



# *Classic Motoring Club*

## *Wagga Wagga Inc*

### **Classic Motoring Club Wagga Wagga**

“As our name implies, we are a *motoring* club. We use our vehicles often, and we derive a great deal of pleasure from our tours and other activities.

The Classic Motoring Club was established for people that are interested in preserving motor vehicles in their original condition. This is a social club centred around a common interest in motoring in our old vehicles.

The type of vehicle is not important but to be eligible for the RTA’s concessional historic registration the vehicle must be *not modified* and 30 years or older. Vehicles that do not meet the above criteria but are of “*special interest*” may also be considered.

We also derive a great deal of pleasure from restoration of our vehicles. We help each other to acquire vehicles, to repair them, and to source parts. We assist each other with the skills required to ensure the success of our hobby.

Our club organises activities to maximise opportunities to use our vehicles. We regularly accept community invitations to shows and displays, plus we organise picnics, day outings, twilight runs, and rallies.

We encourage members to accept invitations to participate in the activities of other motoring clubs, and to be a part of big events such as the *Bay to Birdwood* rally.”

*Constitution - 2008 revision*

# Constitution of the Classic Motoring Club Wagga Wagga Inc

Revised constitution which includes changes passed at the General Meeting held Monday February 4th 2008.

*Based on the Model Rules for the Incorporation of Associations, New South Wales Department of Fair Trading (according to the Associations Incorporation Act, 1984 - Regulation 1994, Clause 8)*

## **PART 1 - PRELIMINARY**

### **DEFINITIONS**

#### **1. (1) In these rules:**

**“ordinary member”** means a member of the committee who is not an office bearer of the Club, as referred to in rule 14 (2);

**“secretary”** means:

(a) the person holding office under these rules as secretary of the Club; or

(b) if no such person holds that office - the public officer of the Club;

**“special general meeting”** means a general meeting of the Club called for a specific purpose other than an annual general meeting;

**“general meeting”** means the regular meeting of the Club, which in the normal course of events will occur monthly.

**“vehicle”** means any self propelled road going vehicle with two or more wheels, which when new, was intended primarily for the transport of people and/or goods.

**“H.C.R.S.”** means the Historic Club Registration Scheme as operated by the NSW Roads and Traffic Authority, or any substitute scheme that may be enacted by the NSW Roads and Traffic Authority.

**“the Act”** means the Associations Incorporation Act 1984;

**“the Regulation”** means the Associations Incorporation regulation 1994.

#### **(2) In these rules:**

a. a reference to a function includes a reference to a power, authority and duty; and

b. a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

#### **(3) The provisions of the Interpretation Act 1987 apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.**

## **PART II - MEMBERSHIP**

### **MEMBERSHIP QUALIFICATIONS**

#### **2. A person is qualified to be a member of the Club if, but only if:**

a. the person is a person referred to in section 15 (1) (a), (b), or (c) of the Act and has not ceased to be a member of the Club at any time after incorporation of the Club under the Act; or

b. the person is a natural person;

i. who has been nominated for membership of the Club as provided by rule 3; and

ii. who has been approved for membership of the Club by the members of the Club at a General Meeting.

