

# CONSTITUTION

## Sydney Datsun Club Incorporated INC9887361

Incorporated under the Associations Incorporation Act 1984

### 1. NAME

- 1.1 To be called the Sydney Datsun Club, (Inc)
- 1.2 Club colours to be red and blue.

### 2. OBJECT

- 2.1(a) To promote, foster and conduct motor sports generally.
- 2.1(b) To promote the preservation and restoration of motor vehicles of historic significance and integrity.
- 2.1(c) To promote friendship and sportsmanship among all members of the Club.
- 2.1(d) To form registers or other groupings of members with common interests within the club.
- 2.1(e) To promote and hold competitions, meetings and tournaments and to offer, give and contribute towards prizes, medals and awards for drivers and their crews.
- 2.1(f) To encourage those who use the roads to become more proficient and courteous.
- 2.1(g) To arrange to be given (by experts where possible) driving, navigation vehicle maintenance, safety and general interest lectures to members and (non-members where so decided) so that all may become more skilful in, more devoted to, and more understanding of sport and motoring in general.
- 2.1(h) To promote social activities within the Club
- 2.1(i) To be a non-profit making organisation. Accumulated profits are to be used for the requirements of the Club and be used at the Committees' discretion for the betterment of the Club.

### 3. COMMITTEE

3.1 A committee is to be elected at the Annual General Meeting for a period of twelve months. That committee shall consist of a President, Vice President, Secretary, Treasurer, Motorsport Secretary, Social Secretary, Web Secretary, Newsletter Secretary, Public Officer, Fundraising Secretary and Club Rego Registrar.

3.1 (i) All candidates for office must have been financial Members of the Club for a period of twelve months prior to the date of closing of the nominations. Candidates for the position of President, Secretary and Treasurer must have been financial Members of the Club for a period of twenty four consecutive months prior to the date of closing of the nominations and at some stage have held position within the committee for no less than twelve months. The nomination of all elective officers shall be sent to the Secretary on the prescribed form, and must be signed by the candidate and by one financial Club Member. In the event of more than one candidate being nominated for any particular office, the election shall be conducted by current financial Member ballot. The candidate receiving the greatest number of votes will be deemed elected, and in the event of an equal number of votes being cast, the chairman shall exercise the casting vote.

3.2 The committee shall have the power to 'co-opt' any member. Co-opted members shall not have voting rights on the committee.

3.3 The committee shall be the body, which determines all matters pertaining to the club.

3.4 Quorum at committee meetings shall be 50% of committee plus one.

3.5 Any committee member absent from 3 successive meetings shall vacate their position for the remainder of their current term unless leave of absence has been obtained. The Committee shall have the power to fill any position that becomes vacant during the current term.

3.6 The Committee shall have power to elect delegates to affiliated bodies. Such delegates must report to the first Committee meeting following the delegates' meeting. Delegates must vote as the Committee directs.

3.7 Each Committee member shall have one vote, except the President who shall have one personal vote and a casting vote, but only if a matter under vote is tied.

3.8 All Sub-Committees are to be under the control of the elected Committee.

3.9 The Committee shall have the power to expel any Club member who, (in a not less than 75% vote of all Committee members), has brought the club into disrepute, or constantly fails to abide by the constitution or protocols set down by this club.

3.10 The Committee shall control and manage the business and affairs of the Club. The committee has the power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the Club.

3.11. In the case of an emergency when the whole Committee, (or a Quorum), cannot attend or be contacted, an Executive Committee shall be authorised to make any decision pertaining to Club matters and that any decisions made by that Executive Committee must be reported to the next Committee meeting.

3.12 The Executive Committee shall consist of the President, Treasurer and Secretary.

## **5. OFFICE BEARERS**

5.1 The President shall oversee the running of all aspects of the Club and chair all meetings when he is present. He shall prepare a Club report for each copy of the quarterly newsletter and present an annual report of the Clubs activities at the Annual General Meeting.

5.2 The Vice President is to act as an assistant to the President, work under his direction and carry out the duties of the President in his absence.

5.3 The Secretary shall carry out all directions given at any Committee Meeting of the Club, receive all correspondence, prepare an agenda and take minutes of General, Committee, Executive and Annual General Meetings and notices for same.

5.3 (i) The Secretary shall have custody of membership records, minute books of meetings and the common seal of the Incorporated Association and is its authorised signatory.

5.4 The Treasurer shall receive all moneys paid to the Club and will deposit same in the Club bank account under the name of "SYDNEY DATSUN CLUB" and shall issue receipts for all moneys received and pay all accounts passed for payment by the Committee.

