

The Falcon G.T. Club of Western Australia

CONSTITUTION

1 **NAME:**

- i) The name of the Club shall be The Falcon G.T. Club of Western Australia. It shall have its headquarters at Perth, Western Australia.

2 **OBJECTS:**

The objects for which the Club is established are:

- i) To promote and encourage the maintenance and rebuilding of Falcon G.T.'s for general and competitive use.
- ii) To promote events for Falcon G.T. vehicles and their owners including trials, motorkhanas and events of a like nature and social events.
- iii) To purchase, take on lease, exchange, hire or otherwise acquire any real or personal property and any rights and privileges necessary or convenient for the purpose of the Club.
- iv) To sell, improve, manage, let, mortgage, dispose of, or otherwise deal with, all or any part of the property of the Club.
- v) To borrow, or raise, or secure the payment of money in such manner as the Club thinks fit.
- vi) To co-operate and liaise with kindred bodies with objects similar to the above.
- vii) To do such other acts as may be incidental or conducive to the above objects or any of them.

3 **NON PROFIT:**

The income and property of the Club shall be applied solely towards the promotion of the objectives of the Club. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the Members of the club, provided that nothing shall prevent the payment in good faith of remuneration to any Officer or employee of the Club or to any person other than a Member, in return for the services rendered to the Club.

4 **MEMBERSHIP:**

- i) There shall be the following classes of members the Club
 - a) FULL - open to all Falcon G.T. owners and their partners.
 - b) ASSOCIATE - open to any person or enthusiast who does not own a Falcon G.T. vehicle.
 - c) COUNTRY - members residing outside the Perth Metropolitan area, as defined by Australia Post, shall be classified as Country Member and shall pay the same annual subscription as Perth Metropolitan Members.
 - d) 10 YEAR - will be given to any member attaining 10 years continuous membership with the club, and the fees for such membership will be 50% of a Full membership.
 - e) Further recognition of long membership will be made at 20 years, 30 years etc.
 - f) HONORARY LIFE - will be on the recommendation of the Committee. A member may be elected a Life Member at any General Meeting by a 75% majority of the members attending and shall thereafter be entitled to all the privileges of membership for life. The Committee shall give notice of its recommendation to all members not less than two weeks prior to the relevant General Meeting. To be eligible for Life Membership, a member must have been a continuous member for at least 10 years and have been active for at least 50% of that time, i.e. been on regular runs, participated in the committee etc. The privilege of Life Membership will be having all the rights of a Full Member and not required to pay fees.

ii) ELECTION OF MEMBERS

- a) An applicant for membership of the Club shall sign and deliver to the Secretary an application in the form appearing in the Schedule hereto together with such fees as the Committee shall from time to time determine.
 - b) Upon receipt of the application and entrance fee, the Secretary shall present it to the next meeting of the Committee.
 - c) In the event of an application for membership being rejected the applicant shall not submit a further application within six months of such rejection.
 - d) The Secretary shall notify each successful membership application of their acceptance to the club and shall furnish with a copy of the Constitution.
 - e) All new members will be accepted as Associate members until such time as their vehicle have been authenticated by the designated club examiner. Upon the vehicle being deemed a genuine GT then the member will be promoted to Full Membership status.
- iii) Annual subscription determining financial membership shall be paid yearly in advance on or prior to the general meeting of July in each year and the amount of such subscription shall be determined by the motion being tabled at the Annual General meeting. Any member who applies for membership after the first day of September in any year shall for the remainder of that year pay a proportion of the subscription based on the number of quarterly periods unexpired in that year.
- iv) On or prior to the first day of May in each year the Secretary shall give written notice to each member of the subscription due by them. If a member fails to pay their subscription within three months of the said notice being forwarded to them, their membership of the Club shall terminate.