## NOMINATION FOR MEMBERSHIP

3. (1) A prospective member must firstly be introduced by a member as a visitor to a meeting or club event.
- (2) If the prospective member indicates an interest in joining the Club, the prospective member must submit to the secretary an "Expression of Interest" form. *(Attached as Appendix 3)*
- (3) The "expression of interest" form must be tabled at the next meeting, and the secretary shall arrange for the details to be included at the bottom of the minutes and distributed to the members in the usual manner.
- (4) Before being eligible to be nominated for membership, a prospective member must have attended two outings organised by the CMCWW *and* a general meeting, at the invitation of Club members, after the "expression of interest" has been published with the minutes.
- (5) After satisfying the eligibility rule, the person may be nominated for membership of the Club. The nomination:
  - a. must be made by a member of the Club in writing in the form set out in Appendix 1 to these rules; and
  - b. must be lodged with the secretary of the Club at the next monthly General Meeting.
- (6) As soon as practicable after receiving a nomination for membership, the secretary must refer the nomination to the committee which is to determine whether to recommend approval or rejection of the nomination.
- (7) If the committee determines to approve a nomination for membership, the nomination is to be published in the next edition of the club newsletter. The nominator may choose to include some biographical details which may assist members in their decision when voting to accept or reject the nomination.
- (8) If the committee determines to reject the nomination, the proposer and seconder are to be informed, and if the prospective member still wishes to proceed with the application, the nomination will proceed as described in clause 7, but with the committee's decision to not recommend acceptance being noted.
- (9) The ballot to accept or reject the nomination will take place at the next general meeting, with the proposer and seconder speaking on behalf of the prospective member, and members being given the opportunity to speak from the floor. Acceptance is to be carried by a two thirds majority vote of those present at the meeting. The prospective member may not attend the meeting at which the vote takes place. OR alternatively
- (9a) At the discretion of the Committee, if there are no objections following publication of the prospective member's name in the club newsletter in accordance with paragraph 7, the committee may resolve to dispense with the procedure described in paragraph 9 and invite the prospective member to attend the next meeting, and indicate to the membership that, there being no objections, the prospective member is to be accepted into membership.*
- (10) The secretary must, as soon as practicable after that acceptance (*vote to accept, or there being no objections*), notify the nominee of that approval and request the nominee to pay (within the period of 28 days after receipt by the nominee of notification) the sum payable under these rules by a member as annual subscription. Where the prospective member has not been voted into membership, the secretary is to advise the person in writing.
- (11) The secretary must, on payment by the nominee of the amounts referred to in clause 10 within the period referred to in that clause, enter the nominee's name in the register of members and on the name being so entered, the nominee becomes a member of the Club.
- (12) The new member is to be issued with a copy of the Constitution of the CMCWW, By Laws, schedule of current fees and other financial expectations, the current RTA regulations for the use of HCRS Plates, and any other policies that may affect their membership that are current at the time.

## CESSATION OF MEMBERSHIP

4. A person ceases to be a member of the Club if the person:
  - a. dies; or
  - b. resigns membership; or
  - c. is expelled from the Club.

## **MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE**

- 5.** A right, privilege or obligation which a person has by any reason of being a member of the Club:
- a. is not capable of being transferred or transmitted to another person; and
  - b. terminates on cessation of the person's membership.

## **RESIGNATION OF MEMBERSHIP**

- 6.** (1) A member of the Club is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the Club who has paid all amounts payable by the member to the Club in respect of the member's membership may resign from membership of the Club by first giving the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on expiration of the period of notice, the member ceases to be a member.
- (3) If a member of the Club ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **REGISTER OF MEMBERS**

- 7.** (1) The public officer of the Club must establish and maintain a register of members of the Club specifying the name and address of each person who is a member of the Club together with the date on which the person became a member.
- (2) The register of members must be kept at the principal place of administration of the Club and must be open for inspection, free of charge, by any member of the Club at any reasonable hour.

## **FEES AND SUBSCRIPTIONS**

- 8.** (1) A member of the Club must pay to the Club the appropriate annual membership fee as set by the Annual General Meeting before 1 December in each calendar year.
- (2) A new member, having been accepted by the membership, must pay the current annual membership fee, which at the discretion of The Committee may be deemed to include the following year's subscription where membership acceptance has occurred late in the Club's year.
- (3) A schedule of other fees, such as vehicle inspection levies, will also be determined at the Annual General Meeting.
- (4) A member whose fees are in arrears will be deemed to be unfinancial from January 1st, and will not be eligible for the privileges of membership until the fees are paid.

## **MEMBER'S LIABILITIES**

- 9.** The liability of a member of the Club to contribute towards the payment 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 membership of the Club as required by rule 8.

## **RESOLUTION OF INTERNAL DISPUTES:**

- 10.** Disputes between members (in their capacity as members) of the club, and disputes between members and the club, are to referred to the Vice-President who will act in the role of *Mediation Officer*.

## **DISCIPLINING OF MEMBERS:**

- 11.** (1) A complaint may be made by any member of the Club that some other member of the Club:
- a. has persistently refused or neglected to comply with a provision or provisions of these rules; or
  - b. has persistently or wilfully acted in a manner prejudicial to the interests of the Club.

- (2) On receiving such a complaint the committee:
  - a. must cause notice of the complaint to be served on the member concerned; and
  - b. must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint; and
  - c. must take into consideration any submissions made by the member in connection with the complaint.
- (3) The committee may, by resolution, expel the member from the Club or suspend the member from membership of the Club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.
- (4) If the committee expels or suspends a member, the secretary must within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under rule 12.
- (5) the expulsion or suspension does not take effect:
  - a. until the expiration of the period within which the member is entitled to appeal against the resolution concerned; or
  - b. if within that period the member exercises the right of appeal, unless and until the Club confirms the resolution under rule 12 (2) whichever is the later.

