

# **LIGHT CAR CLUB OF CANBERRA INC.**

## **CONSTITUTION**

### **1 NAME**

1.1 The club shall be known as the “Light Car Club of Canberra”.

### **2 OBJECTS OF THE CLUB**

2.1 To promote a social organization mainly of people owning, or interested in motor cars;

2.2 To promote and foster the sports and pastimes of motoring;

2.3 To promote and conduct motor sports events alone, or jointly with other authorised clubs;

2.4 To safeguard and maintain the interests, rights and privileges of motorsport, and to co-operate in securing rational legislation and the formation of proper rules and regulations governing motorsport;

2.5 To collect and record statistics of events of use to motor sport;

2.6 To provide a suitable club house or club rooms, and other conveniences, and to furnish and conduct them;

2.7 To establish and support, and to aid in the establishment other associations;

2.8 To buy, prepare, make, supply and sell all kinds of goods and services in connection with motor vehicles and motor sport;

2.9 To affiliate with the Motorsport Australia, and to administer it's rules and regulations, and to promote the objectives of the governing organisation;

2.10 To hire and employ persons capable or providing necessary services to the Club;

2.11 To do such other lawful things as are, in the opinion of the Club, incidental or conducive to the above objects (and it is hereby declared that the interpretation of this clause, the meaning of any of the Club's objects shall not be restricted by reference to any other object and that, in the event of any ambiguity, this clause shall be construed in such a way as to widen and not restrict the powers of the Club.)

### **3 MEMBERSHIP**

- 3.1 Membership is open to any person, and their immediate family, interested in motor cars and/or motor sport;
- 3.2 The members shall consist of the following classes:
  - i. Life Members
  - ii. Ordinary Members
  - iii. Honorary Members
  - iv. Day Members
- 3.3 Ordinary financial members and life members only are eligible to vote on club matters;
- 3.4 In normal circumstances membership will be for a period of 12 months. And will commence on 1 March and will expire on 28 February in the following year.

### **4 LIFE MEMBERS**

- 4.1 Life Membership may be granted for special and outstanding services to the club, and normally shall be granted to members of at least five years standing, unless there are exceptional circumstances;
- 4.2 Every life membership shall be conferred at an Annual General Meeting by a majority of members present and eligible to vote;
- 4.3 A life member shall be entitled to all the privileges of ordinary financial membership, for life, without payment of any further subscription, unless he or she shall cease membership because of resignation, death or disciplinary action.

### **5 ORDINARY MEMBERS**

- 5.1 Every applicant for admission as a member shall be approved by the Membership Secretary. Each new applicant is to be reported to the General Committee, by the Membership Secretary;
- 5.2 Every Application for membership to the Club, shall be in a form approved by the General Committee.
- 5.3 Every applicant for ordinary membership shall be provided with an opportunity to study a copy of the constitution and shall agree to be bound the constitution;
- 5.4 Membership will commence upon payment of membership subscription;

- 5.5 Members will be considered to have resigned if membership subscriptions are not paid by 31 March.

## **6 HONORARY MEMBERS**

- 6.1 Any person may be admitted as an Honorary Member for a period determined by the General Committee, if proposed by a financial member and approved the Secretary and the President;
- 6.2 The proposer of such a member shall be deemed liable for any liabilities to the club incurred by such Honorary Member;
- 6.3 The General Committee, may, at its discretion, renew or revoke the honorary membership of a person;
- 6.4 No Honorary Member may be issued with a membership card.

## **7 DAY MEMBERS**

- 7.1 The Clerk of Course of a Light Car Club event may issue Day Membership for non Light Car Club entrants unless otherwise directed by the General Committee.
- 7.2 Such membership would be valid for the 24 hours starting at 7.00am on the day of the event and finishing at 7.00am the following day.
- 7.3 No day member may be issued with a membership card.
- 7.4 The event secretary for which day membership is current shall provide to the Treasurer and Membership Secretary a list of all day membership issued.
- 7.5 Should a day member wish to upgrade to an ordinary member they will only be required to pay the difference in member fees.

## **8 RESIGNATION**

- 8.1 Any member of the club may resign at any time by submitting formal resignation, in writing, to the Secretary.