5. Committee of Management

- 5.1 Subject to sub-rule 5.10, the affairs of the Council will be managed exclusively by a Committee of Management consisting of-
- (a) a President;
 - (b) a Vice-President;
 - (c) an immediate past President;
 - (d) a Secretary;
 - (e) a Treasurer;
 - (f) the Membership Officer, and
 - (g) the Editor.
- 5.2 With the exception of the Immediate Past President, all members of the Committee members must be elected to membership of the Committee at an annual general meeting or appointed under sub-rule 5.9.
- 5.3 Subject to sub-rule 5.9, a Committee member's term, except for those referred to in sub-rule 5.4, will be from his or her election at an annual general meeting until the election referred to in sub-rule 5.2 at the next annual general meeting after his or her election, but he or she is eligible for re-election to membership of the Committee.
- 5.4 The President, Secretary, Treasurer and Vice President shall hold office for two (2) years, with President and Treasurer being elected on alternate years to the Secretary and Vice President.
- 5.5 Elections will by secret ballot at the annual General Meeting in each year (if the number of candidates nominated shall exceed the number required to be elected).
- 5.6 The retiring members of the Committee shall be eligible for re-election except that no member shall hold office as President for more than four consecutive years.

- 5.7 Every candidate for office on the Committee or as Auditor shall be nominated and seconded by two financial members at the Annual General Meeting.
- 5.8 Election of all members of Committee with the exception of the Immediate Past President shall be by a majority of those members present and eligible to vote.
- 5.9 Any vacancy occurring in the Committee shall be filled at the next Meeting by majority vote.
- 5.10 The Committee may delegate, in writing, to one to more sub-committees (consisting of such member or members of the Club as the Committee thinks fit) the exercise of such functions of the Committee as are specified in the delegation other than-
- (a) the power of delegation; and
 - (b) a function which is a duty imposed on the Committee by the Act or any other law.

6 MANAGEMENT.

- i) The Committee shall manage the Club within the rules of the Constitution subject to the right of a General Meeting to rescind any action by majority vote upon receipt of written dissension by five or more members.
- ii) The Committee may appoint an Event Sub-Committee the duties of which will be to assist Committee in the organisation and running of Club events.

7 DUTIES OF COMMITTEE MEMBERS:

- i) The President and in their absence, the Vice-President shall chair all Committee Meetings and General Meetings of the Club and ensure that business is conducted in a proper manner. In the event of an equality of vote, the Chairperson, whether they be the President, Vice-President or temporary appointee shall have a casting vote in addition to their own.
- ii) The Secretary shall conduct the correspondence and the official publicity of the Club and shall have the custody of all documents belonging to the Club. They shall keep full and correct minutes of all properly convened meetings. They shall at the Annual General Meeting furnish a report to the Committee of the Club's and the Committee's activities which report shall be presented to the Annual General Meeting.
- iii) The Treasurer shall collect and bring in all members' subscription and other monies that are due and payable to the Club and forthwith deposit such monies in the name of and to the credit of the Club in such Bank as for the time being appointed as the Club's Bank. All payments shall be made by cheque drawn on the Club's Bank Account and signed by such persons as the Committee shall from time to time determine. They shall keep the accounts of the Club. They shall submit to each meeting of the Committee a statement of receipts and expenditure for the period intervening since the preceding Committee Meeting and shall make up an annual statement of accounts and a Balance Sheet of the Club to the thirtieth day of June in each year. The financial year of the Club shall commence on the first day of July in each year and continue until the thirtieth day of June next following. In vacating office they shall deliver to the Secretary all books, accounts, receipts, papers, correspondence, documents of any kind and funds which may be in their possession or under their control forming part of the assets and property of the Club.
- iv) The Secretary or delegated Membership Officer shall keep a list of all members' names, addresses, election dates and details of their cars as well as keep a points tally for all members where points are scored towards any trophy which may be presented. Members shall assist in this process by submitting current details of their vehicles from time to time.

8 AUDITORS:

- i) The Committee shall appoint an Auditor or Auditors annually and shall fix the remuneration (if any) to be paid to such Auditor or Auditors. No office bearer shall be eligible to be appointed an Auditor of the Club.

