

Canberra Kart Racing Club

Fairbairn Park , Pialligo Avenue, Pialligo ACT 2609

## **CONSTITUTION**

**Canberra Kart Racing Club**

**Incorporated 1975**

Fairbairn Park Kart Circuit

Pialligo Avenue

Fairbairn Park, ACT

P.O. Box 1597

Fyshwick ACT 2609

**As amended at the 14<sup>th</sup> of August Annual General Meeting**

**Upgrade prior to AGM 2020**

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## **1. NAME**

The Club is known as “Canberra Kart Racing Club Incorporated” and is from here on referred to as the Club in this document.

## **2. OBJECTIVES**

The objectives of the Club are:

1. To promote karting in Canberra and Districts;
2. To participate in karting competitions;
3. To acquire and improve competition tracks and facilities;
4. To print and publish newspapers, periodicals, books, leaflets or other documents the Members may think desirable for the promotion of the objectives and purposes of the Club;
5. The borrowing and raising of money in such manner and on such terms as the Executive may think fit or as may be approved or directed by resolution passed at a General Meeting; and securing repayments of money so raised or borrowed or the payments of a debtor liability of the Club by giving mortgages, charges or securities upon or over all or any of the real or personal property of the Club; and
6. To take a proactive approach to building better relationships with other clubs in the region, including the provision of race officials.
7. The Club operates as a non-profit organisation. If in the event of the Club being dissolved, all tangible assets are to be donated to a non-profit organisation determined by the Executive.

## **3. MEMBERSHIP**

1. A person will not be admitted as a Member unless that person is nominated and seconded by a Member and his/her admission as a Member is approved by the Executive. A person who is nominated and approved for membership as provided in these rules is eligible to be a Member of the Club on payment of the annual subscription prescribed in or fixed under clause 6.
2. A member of the Club may be a Racing Member or a Non-Racing Member.
3. A Racing Member is a Member with a valid Karting NSW Inc. competition or practice licence.
4. Any other Member is a Non-Racing Member.
5. The liability of a Member 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 clause 6.
6. Members who are under the age of eighteen are not eligible to vote at any Club Meetings.

## **4. RESTRICTIONS**

No restrictions of race, creed, sex, age or colour will be applied by the Club or any Member in relation to any Club activity.

## **5. CONDITIONS**

The Club shall have no political or denominational affiliations.

## **6. SUBSCRIPTIONS AND FEES**

1. Subscription Fees are payable according to the Member's category:
2. Individual Member.
3. Family Member (Members who are in the same family).
4. Honorary Member (Members who have been granted honorary membership of the Club by the General Members and are subject to annual review).
5. Life Member (Members who have been granted life membership of the Club by the General Members).
6. Subscription fees are annual and will be set for the ensuing year at the Annual General Meeting and will be voted on and agreed to by the majority of Members present and notified in the Club Newsletter.
7. Annual membership commences on the date recorded on the receipt for payment of the subscription fee and is valid for a period of 12 calendar months.
8. All fees, excluding the annual subscription, will be recommended by the Executive and ratified by the Members at a General Meeting.
9. All relevant fees, including Karting NSW Inc. competition or practice fees, if appropriate, must be paid at the same time as the annual membership.
10. Clause 6 does not apply to the setting of Karting NSW Inc. fees.

## **7. MANAGEMENT**

1. The general management of the Club is vested in the Executive Committee, herein to be referred to as the Executive and bound by this Constitution.
2. Each member of the Executive is an Officer.
3. The Executive consists of all the elected Officers of the Club.
4. The Executive implements the wishes of the General Members as expressed by the majority of Members at a General Meeting.
5. The Executive may be assisted by Sub-Committee(s).
6. The number of Sub-Committees may be increased or decreased by the Executive to ensure the efficient management of the Club.
7. An Officer shall chair each Sub-Committee.
8. As a means of protecting the club; the Executive Positions of Chief Executive Officer, Executive Officer, Secretary and Treasurer may not be filled by Members or non-Members who derive any form of income from the Karting industry.

