

## **FORD COUPE CLUB OF AUSTRALIA (VICTORIA) INCORPORATED CONSTITUTION – OCTOBER 1984**

The name of the club formed under these rules shall be the Ford Coupe club of Australia (Victoria) Incorporated.

### **OBJECTIVES**

1. (a) To encourage Ford Coupe ownership.
- (b) To promote restoration and preservation of the Ford Coupe.
- (c) To promote and regulate exhibitions for Ford Coupe owners.
- (d) To promote friendship and courtesy on the road, socially and in competition between members of the club.
- (e) To promote and engender social activities for members and their families.
- (f) To conduct meetings whereby members may obtain knowledge enabling them to maintain their Ford Coupe to a high standard.

### **MEMBERSHIP**

- 2 (a) Subject to the provision of sub-clause (d) full membership shall be open to any individual who has attained the age of 18 years and who is interested in the furtherance of the objectives of the club.
- (b) Club membership will have two fee structures, Full membership fees and distant membership fees. Distant membership fees are available to persons provided that they ordinarily reside in excess of a 100 kilometre radius of the Melbourne General Post Office. Distant membership fee shall be of a lesser amount than that of full membership and shall be determined by the Committee and approved by a general meeting.
- (c) An application for membership of the club: -
  - (i) shall be made in writing on the club's prescribed application form and
  - (ii) shall be lodged with the Secretary of the club.
- (d) Applicants shall be nominated and seconded at a general meeting and Subject to approval of the Committee, be elected at the following general meeting upon which their names shall be entered in the register of members.
- (e) Persons under 18 years of age will be subject to permission and supervision of parents/guardian.

### **REGISTER OF MEMBERS**

- 3 The secretary will keep and maintain a register of members in which shall be enter the full name, address and date of entry of the name of each member and the register shall be available for inspection by members at the address of the Public Officer.

### **ENTRANCE FEE AND ANNUAL SUBSCRIPTION**

- 4 The annual subscription and joining fee shall not be less than \$25.00 and shall be as determined by the Committee and approved by the members at a general meeting or annual general meeting. The annual subscription shall be payable on or before the thirty first day of March each year. Late renewals are subject to an additional fee equal to the joining fee. Fees and fee structure are to be recorded on the application form and newsletter.

### MANAGEMENT

- 5
- (a) The management of the club shall be vested in the Committee which shall consist of:- President, Vice-President, Secretary, Treasurer, and a minimum of three other Committee Members. Additional Committee positions to be created from time to time as required.
  - (b) The Committee should be elected at the Annual General Meeting from members who have been active and financial for at least the preceding 12 months. They shall hold office for a period of 12 months from the date of the election.
  - (c) The whole of the Committee shall retire and the end of each 12 months and shall be eligible for re-election. Any office becoming vacant during any period of 12 months may be filled by the Committee and the person elected shall hold office until the next annual general meeting.
  - (d) The Committee shall have the 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, technical or skilled manner for his or her guidance thereon, provided that such person shall not be entitled to a vote upon the committee.
  - (e) Any member of the Committee failing to attend three consecutive meetings without just cause, renders him or herself liable to expulsion from the committee.
  - (f) The Committee may call for members to be elected to fill other positions in order to assist them in the management of the club.
  - (g) The president and two elected representatives shall be the clubs delegates for the Ford Coupe Club of Australia Inc in external matters.
  - (h) A Public Officer shall be appointed and shall have the following statutory responsibilities under the Associations Incorporation Act, 1981:-
    - (i) To notify the registrar of his/her appointment within 14 days, Section 28(1)
    - (ii) To notify his/her address within 14 days. Section 28 (2)
    - (iii) To notify alterations to the statement of purpose or rules within one month, Section 22(2)
    - (iv) To make application for approval of change of name within the prescribed time, Section 13(2)
    - (v) To lodge with the registrar the documents required by section 30 (4) in respect to the annual general meeting within 1 month of the date of the meeting. Section 30.
  - (i) All positions of management are strictly honorary.