### **RIGHT OF APPEAL OF DISCIPLINED MEMBER:**

12. (1) A member may appeal to the Club in general meeting against a resolution of the committee under rule 11, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (3) If at the general meeting the Club passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

## **PART 111 - THE COMMITTEE**

### **POWERS OF THE COMMITTEE**

13. The committee is to be called the committee of management of the Club and, subject to the Act, the Regulation and these rules and to any resolution passed by the Club in general meeting:
  - a. is to control and manage the affairs of the Club; and
  - b. may exercise all such functions as may be exercised by the Club, other than those functions that are required by these rules to be exercised by a general meeting of members of the Club; and
  - c. has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Club.

### **CONSTITUTION AND MEMBERSHIP**

14. (1) Subject in the case of the first members of the committee to Section 21 of the Act, the *committee* is to consist of 8 members being the office bearers of the Club and the Plates Registrar, Events' Director, Editor, and Technical Officer, each of whom is to be elected at the annual general meeting of the Club under rule 15.
- (2) The office bearers of the Club are to be the President, Vice-President, Secretary, Treasurer.
- (3) Each member of the committee is, subject to these rules, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

(4) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Club to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of appointment.

## **ELECTION OF MEMBERS**

- 15.** (1) Nominations of candidates for election as office-bearers of the Club or as ordinary members of the committee will take place at the AGM with nominations being accepted from the floor.
- (2) A committee member is eligible for re-election, but may not be elected to the same position on the Committee for more than three consecutive years.
- (3) If insufficient nominations are received any vacant positions are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (7) The new Committee, elected at the AGM, will assume office on the 1st January of the year following their election.

## **SECRETARY**

- 16.** (1) The secretary of the Club must, as soon as practicable after being appointed as secretary, lodge notice with the Club of his or her address.
- (2) it is the duty of the secretary to keep minutes of:
- all appointments of office-bearers and members of the committee;
  - the names of members of the committee present at a committee meeting or a general meeting; and
  - all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

## **TREASURER**

- 17.** It is the duty of the treasurer of the Club to ensure:
- that all money due to the Club is collected and received and that all payments authorised by the Club are made; and
  - that correct books and accounts are kept showing the financial affairs of the Club, including full details of all receipts and expenditure connected with the activities of the Club.

## **CASUAL VACANCIES**

- 18.** For the purpose of these rules, a casual vacancy in the office of a member of the committee occurs if the member:
- dies; or
  - ceases to be a member of the Club; or
  - becomes insolvent under administration within the meaning of the Corporations Law; or
  - resigns office by notice in writing given to the secretary; or
  - is removed from office under rule 19; or
  - becomes a mentally incapacitated person; or
  - is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

## **REMOVAL OF MEMBER**

- 19.** (1) The Club in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the Club, the secretary or the president may send a copy of the representations to each member of the Club or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## **MEETINGS AND QUORUM**

- 20.** (1) Meetings of the Committee may be convened by the President or by any member of the Committee.
- (2) Any 5 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- (3) A quorum for a general meeting shall be 10, of which three must be members of the committee. If the President is absent, the meeting is to be chaired by a member of the committee in the order described in clause (5).
- (4) No business of any meeting is to be transacted unless a quorum is present, and if within half an hour of the time appointed for the meeting a quorum is not present the meeting is to be adjourned.
- (5) At a meeting of the committee:
- a. the president or in the president's absence, the vice-president is to preside; or
  - b. if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

## **DELEGATION BY COMMITTEE TO SUB-COMMITTEE**

- 21.** (1) The committee may, by recording in the minutes, delegate to one or more sub-committees (consisting of such member or members of the Club as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the minute record, other than:
- a. this power of delegation, and
  - b. a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the minute record.
- (4) Despite any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule would have the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by minute record, revoke wholly or in part any delegation under this rule.
- (7) A subcommittee may meet and adjourn as it thinks proper.

## **VOTING AND DECISIONS**

- 22.** (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the

event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

(3) Subject to rule 20 (2) the committee may act despite any vacancy on the committee.

(4) Any act or thing done or suffered, or purporting to have been done or suffered, by a committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

## **PART IV - GENERAL MEETINGS**

### **ANNUAL GENERAL MEETINGS - HOLDING OF**

**23.** (1) With the exception of the first annual general meeting of the Club, the Club must at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Club, convene an annual general meeting of its members.