## **9 DISCIPLINE**

- 9.1 All disciplinary matters pertaining to club members shall be considered by the Club Committee comprised of the Office Bearers and the General Committee Members;

- 9.2 Disciplinary action may be commenced if (but not limited to):
- i. a member is accused of a breach of any of the by-laws of the Club,
  - ii. a member is accused of a breach of any provision on the constitution,
  - iii. a member is found guilty of a criminal offence,
  - iv. A member is accused of bringing the Club, Motorsport Australia, Motoring or motor sport into disrepute.
- 9.3 A copy of the complaint against any member, and details regarding the place and time of the General Committee sitting, must be sent to the member at least seven days prior to the General Committee sitting, and he/she shall be permitted to present evidence and call witnesses;
- 9.4 Decisions relating to disciplinary matters must be carried by a two thirds majority of the Committee Members present;
- 9.5 The member facing disciplinary action will be notified of any decision, in writing, within seven days;
- 9.6 Disciplinary action may include, but not be limited to, suspension or termination of membership;
- 9.7 Members may appeal against a decision, in writing, within 14 days of notification of a decision.

## **10 SUBSCRIPTIONS**

- 10.1 The annual subscription for members shall be fixed for the ensuing year at the Annual General Meeting each calendar year;
- 10.2 A financial ordinary member shall be a member who has paid the annual subscription to the club unless their application is rejected at the following General Committee meeting;
- 10.3 If an ordinary member fails to renew membership by the last day in February each year, the member shall be deemed unfinancial. If membership is not renewed by 31 March, the member shall be deemed to have resigned from the Club.

## **11 APPLICATION OF INCOME**

- 11.1 The income and property of the club, howsoever derived shall be applied solely towards the promotion of the objects of the Club as set forth in this constitution, and no portion shall be paid or transferred directly or indirectly to any member

of the Club, except to reimburse that member for expenses necessarily incurred in attending to the business of the Club.

## **12 MEMBERS LIABILITY**

12.1 The liability of the members is limited to the sum of Ten Dollars, which every member of the Club undertakes to contribute to the Club's assets in the event of:

- i. The club being wound up while that person is a member, and
- ii. The assets of the club being insufficient to cover any liabilities remaining.

## **13 QUORA**

13.1 One tenth of the members entitled to vote under these rules, or ten members, which ever is greater, personally present at a general meeting, constitutes a quorum for the transaction of business at a club meeting;

13.2 Five members of the General Committee, personally present at a general meeting, constitute a quorum for the transaction of business at a General Committee meeting.

## **14 CHAIRMAN'S VOTE**

14.1 The Chairman shall have a deliberative vote only, at all meetings. In the event of an equal number of votes for and against any question which requires a simple majority, the resolution shall be declared lost.

## **15 ANNUAL GENERAL MEETING**

15.1 The Annual General Meeting of the Club shall be held in the month of December, or as soon after this month as practicable.

## **16 GENERAL COMMITTEE**

16.1 The General Committee shall consist of President, Vice President, Secretary, Treasurer, Membership Secretary, Event Manager, Grants Manager (Office Bearers) and six Committee Members;

16.2 The Club President, or in his/her absence, another Office Bearer, will be chairman of each General Committee meeting;

- 16.3 Elections for the General Committee shall be held at the Annual General Meeting of the Club;
- 16.4 Nominations for the General Committee must be in writing, and signed by the proposer, a seconder and the nominee. Each must be an ordinary member of LCCC.
- 16.5 Nominations for positions on the General Committee must be received in writing by the Secretary;
- 16.6 The General Committee shall have the power to appoint a member of the club to fill any vacancy on the General Committee;
- 16.7 All Office Bearers shall retire at the Annual General Meeting, but shall be eligible for re-election;
- 16.8 All committee members shall attend all committee meetings, unless leave or exceptional circumstances prevent them from doing so, in which case an apology must be sent to the Secretary;
- 16.9 A committee member may resign at any time by written submission to the committee;
- 16.10 No one person may hold more than one position on the General Committee at any time;
- 16.11 The General Committee should meet once every second month, or as required to attend to the business of the Club;
- 16.12 Membership of the General Committee shall be notified to the Registrar of Incorporated Associations within one month of appointment;