## **9. OFFICERS**

1. All Officers shall be eighteen years of age or older.
2. The Officers consist of a Chief Executive Officer, Executive Officer, Financial Controller, Race Director, Member Liaison Director, Promotions Director and Secretary. Officers are empowered to hold all licences on behalf of the Club.
3. On advice from the Executive the Members may elect Assistant Officers who will assist Officers in the execution of their duties but will not have the voting rights of Officers.
4. Except in extenuating circumstances, an Officer who is absent from three consecutive Executive or General Meetings will be advised by the secretary that the seat of that Officer will be deemed vacant at the next General Meeting and the election of a replacement Officer will be undertaken in accordance with clause 10(d) of this constitution.
5. The seat of an Officer will be declared vacant following the passing of a vote of no-confidence motion by the majority of the Members at a General Meeting. The no-confidence motion must be moved and seconded one month prior to the voting on the motion. All Members are to be advised by the Executive of the no-confidence motion and the date of the next General Meeting at which the motion will be voted. The option will be decided by two-thirds majority of the Members present at the General Meeting.

## **10. RESPONSIBILITIES OF OFFICERS AND SUB COMMITTEES**

The responsibilities of Officers and the responsibilities and composition of the Sub-Committees are defined in Supplementary Details as specified by the Executive and published in the Newsletter, Website and on the Club Notice Board. The Supplementary Details do not form part of the Constitution.

## **11. ELECTIONS**

1. At the Annual General Meeting, the Members shall elect the Officers of the Club consistent with clause 8(b)
2. Retiring Officers may offer themselves for re-election.
3. Candidates for any position shall be nominated and seconded, and if there is more than one candidate for any position, the successful candidate shall be decided by a secret ballot.
4. Any position on the Executive that becomes vacant prior to the Annual General Meeting shall be filled, in accordance with Rule10c at the next available General Meeting. The proposed election shall be advised to Members no less than seven (7) days prior to the General Meeting.

5. A caretaker Officer may be appointed, subject to ratification by the Members at the next General Meeting, by the Executive to fill short-term vacancies not exceeding ninety (90).

## **12. VOTING RIGHTS**

1. Only current financial Members, who have been Members for more than three (3) months, have the right to vote at General Meetings, Special Meetings and Annual General Meetings.
2. Only Officers of the Club have the right to vote at Executive Meetings.
3. Members who are under the age of 18 are not eligible to vote at General Meetings, Special Meetings or Annual General Meetings.
4. Current financial Members may attend any or all Executive meetings as observers, Observers may speak if invited to by the Chairperson. Members observing Executive meetings do not have voting rights at such meetings. Any part of an Executive meeting may be held in camera at the request of a majority of attending Officers.
5. In the case where the vote is tied at any meeting the Chairperson will have the casting vote.

## **13. PROXY**

If a Member is unable to attend a meeting, he/she may sign an authority for the then meeting or nominated issues, specifying a delegate to vote on their behalf. The delegate is to be presented to the Chairperson of the meeting, at the beginning of the meeting, and the Chairperson will grant a proxy to the requested delegate. The delegate must have voting rights and be present at the meeting. The Chairperson will advise the meeting of the number of proxy votes being exercised prior to the vote on each resolution. Proxy votes are limited to one (1) proxy per financial member at meetings.

## **13. MEETINGS**

1. An Executive Meeting shall be held on the second Wednesday of every month, followed by a General Meeting commencing February of each calendar year.
2. General Meetings are taken to have been communicated to members via the Club website.
3. Members are invited to submit Motions to the secretary no later than 48 hours prior to a scheduled General Meeting. The Secretary will include submitted Motions in the Agenda for the scheduled General Meeting.
4. An e-News will be distributed within 48 hours of a scheduled General Meeting notifying member of such meeting.
5. The Annual General Meeting shall be held in place of the August General Meeting.
6. At the Annual General Meeting, Members shall agree on a temporary Chairperson for the purposes of conducting the election of Officers.

7. The Chief Executive Officer or a nominee (who is a financial member of the Club and is 18 years or older) of the Chief Executive Officer shall act as Chairperson at all Executive, Special and General Meetings with the exception expressed in clause 13(c).
8. In the absence of the Chief Executive Officer or nominee of the Chief Executive Officer the Executive Officer shall chair the meeting.
9. In the absence of the Chief Executive Officer, nominee of the Chief Executive Officer and the Executive Officer, the meeting shall elect a Chairperson.
10. A Special Meeting may be called at any time on a requisition signed by twenty-one (21) financial Members with voting rights. Members are to be given twenty-one (21) days' notice of the Special Meeting via the Newsletter and Club Website and the agenda of the meeting is to be stated. The requisition is to be handed to the Chief Executive Officer who shall instruct the Secretary to inform Members.
11. Eleven (11) Members shall constitute a Quorum at all General Meetings and Special Meetings.
12. A quorum of any Executive meeting will be the next whole number of officers greater than half the number of officers appointed to the Executive.