5.4(i) The Treasurer shall have custody of deposit, chequebook and bank investment certificates.

5.4 (ii) The Treasurer shall produce a statement of receipts and expenditure at any time required by the Committee and an audited report at the Annual General Meeting.

5.4(iii) All cheques must be signed by the Treasurer.

5.5 The Motorsport Secretary shall organise all competitions conducted by the Club with the exception of those of a social nature held at social gatherings, and give ample notice to the Committee of the nature and amount of preliminary work necessary to any forthcoming event. They shall receive all entry forms and hand same as soon as practical to the Treasurer. They shall be responsible for the preparation and issue of any rules and regulations are bought to the notice of all controlling officials and competitors. They shall report at General Meetings concerned any competition held since the preceding general meeting covering forthcoming events. All suggestions made to him at General Meetings shall be recorded by him for further reference.

5.6 The Social Secretary shall be in charge of social activities and catering arrangements and shall submit a statement to the Treasurer of monies expended on social activities. He shall also endeavour to meet new members and generally make them welcome to the Club.

5.7 The Web Secretary shall be in charge of the club website, publish notices of meetings and forthcoming competitive events and shall endeavour at every opportunity to promote the interests of the Club.

5.8 The Newsletter Secretary shall publish notices of meetings and forthcoming competitive events and shall endeavour at every opportunity to promote the interests of the Club. He shall edit all material received for publication and liaise with the Publisher in the prompt production of the Clubs' quarterly newsletter.

5.9 The Public Officer shall liaise with the press, other clubs and organizations, for the furtherment of the clubs objectives. He shall act for and on behalf of the Club at meetings and functions of organizations with which the Club is affiliated. He shall report on such attendance at General Meetings of the Club.

5.10 The Fundraising Secretary shall be in charge of fundraising events for the club including General Meeting Raffles. They shall receive all moneys and forward as soon as practical to the Treasurer. They shall report at General Meetings on funds raised since last General Meeting and forthcoming fundraising campaigns.

5.11 The Club Plate Registrar shall liaise with the NSW RTA and related organisations associated to Club Registration. They shall act for and on behalf of the Club at meetings and functions of such related organisations. They shall report on such attendance as well as all other Historic Registration matters at General Meetings of the Club.

5.11(i) The Club Plate Registrar shall promote the preservation and restoration of motor vehicles of historic significance and integrity.

5.11(ii) The Club Plate Registrar shall ensure all vehicles on Club registration adhere to the Sydney Datsun Club (Inc) Constitution for the use of Historic Vehicles.

## **6. ALTERATION OF CONSTITUTION AND PURPOSES**

6.1 All members must be given 21 days notice of alteration or amendments to this Constitution and Purposes. These may be dealt with at any Annual General Meeting or Committee Meeting called for this purpose. A three quarter majority vote of those members present at such meetings is necessary to alter or rescind any clause of this Constitution or Purpose.

## **7. MEMBERSHIP, SUBSCRIPTION, SOURCE OF FUNDS.**

7.1 All members shall be elected as ordinary members.

7.2 New and existing members are to pay an annual base subscription of \$40.00.

7.3 Members must be financial to vote at Annual and General Meetings.

7.4 Membership fees should be paid to the Treasurer annually on or before the due date.

7.5 The Club will derive its source of funds from the membership in the form of entrance fees, subscriptions and any other fund raising measures deemed suitable at the time.

7.6 Life Membership may be granted to members who in the opinion of the Club have given extraordinary service to the Club. Such elected members are to be nominated and seconded at an Annual General Meeting and passed by at least a three quarter majority vote of those members present at that time.

## **8. ANNUAL GENERAL MEETING**

8.1 Must be held no later than last Monday in April.

8.1 (i) Quorum at Annual General Meeting shall be 10 members.

8.1 (ii) Notice of meeting and the business to be transacted to be forwarded by post or e-mail to all financial members 21 days prior to the date of the meeting.

8.2 All matters pertaining to the rules of the Club shall be decided by a simple majority of Members voting at the Meeting.

8.3 The agenda shall include: -

8.3 (i) A determination of Subscription.

8.3(ii) An audited report from the Treasurer.

8.3 (iii) Election of office-bearers for the Committee.

8.3 (iv) Books and documents will be made available for inspection by the members.

8.3 (v) Any other business as determined by the Committee.

## **9. PROXY VOTING**

9.1 Shall only be permitted at any meeting held at the Club; Annual General Meeting or Executive Meeting in exceptional circumstances.