### PROCEEDINGS OF COMMITTEE

- 6
- (a) The Committee shall meet at least 4 times I each year at such place and such times as they may determine.
  - (b) Special meeting of the Committee may be convened by the President or by any 4 of the members of the Committee.
  - (c) Notice shall be given to all members of the Committee of any special meeting specifying the general nature of business to be transacted and no other business shall be transacted at such a meeting.
  - (d) Any 4 of the Committee constitute a quorum for the transaction of any business of the meeting of the Committee.
  - (e) No business shall be transacted unless a quorum is present and if within 1 hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned at a time, date and place to be determined by the members present unless the meeting was a special meeting in which case it shall lapse.

**PROCEEDINGS OF COMMITTEE – Cont.**

- (f) At meetings of the Committee:-
  - (i) The President or in his/her absence the Vice-President shall preside: or
  - (ii) If the President and the Vice-President are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.
- (g) Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined on a show of hands, or if demanded by a member, by a poll taken in such manner as the Chairperson may determine.
- (h) Each member of the Committee present at a meeting of than committee and each member of any sub-committee appointed by the Committee present at a meeting of the sub-committee ( including the Chairperson) is entitled to one vote and, in the event of an equality of votes on any question the Chairperson may exercise a second or casting vote.
- (i) Notice of each Committee meeting shall be communicated to each member of the Committee within a reasonable time prior to the conduct of such meeting.

**ANNUAL GENERAL MEETING**

- 7 (a) The annual general meeting of the club shall be held in August of each year.
- (b) The annual general meeting shall be specified as such in the notice convening it.
- (c) The Ordinary business of the annual general meeting shall be:-
  - (i) To confirm the minutes of the last general meeting
  - (ii) To receive from the Committee reports upon the transactions of the club during the last preceding financial year;
  - (iii) To elect the Committee and other persons as defined in clause 5, sub- clause (f) and
  - (iv) to receive and consider the statement submitted by the club in accordance with section 30(3) of the Associations Incorporation Act, 1981
- (d) The annual general meeting may transact special business of which notice is given in accordance with these rules.
- (e) The annual general meeting shall be in addition to any other general meeting that may be held in he same year.

**GENERAL MEETINGS**

- 8 All general meetings other then the annual general meeting shall be called general meetings
- 9 (a) The Committee may whenever it thinks fit, convene a general meeting of the club and where, but for this sub-clause, more than 15 months would lapse between annual general meetings, shall convene a general meeting before the expiration of that period
- (b) The Committee shall, on the requisition in writing of members representing not less than 5%of the total number of members, convene a general meeting of the club.
- (c) The requisition for a general meeting is as in sub-clause (b) shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.
- (d) If the Committee does not cause a general meeting to be held within 1 month after the date on which the requisition is sent to the address of the Secretary, the members making the requisition, or any of them, may convene a general meeting to be held not later than 3 months after that date.

**GENERAL MEETINGS – Cont.**

- (e) A general meeting convened by members in the pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee.

**PROCEEDINGS AT MEETINGS**

- 10 (a) All business transacted at a general meeting and all business that is transacted at the annual general meeting with the exception of that specifically referred to in this constitution as being the ordinary business of the annual general meeting shall be deemed to be special business
- (b) No item of business shall be transacted at a general meeting or annual general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.
- (c) 9 members personally present (being members entitled under these rules to vote at a general meeting, or annual general meeting) constitute a quorum for the transaction of the business of a general meeting or an annual general meeting.
- (d) If within one hour after the appointed time for the commencement of a general meeting, a quorum is not present, then the meeting shall be dissolved unless the meeting was to be an annual general meeting in which case it shall be reconvened within 60 days.
- 11 (a) The President, or in his/her absence the Vice-President shall preside as chairperson. At each meeting or annual general meeting of the club.
- (b) If the President or the Vice President are absent from the general meeting or the annual general meeting the members present shall elect one of the committee present to preside as chairperson at the meeting.
- (c) If no member of the committee is present the members present shall elect one of their number to preside as chairperson at the meeting.
- 12 A question arising at a general meeting or an annual general meeting of the club shall be determined on a show of hands if a poll is demanded, a declaration by the chairperson that the resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost and entry to that effect in the Minutes book of the club is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against the resolution.
- 13 (a) Upon any question arising at a general meeting or annual general meeting of the club, a member has one vote only.
- (b) All votes shall be given personally.
- (c) In the case of an equality of voting on a question, the chairperson of the meeting is entitled to exercise a second and casting vote.
- 14 (a) If at a meeting a poll on any question is demanded by not less than 3 members, it shall be taken at that meeting in such a manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question
- (b) A poll that is demanded on the election of a chairperson shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the chairperson may direct.
- 15 A member is not entitled to vote at any meeting or annual general meeting unless all monies due payable by them to the club have been paid.

