annual General Meeting shall be:
 - Opening of Meeting
 - Apologies
 - Confirmation of Minutes of Previous Annual General Meeting
 - Presentation of Annual Report
 - Presentation of Treasurer's statement
 - Election of New Executive and appointment of Auditor
 - Vote of thanks to outgoing Executive
 - Determination of Annual Membership Fee
 - Notice/s of Motion
 - Urgent general business
 - Closure
- 9.2 General Meetings
 - 9.2.1 general meetings may be called by the Executive Committee or at the request of the President and Secretary or on the written request of seven members of the Club.
 - 9.2.2 the Secretary shall give at least seven (7) days notice, in writing, of the date of the General Meeting to the members. Notice of General Meetings shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that General Meeting.

- 9.2.3 the quorum at the General Meeting shall be a minimum of seven (7) members.

10.0 VOTING:

- 10.1 Voting powers at the Annual General Meeting and General Meetings
- 10.1.1 the President shall be entitled to a deliberative vote and in the event of a tied vote, the President shall exercise a casting vote.
- 10.1.2 Each individual financial member present shall have one (1) vote.
- 10.2 Voting powers at Executive Committee Meetings
- 10.2.1 the President shall be entitled to a deliberative vote, and in the event of a tied vote, the President shall exercise a casting vote.
- 10.2.2 Each individual committee member present shall have one (1) vote.

11.0 FINANCE:

- 11.1 All funds of the Club shall be deposited into the Club accounts at such bank or recognised financial institution as the Executive Committee may determine.
- 11.2 All accounts due by the Club shall be paid by cheque after having been passed for payment at the Executive Committee Meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next Executive Committee Meeting.
- 11.3 The Secretary shall not spend more than a set amount of Petty Cash without the consent of the Executive Committee and shall keep a record of such expenditure.
- 11.4 The Treasurer will report the financial position of the Club to each Executive Committee Meeting.
- 11.5 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting. The auditor's report shall be attached to such financial report.
- 11.6 The financial year of the Club shall commence on 1st January each year. The accounts, books and all financial records of the Club shall be audited each year.
- 11.7 The signatories of the Clubs account/s will be the Treasurer and any one (1) from the following:
- President
 - Sports Captain
 - Secretary
- 11.8 All property and income of the Club will apply solely to the promotion of the objects of the Club and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

12.0 COMMON SEAL:

The common seal of the Club shall be kept in the care of the Secretary. The seal shall not be used or affixed to any deed or other document except pursuant to a resolution of the Executive Committee and in the presence of at least the President and two members of the Committee, both of whom shall subscribe their names as witnesses.

13.0 ALTERATIONS TO THE CONSTITUTION AND BY-LAWS:

13.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or General Meeting called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a General Meeting called for such purpose'

As well,

13.2 The Secretary shall forward such notices of motion to each Executive Committee member at least fourteen (14) days prior to a General Meeting

13.3 Alterations to the By-laws can only be made at Executive Committee meetings provided notice of the proposed alteration/s has been duly notified to Committee Members.

13.4 Such motions or any part thereof shall be of no effect unless passed by a seventy five percent (75%) majority of those present and entitled to vote at the Annual General Meeting, General Meeting or Executive Committee Meeting, as the case may be.

13.5 Within one month of the passing of a Special Resolution, the Secretary shall notify the Ministry of Fair Trading of the amendment.

14.0 DISSOLUTION:

If, on the winding up of the Club, any property of the Club remains after satisfaction of the debts and liabilities of the Club and the costs, charges and expenses of that winding up, that property shall be distributed –

To another incorporated association having objects similar to those of

Or

(B) For charitable or benevolent purposes, which incorporated association of purposes, as the case requires, shall be determined by resolution of the members.