## **17 GENERAL MEETINGS**

- 17.1 General Meetings will be held once every second month, alternating with the General Committee meetings;
- 17.2 All Club members are entitled to attend General Meetings;
- 17.3 The Club President, or in his/her absence, another Office Bearer will be Chairman of each General Meeting;
- 17.4 Minutes of each General Meeting will be recorded by the Club Secretary, or in his/her absence, another Office Bearer;
- 17.5 Only financial members may vote at General Meetings;
- 17.6 Proxy Votes will be allowed at General Meetings in the manner described in Section 18;

17.7 General Meetings will be held in conjunction with other events on the LCCC calendar. Notifications of meeting and of other arrangements is made via Social Media, Website and email to all members.

## **18 PROXY VOTES**

18.1 Financial Members may make proxy votes on behalf of other financial members at General Meetings and Annual General meetings;

18.2 The power of proxy must be in writing in the appropriate format and must state:

- i. The name and address of the member giving the power of proxy,
- ii. The name and address of the member receiving the power of proxy,
- iii. The date on which the power of proxy is granted;
- iv. The specific issue to which the power of proxy relates, and
- v. The manner in which the proxy vote is to be exercised.

18.3 Notification of appointment of proxy must be received in writing by the Secretary no less than one hour before the vote is taken.

## **19 PUBLIC OFFICER**

19.1 The Public Officer must be at least 18 years of age;

19.2 The Public Officer must be a resident of the A.C.T.;

19.3 The Public Officer shall be a person appointed by the Club and shall hold office until:

- i. The person dies,
- ii. The person becomes bankrupt,
- iii. The person becomes of unsound mind,
- iv. The person resigns the office, in writing, to the General Committee,
- v. The person ceases to be a resident of the A.C.T.,
- vi. The person is removed, for whatever reason, by a general meeting of the Club, or,
- vii. The person is convicted of an offence involving fraud or dishonesty punishable by imprisonment for a period of three months or more.

19.4 The Public Officer may hold another office in the Club.

19.5 The Public Officer must notify the Registrar of Incorporated Associations of their appointment, or of a change of address, within one month of their appointment or change of address.

## **20 FUNDS**

20.1 The Club may derive funds from the following sources:

- i. Membership subscriptions
- ii. Corporate or private sponsorship of specific events or activities;
- iii. Entry fees for specific events or activities,
- iv. Fundraising activities, and
- v. The sale of Club merchandise.

20.2 All funds shall be handed to the Treasurer as soon as possible following receipt with all information necessary to identify the source of the funds;

20.3 The Treasurer shall issue a written receipt for all funds received;

20.4 The treasurer shall deposit all funds in the Club bank account immediately;

20.5 The Treasurer or President will be required to sign any cheque for purchases on behalf of the Club;

20.6 All expenditure must be accounted for by an invoice, a receipt or a "Claim for Payment".

20.7 A financial ledger to account for all income and expenditure will be maintained by the Treasurer;

20.8 Every item of expenditure and income is to be recorded in the Club's financial ledger by the Treasurer;

20.9 The Club's financial position will be reported to the monthly General Meeting by the Treasurer;

20.10 Any financial Club member may ask to inspect the Club's financial ledger. Any such request should be met within a reasonable time period.

## **21 FINANCIAL YEAR**

21.1 The financial year of the club will end on 31 July each year.

## **22 AUDITOR**

22.1 Each year the Club shall appoint a person who is neither a Club Member nor the Public Officer of the Club, to act as auditor.



## **23 AUDITED ACCOUNTS**

- 23.1 The Treasurer shall, as soon as possible after the expiration of the Club financial year, prepare, or cause to be prepared, a balance sheet setting out the assets and liabilities of the Club;
- 23.2 The Treasurer shall, deliver, or cause to be delivered to the auditor, the balance sheet, all accounts, books and other financial records of the Club, for audit at least once in every Club financial year. This shall be done in such a time frame as to allow an auditors statement to be prepared prior to the next Annual General Meeting;
- 23.3 The audited accounts of the Club shall be presented to the Annual General Meeting of the Club immediately following the expiry of the financial year to which they relate.
- 23.4 The Treasurer shall lodge with the Registrar of Incorporated Associations, by 31 December immediately following the end of the financial year, the following documents:
- i. A statement of particulars in relation to the Club,
  - ii. An audited statement of the Club's accounts,
  - iii. A copy of the auditor's report in relation to the accounts,
  - iv. Any additional documentation required, and
  - v. A statement by two members of the General Committee certifying that the provisions of the Act have been followed.