### **NOTICE OF MEETING**

- 17 At least 7 days clear notice of the intention to convene a general meeting or annual general meeting shall be given by the Secretary to all members. Such notice shall be given by publication in the club bulletin which shall be circulated to all members and/ or by notice at the previous general meeting or annual general meeting. Any notice or motion intended to be put to a general meeting or annual general meeting may be given at that meeting or in writing prior to that meeting.

### **FUNDS**

- 18 (a) The funds of the club shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines.
- (b) The funds of the club shall be banked in the name of the club and all cheques and other negotiable instruments shall be signed by any two of the president, Vice-President and secretary/Treasurer or as directed by the Committee and approved by a general meeting or annual general meeting.
- (c) All accounts for payment shall be presented within 30 days of receipt of invoice or receipt of the committee for consideration prior to passing for payment.
- (d) No financial commitment to the club should be made without prior approval of the Committee.
- (e) An Auditor may be elected at each annual general meeting and it shall be his/her responsibility to examine all accounts, vouchers, receipt books etc, and furnish a report thereon at the annual general meeting. Audits shall be conducted at intervals as determined by the committee.

### **ALTERATION OF RULES AND STATEMENT OF PURPOSE**

- 19 These rules and the statement of purpose of the club shall not be altered except by special resolution passed by a majority of not less than  $\frac{3}{4}$  of the members present and voting at a general meeting in accordance with section 22 and 29 of the Associations Incorporation Act 1981

### **SEAL**

- 20 (a) The common seal of the club shall be kept in the custody of the Treasurer.
- (b) The common seal shall not be affixed to any instrument except by the authority of the Committee or the Public Officer and one member of the committee.

### **CUSTODY OF RECORDS**

- 21 Except as otherwise provided in these rules, the Secretary and Treasurer shall keep in their custody or under their control all books, documents and securities of the club and these shall be available for inspection by members.

### **DISSOLUTION**

- 22 (a) The club shall be dissolved in the event of the membership being less than 9 persons or by special resolution passed by a majority of not less than  $\frac{3}{4}$  of the members present and voting, at a meeting convened to consider such question as in accordance with section 29 of the Associations Incorporation Act, 1981
- (b) Upon dissolution, assets and funds on hand after payment of all expenses and liabilities be handed over to such other club and similar association or such registered charity as a majority of the members present at a meeting may decide.

**FINANCIAL YEAR**

23 The financial year of the club shall conclude on the 30<sup>th</sup> day of June each year.

**CONDUCT**

- 24 (a) The Committee is empowered to take considered and appropriate action for any conduct by a member or members which is considered by them to be detrimental to the best interests of the club
- (b) Any Committee member is empowered to caution or have removed any member not conducting him or herself in a proper manner at any Club function or meeting.

**RECEIVING AND DEALING WITH COMPLAINTS**

- 25 (a) Complaints in relation to any member's behaviour which may be detrimental to the Club, shall be made by any member to any member of the Committee and must be lodged in writing within 14 days of the alleged incident.
- (b) The Committee Member in receipt of such complaint shall refer the matter to other members of the Committee within 2 days of the complaint being received.
- (c) The Committee must act upon any complaint within 2 month of that complaint being lodged.
- (d) The person complained of to be informed so as he or she can attend the Committee meeting and present his or her version of the incident if they so desire.
- (e) The method of determining the complaint and deciding action shall be by majority decision of the Committee Meeting, and shall be final.
- (f) The Committee may take any of the following steps in dealing with the properly lodged complaints:-
- (i) dismiss the complaint
  - (ii) take no further action other than having it recorded in the minutes of the Committee Meeting.
  - (iii) reprimand the member(s) concerned
  - (iv) suspend the member(s) concerned
  - (v) debar the member(s) concerned from the club and impose a period of disqualification from re-joining if desired.
  - (vi) Under the Associations Incorporation Regulations 1983, The executive committee may impose a fine not exceeding \$20.00 on a member who commits a breach of the rules of the Club.

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