(2) The Club must hold its first annual general meeting:

a. within the period of 18 months after its incorporation under the Act; and

b. within the period of 6 months after the expiration of the first financial year of the Club.

(3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Commissioner under section 26 (3) of the Act.

### **ANNUAL GENERAL MEETING - CALLING OF AND BUSINESS AT**

**24.** (1) The annual general meeting of the Club is, subject to to the Act and to rule 23, to be convened on such date and at such place and time as the committee thinks fit.

(2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:

a. to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;

b. to receive from the committee reports on the activities of the Club during the last preceding financial year;

c. to elect office-bearers of the Club and ordinary members of the committee;

d. to receive and consider the statement which is required to be submitted to members under section 26 (6) of the Act

(3) An annual general meeting must be specified as such in the notice convening it.

### **SPECIAL GENERAL MEETINGS - CALLING OF**

**25.** (1) The committee may, whenever it thinks fit, convene a special general meeting of the Club.

(2) The committee must, on the requisition in writing of at least 15 members, convene a special general meeting of the Club.

(3) A requisition of members for a special general meeting :

a. must state the purpose or purposes of the meeting; and

b. must be signed by the members making the requisition; and

c. must be lodged with the secretary; and

d. may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

(4) If the committee fails to convene a special general meeting to be held within one month after that 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 3 months after that date.

(5) A special general meeting convened by a member or members as referred to in clause

(4) must be convened as early as is practicable in the same manner a general meetings are convened by the committee.

## **NOTICE**

- (26)** (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each member at each member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner specified in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a special general meeting is to be transacted at the meeting, except in the case of an annual general meeting, business which may be transacted under rule 24 (2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member. Members may introduce items of business without notice at a general meeting after the business on the advertised agenda has been concluded.

## **PROCEDURE**

- 27.** (1) No item of business is to be transacted at general meeting unless a quorum of members entitled under these to vote is present during the time the meeting is considering that item.
- (2) Fifteen members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, business may be discussed and the resolutions referred to the Committee for ratification.
- (4) All external correspondence with the Club must be addressed to the appropriate officer through the Club's official post office box, or through any subsequently established electronic mail address.
- (5) Internal correspondence may be hand delivered to the secretary at a meeting.
- (6) The Public Officer will supply a private address as is required by the Department of Fair Trading.

## **PRESIDING MEMBER**

- 28.** (1) The president, or in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the Club.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

## **ADJOURNMENT**

- 29.** (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the Club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

## **MAKING OF DECISIONS**

- 30.** (1) A question arising at a general meeting of the Club is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a

declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour or against that resolution.

(2) At a general meeting of the Club, a poll may be demanded by the chairperson or by at least 3 members present.

(3) If a poll is demanded at a general meeting, the poll must be taken:

a. immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or

b. in any other case, in such manner and at such time before the close of the meeting as the chairperson directs,

and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

## **SPECIAL RESOLUTION**

**31.** A resolution of the Club is a special resolution:

a. if it is passed by a majority which comprises at least three-quarters of such members of the Club as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or

b. where it is made to appear to the Commissioner that it is not practicable for the resolution to be passed in the manner specified in paragraph (a), if the resolution is passed in a manner specified by the Commissioner.

## **VOTING**

**32.** (1) On any question arising at a general meeting of the Club a member has one vote only.

(2) All votes must be given personally.

(3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

(4) A member is not entitled to vote at any general meeting of the Club unless all money due and payable by the member to the Club has been paid, other than the amount of the annual subscription payable in respect of the then current year.

## **APPOINTMENT OF PROXIES**

**33.** (1) Each member is to be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

(2) The notice appointing the proxy is to be in the form set out in Appendix 2 to these rules.

## **PART V - MISCELLANEOUS**

### **INSURANCE**

**34.** (1) The Club must effect and maintain insurance under section 44 of the Act.

(2) In addition to the insurance required under clause (1) the Club may effect and maintain other insurance.

### **FUNDS- SOURCE**

**35.** (1) The funds of the Club are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Club in general meeting, such other sources as the committee determines.

(2) All money received by the Club must be deposited as soon as practicable and without deduction to the credit of the Club's bank account.

(3) The Club must, as soon as practicable after receiving any money, issue an appropriate receipt.