- ii) The Auditor/s shall make a report to the members upon the Balance Sheet and Accounts and in every such report they shall state whether in their opinion the Balance Sheet is a full and fair Balance Sheet and properly drawn up so as to exhibit a true and fair view of the Club's affairs and such report shall be presented to the Annual General Meeting.

9 **GENERAL MEETINGS:**

- i) The Annual General Meeting of the Club shall be held during the month of July in every year on a day and hour to be determined by the Committee for the purpose of transacting the business of the Club.
- ii) The following shall be the agenda at the Annual General Meeting:
 - a) Confirmation of minutes of the last General Meeting and the last Annual General Meeting.
 - b) Receiving and discussing the Annual Balance Sheet and Accounts and reports of Committee members and adopting same or otherwise.
 - c) Election of Officers.
 - d) Consideration of other business on the notice paper.
 - e) General Business.
- iii) All notices of motion for the Annual General Meeting shall be lodged by the Proposer and signed by the Seconder with the Secretary one month prior to the Annual General Meeting.
- iv) There shall be not less than four Ordinary General Meetings of the Club in every year and they shall be on the day and hour to be determined by the Committee.
- v) Subject to Rule 9(iii) hereof the Committee may at any time on the written request of five members or more call a Special General Meeting. A Special General Meeting must be held within twenty one days of the Secretary receiving such request.
- vi) The Secretary shall call not less than six Committee Meetings per annum to be held as and when required.
- vii) Any Committee member who is absent from three consecutive Committee Meetings is deemed to have resigned unless adequate reasons have been submitted to the Committee.
- viii) QUORUM:
 - a) To be not less than three at a Committee Meeting.
 - b) To be not less than eight financial members, plus two committee members at any General Meeting, Special General Meeting or Annual General Meeting.
 - c) In the event of there being no quorum present for any meeting of the Club fifteen minutes after the time appointed for that meeting, the meeting shall automatically be re-convened to the same day, time and place in the next week. Provided that notice of the re-convened meeting is given by post or written advice the re-convened meeting shall be a valid meeting whether a quorum is present or not.
- ix) VOTING RIGHTS
 - a) All Full Financial Members. Have the right to vote. Should partners or family of a member wish to vote then they would be expected pay the usual fees, i.e. one membership - one vote.
 - b) Associate Members may vote on all issues other than Constitutional changes.

10 **SUSPENSION OR EXPULSION:**

- i) The Committee may suspend or expel any member of the Club:
 - a) Who shall fail in the observance of or commit any breach of any rule of the Club or any By-Law of the Committee, or of any order or direction of the Committee or of a General Meeting, or
 - b) Who shall in the sole and absolute judgement and discretion of the Committee have been guilty in or out of the Club premises of any act, practice, conduct, matter or thing,

calculated to bring discredit on the Club or any of its' members, or to impair or affect the enjoyment of the Club by the other members.

- ii) In the event of the Committee acting under the preceding rule, the following shall be the procedure:
 - a) A charge shall be laid against the member complained of. Charges by or on behalf of the Committee shall be laid by the Secretary.
 - b) The Committee shall then cause notices to be sent by registered post to the member complained of and to the complainant (if any), requiring them to attend before the Committee at the next scheduled Committee Meeting to answer the charges and the Secretary must on application by either party send a notice to any other member to appear and give evidence, provided that such application be made three clear days before the date of the hearing of such charge. Should either of the two parties fail to attend, the Committee may proceed in their absence
 - c) If, after hearing the evidence, the Committee shall be of the opinion that the charge is sustained, they shall impose such penalty as they shall think fit and which penalty shall include expulsion from membership or suspension from the privileges of membership for a period not exceeding three months and shall there upon give notice of such penalty to be sent by registered post to the member so penalised at the last known address. In case of expulsion, the name of the member shall be deleted from the list of members and a notice of the expulsion shall be posted on the notice board at the venue of the next General Meeting, and that member shall cease to enjoy the privileges of a member.