## **24 COMMON SEAL**

- 24.1 The Common Seal of the Club shall remain in the custody of the Secretary;
- 24.2 The Common Seal may only be affixed to formal documents bearing the Club letterhead;
- 24.3 The Common Seal must be accompanied by the signatures of two Office Bearers or one Office Bearer and another member of the General Committee.

## **25 DISSOLUTION OF THE CLUB**

- 25.1 If, at a general meeting convened for this purpose, (with at least fourteen days notice in writing to all members) a two-thirds majority of members eligible to vote resolve to disband the Club, the General Committee will within three months of such meeting, call in and convert to money or otherwise dispose of

all Club property. If, after all accounts and liabilities have been met, there remains any assets whatsoever, these shall not be distributed amongst the members of the Club, but shall be given or transferred to such non-profit organizations(s) as the members of the Club, and which prohibit(s) the distribution of their assets amongst their members.

## **26 CUSTODY OF THE OFFICIAL DOCUMENTS**

- 26.1 The Certificate of Incorporation shall remain in the custody of the Secretary;
- 26.2 The financial ledgers, bank statements, auditor's statements and other financial documents shall remain in the custody of the Treasurer.

## **27 BY-LAWS DEFINITION**

- 27.1 The General Committee may adopt, amend or repeal by-laws for the purpose of regulating the day-to-day running of the Club;
- 27.2 By-laws shall not be in conflict with the provisions of the constitution;
- 27.3 A general meeting shall have the power to amend or repeal any by-law adopted by the General Committee.

## **28 AMENDMENT OF THE CONSTITUTION**

- 28.1 This constitution, or any clause thereof may be added to, repealed or amended by resolution at any general meeting of the Club, provided that members have been informed of the intention to amend the constitution at least 14 days in advance and three-quarters of the members present and entitled to vote, vote in favour thereof.

## **29 INTERPRETATION OF THE CONSTITUTION**

- 29.1 A General Meeting shall be the sole authority for interpretation of these rules and the by-laws, and the decision of the meeting upon matters affecting these rules or by-laws shall be final and binding.

## **30 COMMENCEMENT OF THE CONSTITUTION**

- 30.1 The constitution shall come into operation at midnight on the twentieth day of May 1963.

30.2 This document is a consolidation of the original constitution and all amendments to the 1st December 2018.

### **31 LISTING OF CLUB BY-LAWS (as derived from decisions made at Committee Meetings)**

31.1 Any LCCC member who participates in an event that is illegal according to MA regulations, will be automatically suspended from competition with the Club for a period of three months. (7/12/70) (Repealed 11 April 2011)

31.2 The positions of state council delegates will be filled through appointments made at the Annual General Meeting each year.

31.3 All claims for reimbursements, for which receipts are not available. Will be held over until the next committee meeting. There a full explanation will be given by claimant, and a proper decision will be made by the committee. As a general principle, no expenditure on behalf of the Club should occur without the prior approval of the committee or general meeting of the Club. (17/02/76)

31.4 As a matter of principle, the LCCC should attempt to train less experienced LCCC members by employing them as assistants in the administration of LCCC events. (19/01/78)

31.5 The granting of the 'Sportsman Award' is conditional upon the candidate having scored at least one LCCC Clubman point in the same year. (19/01/78)

31.6 Treasurers are required to present books to the committee in a form suitable for immediate auditing. (08/08/78)

31.7 Treasurers have the power to require that full financial statements of expenditure be furnished by claimants for reimbursement before they provide refunds. (14/09/78)

31.8 The Club may offer a 'pro rata membership' fee, equivalent to half of the full fee, after the expiry of the first six months of the Club membership year. (22/01/80)

*NOTE: By-laws are made by LCCC committees, without consultation with the LCCC general membership. They are binding on all members. However, under the provisions of the Constitution (27), a general meeting has the power to modify or reject By-Laws.*