## **FUNDS - MANAGEMENT**

- 36.** (1) Subject to any resolution passed by the Club in general meeting, the funds of the Club are to be used in pursuance of the objects of the Club in such manner as the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by the Treasurer or President and one other member of the committee of the Club, being members authorised to do so by the committee.
- (3) Initiatives requiring the expenditure of \$500 or more of Club Funds are to be presented as a notice of motion at a general meeting and may not be voted upon until the next general meeting. The notice of motion is to be published in the next edition of the Club magazine.
- (4) Any commitment to real estate is similarly to be presented as a notice of motion.
- (5) Any recommendation to support a local charity shall be voted upon by the members present through notice of motion presented at the previous general meeting and distributed with the minutes.
- (6) In the event of the Club being dissolved the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be distributed by vote of the members present at the final meeting to NSW incorporated organisations which have similar objects to the CMCWW.

## **ALTERATIONS OF OBJECTS AND RULES**

- 37.** The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the Club.

## **COMMON SEAL**

- 38.** (1) The common seal of the Club must be kept in the custody of the public officer.
- (2) The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the public officer or secretary.

## **CUSTODY OF BOOKS**

- 39.** Except as otherwise provided by these rules, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the Club.

## **INSPECTION OF BOOKS**

- 40.** The records, books and other documents of the Club must be open for inspection, free of charge, by a member of the club at any reasonable hour.

## **SERVICE OF NOTICES**

- 41.** (1) For the purpose of these rules, a notice may be served by or on behalf of the Club on any member either personally or by sending it by post to the member at the member's address shown in the register of members.
- (2) If a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document is, unless the contrary is proved, taken for the purpose of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

## **USE OF CLUB VEHICLES**

- 42.** (1) The RTA rules for the use of Historic (Veteran and Vintage) vehicles as updated from time to time by the RTA are the basis for any use of an HCRS vehicle affiliated with the Classic Motoring Club Wagga Wagga, and therefore any Club rule should be read in conjunction with the RTA regulations.

- (2) Any financial Member's vehicle on the H.C.R.S. may be used in conjunction with CMC Club-organised activities and invitation runs as listed in the "Events Calendar" in Classic Lines.
- (3) Any other use of the vehicle within the RTA rules must be notified to the Plates Registrar. *(Unless within the "Secondary Clubs" rules below.)*
- (4) If a financial Member nominates and uses the Classic Motoring Club Wagga Wagga as the primary club on the RTA 1269 H.C.R.S. form, then this Member may enter additional clubs of which he/she is a financial member, provided these clubs are recognised and registered with the RTA of New South Wales to participate in the H.C.R.S. The Member may then use the said H.C.R.S. vehicle to participate in those clubs' bona fide events.
- (5) To be eligible to benefit from this rule, a copy of the completed 1269 H.C.R.S. form must be provided to the Club and kept in the Plate Registrar's records for the 12 months of the H.C.R.S. every year.
- (6) This Club will recognise members using another club as their primary club and nominating the Classic Motoring Club Wagga Wagga as a secondary club, providing that the primary club and the Member conforms with the above.
- (7) Members wishing to use H.C.R.S. vehicles for social events, Weddings etc, must obtain approval from the Plates Registrar prior to the event. No monetary advantage is to flow to the vehicle owner or driver, or to the Club as a result of the use of H.C.R.S. vehicles at Weddings etc.
- (8) Before being accepted as a "Club Vehicle", and before a vehicle can be presented for consideration for HCRS, the Club's Technical Officer must be satisfied that the vehicle meets RTA and/or Club expectations in terms of originality, appearance, and any other matter appropriate to the Club and/or the HCRS scheme.
- (9) All HCRS vehicles must be presented at the Club's annual inspection day, and must meet safety requirements for roadworthiness to the satisfaction of the Club's Inspection Officer.
- (10) Where a member is unable to attend the Club's Inspection Day, a "pink slip" may substitute for the HCRS safety inspection, but the vehicle must still pass inspection by the Technical Officer to be accepted as a "Club Vehicle", and before the 1269 Form for HCRS registration can be issued.
- (11) Vehicles on full registration may be accepted as "Club Vehicles", provided that they pass inspection and recommendation by the Technical Officer.

Single application:

## APPENDIX 1 (Rule 3 (1))

### APPLICATION FOR MEMBERSHIP OF CLUB

#### Classic Motoring Club Wagga Wagga Incorporated (incorporated under the Associations incorporation Act, 1984)

I, .....  
(full name of applicant)

of .....  
(address)

..... hereby apply to become a member of the  
(occupation)  
above named incorporated Club. In the event of my admission as a member, I agree to be bound by the rules of the Club for the time being in force.

