

# **HISTORIC FORMULA VEE ASSOCIATION of AUSTRALIA INC.**

# **CONSTITUTION**

**(Approved 29th JUNE 2006)**

# Constitution

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## **1. NAME**

- 1.1 The name of the Organisation is the Historic Formula Vee Association of Australia(Inc.), hereinafter referred to as the "**Association**".

## **2 OBJECTIVES**

- 2.1 The objectives of the Association are :

To establish, maintain and advance Historic Formula Vee as an entry level of historic motor sport, that is attractive and accessible to a broad range of participants, including people of different age groups, varying levels of athleticism, and divergent economic circumstances

## **3 POWERS OF THE ASSOCIATION**

- 3.1 To acquire, hold, deal with, and dispose of any real or personal property.  
3.2 To open and operate bank accounts.  
3.3 To invest its money -  
(a) in any security in which trust moneys may be invested; or  
(b) in any manner authorised by the rules of the Association;  
3.4 To appoint agents to transact any business of the Association on its behalf; and  
3.5 To enter into any other contract the Association considers necessary or desirable.

## **4 MEMBERSHIP**

- 4.1 Membership shall be open to any person who wishes to further the interests of the Association.  
4.2 Each member shall be;  
**4.2.1** bound by the Constitution, and By Laws of the Association.  
**4.2.2** liable for such fees and subscriptions as may be fixed by the Association  
**4.2.3** entitled to all advantages and privileges of membership
- 4.3 Membership categories:-  
**4.3.1 ORDINARY MEMBER**  
Any member who drives an Historic Formula Vee and is a financial member of the Association. An ordinary member is entitled to hold office and enjoy the privileges of the Association.  
**4.3.2 SOCIAL MEMBER**  
Persons other than ordinary members who are interested in promoting the Association, but does not drive an Historic Formula Vee, may become a Social Member. A Social Member is not entitled to hold office and shall have no voting rights.  
**4.3.3 LIFE MEMBERSHIP**  
Any member who has given outstanding service to the Association may be elected by the Management Committee as a Life Member. A Life Member is entitled to hold office and shall have voting rights.  
**4.3.4 PATRON**  
The Association may, at its discretion elect a patron/s or vice patron/s of the Association for such a period as may be deemed necessary. Such patron/s or vice patron/s shall not be eligible to vote unless they are current members of the Association under another category of membership.
- 4.4 The Management Committee shall appoint a member of the Management Committee to maintain an up to date register of members of the Association.

- 4.5 A member may at any reasonable time inspect the records and documents of the Association.

## **5 TERMINATION OF MEMBERSHIP**

- 5.1 Any person's membership may be terminated by resignation or :-
- 5.2 Suspended by the Management Committee for giving false or inaccurate statements made in the member's application for membership of the Association, breach of rule, regulation or By Law of the Association or commit any act detrimental to the Association.
- 5.3 Any member who is expelled, suspended or has their membership terminated shall have the right of appeal against their suspension or expulsion by presenting their case to a Special General Meeting called for such a purpose, and the decision of the Special General Meeting shall be final.

## **6 MANAGEMENT COMMITTEE**

- 6.1 Management of the Association shall be vested in the Management Committee elected by the members at the Annual General Meeting and consisting of:
- (a) President
  - (b) Vice-President
  - (c) Secretary
  - (d) Treasurer
  - (e) Three ordinary members
  - (f) Other office bearers as deemed necessary
- 6.2 A quorum of the Management Committee shall be four(4).
- 6.3 If the President or Vice President is unable to attend, then a Chairperson nominated by the meeting shall chair that meeting.
- 6.4 Should any Management Committee member be absent for three (3) consecutive General Committee Meetings including the Annual General Meeting without reasonable cause, his or her position shall be declared vacant.
- 6.5 The Management Committee shall have power to appoint a member to any vacancy so created.
- 6.6 The Executive Committee shall comprise the President, Vice-President, Secretary, and Treasurer. Any three (3) of whom have the power to make ad-hoc decisions as necessary regarding the efficient running of the association. Such decisions shall be minuted at the next general committee meeting.
- 6.7 Management Committee Meetings shall be held at such time and place as the Management Committee shall decide.
- 6.8 The Management Committee shall each year prepare and publish a association magazine

## **7 POWERS OF THE MANAGEMENT COMMITTEE**

- 7.1 The Management Committee shall carry out the day to day running of the Association and shall have power to:
- 7.1.1** Administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;
  - 7.1.2** Fix the manner in which such banking accounts shall be operated upon;
  - 7.1.3** Fix any fees , levies, fines and charges payable by and enforce payment thereof;

- 7.1.4 Adjudicate on all matters brought before it which in any way affect the Association;
- 7.1.5 Cause minutes to be made of all proceedings at meetings of the Management Committee, Special General Meetings and Annual General Meetings.
- 7.1.6 Make, amend and rescind rulings and By Laws;
- 7.1.7 Form and appoint any sub committee/s as required.
- 7.1.8 Employ a person or persons to carry out certain duties required by the Association for remunerations for such period of time as may be deemed necessary;
- 7.1.9 Appoint a successor should a vacancy occur on the Management Committee.
- 7.1.10 Appoint an officer/s or agent of the Management Committee to have custody of the Association's records, documents and securities.