Any expelled member of the Club who may be aggrieved by any expulsion by the Committee under the preceding rule may by written notice lodged with the Secretary within fourteen days of the expulsion, appeal to a Special General Meeting which shall be called by the Committee, who shall lay the appeal, stating the nature thereof before such meeting. Before any Special General Meeting is called, the person aggrieved must, with their notice aforesaid, lodge sufficient monies to cover the cost of convening a Special General Meeting with the Secretary, which shall be forfeited if such meeting upholds the decision of the Committee, otherwise it shall be returned to the member. Until the hearing of any such appeal, the decision of the Committee shall have full effect but such expelled member shall have the right to attend such Special General Meeting.

- iii) Notwithstanding the expulsion, the member expelled shall be liable for all monies due by them at the date of expulsion.
- iv) No member shall be entitled to take any civil legal action or proceedings against the Club for or in respect of any suspension or expulsion as aforesaid.
- v) No member who has been expelled from the Club shall be permitted:
 - a) In or on any part of the Club's premises or on any premises used by the Club from time to time for the purpose of Club meetings or events.
 - b) To stand for re-election to membership without the consent of the Committee.

11 RESIGNATIONS:

Any member whose subscription is not in arrears may rescind their membership by giving written notice to the Secretary who shall report same to the Committee at its next meeting. Upon the Committee's acceptance of the resignation the member will forfeit their membership and all rights any privileges attached thereto.

12 COMMON SEAL:

The Secretary shall have the custody of the Common Seal of the Club and the same shall be affixed to all necessary documents in the presence of two persons as authorised hereafter, and records shall be kept of all instruments and documents to which the Seal is affixed. The president and Secretary are authorised to use the Common Seal on behalf of the club

13 DISSOLUTION OF THE CLUB:

The Association may be dissolved or wound up by a resolution at any General Meeting or at a Special General Meeting called for such purpose. If upon the dissolution or winding up of the Association there

remains, *after* the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, transferred or distributed amongst the members or former members of the Falcon GT Club of WA. It must be given to some other association, institution or body having objects similar wholly or in part to the objects of the Falcon GT Club of WA, provided that the association, institution or body shall prohibit the distribution of its income and property among its members, or it shall be paid to or transferred to some charitable organisation. Which association, institution, body, charitable organisation or object shall be determined by the members of the Falcon GT Club of WA at or before the time of dissolution or winding up. In default of any such resolution such payment, transfer or distribution shall be determined by a Judge of the District Court.

14 BY-LAWS:

- i) Without limiting the power already by these rules given to the Committee in that regard, the Committee is empowered to make, repeal and amend such By-Laws as it from time to time may consider necessary for the well being of the Club which By-Laws, repeals and amendments shall have effect until set aside by the Committee or the members in General Meeting.
- ii) Every member of the Club shall observe and be bound by the Rules and By-Laws of the Club.

15 AMENDMENT OF CONSTITUTION:

- i) No alteration, addition or repeals to these Rules shall be made except by a vote of not less than 75% of the members present at a Annual General Meeting or Special General and eligible to vote. Not less than fourteen days written notice of such proposed alterations, additions or repeals shall be given to all members prior to that Meeting.
- ii) Country members only are entitled to lodge their vote on constitutional matters by post provided that such vote is received by the Secretary prior to the official start of the meeting at which voting on Constitutional matters shall take place.

16 INTERPRETATION:

- i) "Financial Member" means a member whose subscription is fully paid at the time in question.
- ii) "General Meeting" unless otherwise stated means an Annual, Special or Ordinary Meeting of the Club.
- iii) "Subscription" shall mean and include the annual payments required to be paid by a member in respect of their membership of the Club in accordance with the Rules and shall also include any entrance fees payable by the applicant for membership
- iv) Words importing the male gender shall include the female and neuter genders and the singular number shall include the plural number.