.....  
(signature of applicant) (Date)

I, ....., a member of C.M.C.W.W., nominate the applicant, who is personally known to me, for membership of the Club.

.....  
(signature of proposer) (Date)

I, ....., a member of C.M.C.W.W., second the nomination the applicant, who is personally known to me, for membership of the Club

.....  
(signature of seconder) (Date)





## APPENDIX 3

### Expression of Interest in Membership of

# Classic Motoring Club Wagga Wagga

As our name implies, we are a *motoring* club. We use our cars often, and we derive a great deal of pleasure from our tours and other activities.

The Classic Motoring Club was established for people that are interested in preserving motor vehicles in their original condition. This is a social club centred around a common interest in motoring in our old vehicles.

The type of vehicle is not important but to be eligible for the RTA's concessional historic registration the vehicle must be *not modified* and 30 years or older. Vehicles that do not meet the above criteria but are of "*special interest*" may also be considered.

We also derive a great deal of pleasure from restoration of our vehicles. We help each other to acquire vehicles, to repair them, and to source parts. We assist each other with the skills required to ensure the success of our hobby.

Our club organises activities to maximise opportunities to use our vehicles. We regularly accept community invitations to shows and displays, plus we organise picnics, day outings, twilight runs, and rallies.

We encourage members to accept invitations to participate in the activities of other motoring clubs, and to be a part of big events such as the "Bay to Birdwood" rally.

If you are interested in joining our Club you must be **introduced as a visitor at a Club event**. If you wish to proceed with a membership application, **this form must be completed as the first step**, and handed to the secretary. Your **details will be published for the information of members** in the Club's newsletter, "Classic Lines".

**A prospective member may not apply for membership until they have attended three Club outings.** The rules are designed to ensure that you really are familiar with the Club and that you still wish to join after you get to know us, and of course it gives us an opportunity to know you before you are voted into membership!

*Happy classic motoring!*

Applicant's name: \_\_\_\_\_

Address: \_\_\_\_\_

Any vehicles currently owned which may be appropriate CMCWW vehicles:

\_\_\_\_\_

**OR**

The type of classic vehicle I would like to own: \_\_\_\_\_

Reasons for being interested in joining CMCWW

\_\_\_\_\_

\_\_\_\_\_

Proposer: \_\_\_\_\_ (Members of CMCWW)

Seconder: \_\_\_\_\_ Date: \_\_\_\_\_

This simplified version of Section 3 is provided as a guide only. This statement is not part of the formal Constitution. This simplified wording in no way replaces or supercedes Section 3 of the Constitution.

### **In plain English, the membership procedure is:**

1. **XXX introduced.** (Could be at a meeting, outing - anywhere)
  2. XXX likes us so **fills in an “Expression of Interest” form.**
  3. **“Expression of Interest” form tabled at next meeting,** XXX’s name included with minutes.
  4. **XXX attends three events including at least one meeting.**
  5. **A member nominates XXX** via a nomination form given to Secretary at a meeting.
  6. **Committee decides to recommend** or otherwise XXX for membership. (Probably by meeting during supper - it would only be in rare cases that this step would be delayed, and then probably for the very good reason that there is some concern about XXX becoming a new member!)
  7. **XXX’s application appears in the next Classic Lines.**
  8. **Anyone with an objection alerts the President,** who would then contact the Committee. Most likely action by the Committee would be to defer the acceptance until a few enquiries had been made, **but the Committee could decide to reject the application outright.**
  9. If there has been no objection, **acceptance** is announced at the next monthly meeting. The new member would be presented with a copy of the Constitution and By-laws, schedule of current fees and other financial expectations, and if possible, their Club Name Badge.
- The whole procedure would take about three months if applications etc were handed in on time.
  - A lot of members should get to meet XXX personally before any vote is called.
  - All members (via Classic Lines) get to know that XXX has applied and therefore have time to sound the alarm, if necessary.
  - Desirable members should not be unduly delayed - but if any controversial person applies we have several built in steps to let us diplomatically handle the situation.
  - We can’t get ourselves into trouble rejecting an application **if we have followed our Rules for Incorporation.**

**Sloppy voting procedures could give us an undesirable member - it could take legal proceedings to invoke the “expelled from the Club” clause!**