## **10. CLUB RULES**

10.1 The Committee shall have the power to determine Club Rules or protocols, which shall be abided to by all members.

10.1 (i) A copy of these rules/protocols is available upon request to any committee member

10.2 THE SYDNEY DATSUN CLUB (Inc) shall not be held responsible for any personal injuries, lost or damaged property or any legal matters, while on Club Functions, runs, etc. Participation is at own risk.

10.3 It is each member's individual responsibility to make sure he or she has a copy of, and is aware of the contents of the current constitution.

10.4 Any member or guest of the club caught doing deliberate burnouts; wheelies, or otherwise bringing the club into disrepute, may be fined \$20.00, (unless it is a legally organised event and such actions are condoned at that event), and may be subject to further disciplinary action as described in Section 3.9 of this constitution.

10.5 If a member of the SYDNEY DATSUN CLUB (Inc) brings a friend on a run, he or she is responsible for him or her and will be subject to rule 10.4.

10.6. Convoys will be organised on the day of the event.

## **11. CLUB BANK**

11.1 The Committee shall determine which bank is to be selected at any given time to best benefit the club and its members.

## **12. TRUSTEES**

12.1 The Committee of the Club shall be deemed to be the Trustees of the Club, to hold any property, real and personal belonging to the Club, unless otherwise allocated.

## **13. DISSOLUTION**

13.1 The Club may be dissolved if

13.1 (i) A resolution to this effect is carried by a three quarters majority of all those members present at a General Meeting, (twenty-eight days notice of the proposed resolution having been given to all members).

13.1 (ii) Financial Membership drops to 7 or less.

13.2 In the event of a Dissolution of the Club, all funds shall be donated to a charity designated by no less than three quarters majority of all those members present at that Final Meeting.

13.3 Property owned or held by the Club is to be made available to a designated Club, or Auctioned off and the proceeds, (should there be any received), dealt with in the manner as set out in 13.2 of this Constitution.

## 14 PRIVACY

14.1 The Club will and at all times abide by and keep relevant State and Federal Privacy Legislation and amendments as set down by those Authorities and more importantly: The Privacy Amendment (Private Sector) Act 2000 (Commonwealth) can be viewed in it's totality by contacting the Office of The Privacy Commissioner and requesting a copy.

14.2 The Club must not collect personal information unless the information is necessary for one or more of its functions or activities.

14.2 (i) The Club must collect personal information only by lawful and fair means and not in an unreasonably intrusive way.

14.3 At or before the time (or, if that is not practicable, as soon as practicable thereafter), that the Club collects personal information about an individual from any source, the Club must take reasonable steps to ensure that the individual is aware of:

14.3 (i) the identity of the organisation and how to contact it; and

14.3 (ii) the fact that he or she is able to gain access to the information; and

14.3 (iii) the purposes for which the information is collected; and

14.3 (iv) the organisations (or the types of organisations) to which the Club usually discloses information of that kind; and

14.3 (v) any law that requires the particular information to be collected; and

14.3 (vi) the main consequences (if any) for the individual if all or part of the information is not provided.

14.4 If it is reasonable and practicable to do so, the Club must collect personal information about an individual only from that individual.

14.5 If the Club collects personal information about an individual from some other source, it must take reasonable steps to ensure that the individual is or has been made aware of the matters listed in subclause 15.3 except to the extent that in the opinion of the Committee, making the individual aware of the matters would pose a serious threat to the life or health of any individual.

14.6 The Club will not use or disclose personal information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection unless both of the following apply:

14.6 (i) the secondary purpose is related to the primary purpose of collection and, if the personal information is sensitive information, directly related to the primary purpose of collection.

14.6 (ii) the individual would reasonably expect the Club to use or disclose the information for the secondary purpose

Or

14.6 (iii) the individual has consented to the use or disclosure.

## **15. PROPERTY**

15.1 The Committee shall keep an accurate record of all Club property and its whereabouts at any time. They shall also see that such equipment or property is kept in good order and used expressly for the Club use and not abused.

15.2 Any equipment being used on loan to members shall be properly signed for by the borrower and he shall see that such equipment is returned by the borrower as soon as possible.

15.3 The loss or damage of any equipment is to be replaced or repaired or paid for by the borrower.

15.4 The Committee shall report to the General Meeting the loss of equipment and will also report to the General Meeting new additions of equipment so that members are aware of the facilities for their use. Any member wishing to have the loan of any such equipment shall apply to the Committee for consideration. A bond may be held, by a committee member, for the duration of the loan of such equipment.