#### **14. FORM OF NOTICE**

A document which is posted and correctly addressed, as indicated by current Club records, unless the contrary is proved, is deemed to have been given to the addressee at the time at which the letter would have been delivered in the ordinary course of post.

#### **15. REPORTS**

1. The Annual Report and Balance Sheet are to be presented at the Annual General Meeting.
2. In the event that the Auditors report is not available for the Annual General Meeting it is to be presented at the next General Meeting.
3. The report of the Club's financial position is to be presented by the Financial Controller, or a nominated Officer, at each General Meeting.
4. Reports made to the Executive are to be preferably made in writing.

#### **16. DISCUSSIONS**

1. All discussions at General, Special and Executive Meetings will be governed by the usual rules of debate.
2. No political, racial or religious discussions will be permitted at any Club meeting.

#### **17. MINUTES**

Minutes of each meeting will be prepared by the Secretary and confirmed at the following meeting.

## **18. DISCIPLINARY ACTION**

1. The Executive reserves the right to call before it any Member whose conduct is considered prejudicial to the interest of the Club or contrary to the Code of Behaviour (refer clause 18(e)). Following this hearing the Executive will be vested with the power to suspend, at its own discretion, the rights of any Member considered guilty of conduct prejudicial to the interest of the Club or contrary to the Code of Behaviour. Written notice of suspension must be sent to the Member immediately by certified mail (refer clause 14). Any member will, at his/her request, have the right to appeal such a suspension and have that appeal heard at a General Meeting.
2. In the event of the Executive suspending a Member in accordance with clause 18(a), no refund or part or all of any fees will be available to the suspended Member.
3. Intemperate behaviour by any person attending any other Club activity will not be tolerated. Any Member of the Club Executive may request the person(s) concerned to leave.
4. The Club shall prepare a Code of Behaviour, agreed to by Members at a General Meeting, in relation to all people participating in or observing Club activities and shall publish this in the Newsletter, Website and on the Club noticeboard. The Code of Behaviour does not form part of the Constitution.

## **19. FUNDS**

The funds of the Club will be banked with an institution acceptable to the Members of the Club in the name of the Club, to be operated on by the Financial Controller and either the Chief Executive Officer or the Secretary.

## **20. EXPENDITURE OF FUNDS**

1. All proposed expenditure of Club funds will be submitted to the Members at a General Meeting for approval.
2. All normal expenditures required to conduct race meetings and routine Club administrative costs are exempt from clause 20 (a)

## **21. AUDITS**

1. At each Annual General Meeting of the Club the Members present will appoint a person who is suitably qualified and not a Member, as the Auditor of the Club.
2. A person so appointed will hold office until the Annual General Meeting after that at which he/she was appointed and is eligible for re-appointment.



## **22. FINANCIAL YEAR END**

For the purpose of financial control and audit, the end of each financial year is 30 June.

## **23. CUSTODY OF BOOKS**

The Secretary shall have the custody of all records, books and other documents and securities of the Club.

## **24. INSPECTION OF BOOKS AND DOCUMENTS**

The records, books and documents of the Club shall be available for inspection by members of the Club at a mutually agreeable place and time.

## **25. PUBLIC STATEMENTS**

Only the Chief Executive Officer, the Executive Officer or the Public Officer are allowed to make official public statements on behalf of the Club.

## **26. AMENDMENTS TO THE CONSTITUTION**

1. The Constitution may be amended by resolution passed by a three quarters or 75% majority of voting Members present at a Special Meeting.
2. Notice of the proposed amendments will be included in the notice calling the Special Meeting.
3. Members will be given twenty-one (21) days' notice of such Special Meetings.

## **27. RACING**

The Racing Regulations and Specifications, together with any amendments thereto laid down by Karting NSW Inc. will apply and are hereby adopted for each classification of machinery.

## **28. SEAL**

The Seal of the Club shall not be affixed to an instrument except by the authority of the Executive and the affixing thereof shall be attested to by the signatures either of two Members of the Executive or of one Member of the Executive and of the Public Officer of the Club or such other person as the Executive may appoint for that purpose and that attestation is sufficient for all purposes that the Seal was affixed by authority of the Executive.

## **30. PUBLIC OFFICER**

The Secretary shall be the Public Officer for the Club.