## **8 GENERAL MEETINGS**

### **8.1 Annual General Meeting**

- 8.1.1 The Annual General Meeting of the Association shall be held not later than 30<sup>th</sup> November each year;
- 8.1.2 The Secretary shall give at least twenty one (21) days notice of the date of the Annual General Meeting to members;
- 8.1.3 All interested parties may attend the Annual General Meeting;
- 8.1.4 Any correspondence and notice shall be served by posting such correspondence and/or notice to the last address provided by the member to the Secretary. Any correspondence or notice posted to the last address provided by the member to the Secretary shall be deemed to have been received by the member to whom such correspondence or notice was addressed.
- 8.1.5 The quorum of the Annual General Meeting shall be a minimum of 10 members. If at the end of 30 minutes after the time appointed in the notice for the opening of the meeting there be no quorum the meeting shall stand and adjourn for one week. If at such meeting there is no quorum those members present shall be deemed competent to discharge the business of the meeting;
- 8.1.6 The agenda for the Annual General Meeting shall be:
  - Opening of meeting
  - Apologies
  - Confirmation of minutes of previous Annual General Meeting
  - Receive reports from the President, Secretary and Treasurer, including Income and Expenditure statement for the previous financial year.
  - Election of new Management Committee
    - (a) President
    - (b) Vice President
    - (c) Secretary

- (d) Treasurer
  - (e) Three ordinary members
  - (f) Other office bearers as deemed necessary
- Notice/s of motion.  
General business.  
Closure.

## **8.2 Special General Meetings**

- 8.1.7** Special General Meetings shall be called by the President upon receipt in writing from at least five (5) members, specifying the matter or matters which the Special General Meeting shall consider.
- 8.1.8** The Secretary shall notify all members of such meeting, which shall take place not earlier than twenty-one (21) days and not later than twenty-eight (28) days after such notice.
- 8.1.9** The Special General Meeting shall deal only with those matters in respect of which notice has been given.
- 8.1.10** No items of business shall be transacted at any Special General Meeting unless a quorum is present at the time when the item is being considered.
- 8.1.11** The quorum of the Special General Meeting shall be a minimum of 5 ordinary members of which three (3) management committee must be present.

## **9 VOTING**

- 9.1 Voting powers at the Annual General Meeting and Special General Meetings;
  - 9.1.1** The President shall be entitled to a deliberating vote and in the event of a tied vote, the President shall exercise a casting vote.
  - 9.1.2** Each ordinary member present shall have (1) one vote.
- 9.2 Voting powers at Management Committee Meetings;
  - 9.2.1 The President shall be entitled to a deliberating vote, and in the event of a tied vote, the President shall exercise a casting vote.
  - 9.2.2 Each Management Committee member present shall have one (1) vote.

## **10 FINANCE**

- 10.1 All funds of the Association shall be deposited into the Association's accounts at such bank or recognised financial institution as the Management Committee may determine.
- 10.2 All accounts due to the Association shall be paid after having been passed for payment at the Management Committee Meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next Management Committee Meeting.
- 10.3 A statement showing the current financial situation of the Association shall be tabled at each Management Committee Meeting by the Treasurer.
- 10.4 A Statement of Income and Expenditure shall be presented to the Annual General Meeting.
- 10.5 The financial year of the Association shall commence on 1<sup>st</sup> July each year.

- 10.6 Moneys received by the Treasurer shall be deposited in the association's bank account within an appropriate time.
- 10.7 No loans shall be given to any person or organisation for any reason.
- 10.8 The signatories to the Association's accounts shall be any two of:
1. President
  2. Secretary
  3. Treasurer
- 10.9 The assets and income of the association shall be applied solely in the furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the association except as bona fide compensation for services rendered or expenses incurred on behalf of the association.

## **11 SECRETARY**

- 11.1 The Secretary of the Association must, as soon as practicable after being appointed, lodge notice with the association of his or her address.
- 11.2 It is the duty of the secretary to keep minutes of:
- 11.2.1 All appointments of office-bearers and members of the management committee,
  - 11.2.2 The names of members of the committee present at a committee meeting or a general meetings.
  - 11.2.3 All proceedings at management committee meetings and general meetings.
- 11.3 Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- 11.4 All minutes of Management Committee meetings shall be distributed to all Management Committee members within 14 days of the meeting.
- 11.5 The secretary shall jointly hold the position of Public Officer.

## **12 FEES**

- 12.1 Registration fees should be paid prior to a date determined by the management committee.

## **13 LIFE MEMBERSHIP**

- 13.1 The Association shall have the power to elect one or more Life Members at the Annual General Meeting or Special General Meeting as required.
- 13.2 Nominations shall be by letter to be received by the Secretary at least twenty-one (21) days prior to the Annual General Meeting or Special General Meeting which must be signed by the Nominator and seconded by an ordinary member or a management committee member. All nominations must specify grounds for nomination.
- 13.3 Each nominee is to have given no less than five (5) years of service to the Association.
- 13.4 To be elected a Life Member, the nominee must receive the support of at least 75 percent of the members in attendance. Voting to be conducted by secret ballot.

- 13.5 The nominee upon election shall be entitled to receive free subscription to the Association for His/Her family from that day forward and be presented a Life Member memento at the Association's AGM. The cost and type of memento to be determined by the management committee

#### **14 COMMON SEAL**

- 16.1 The common seal of the Association shall be kept in the care of the Secretary. The seal shall not be used or affixed to any deed or other document except pursuant to a resolution of the Management Committee and in the presence of at least the President and two members of the Management Committee, both of whom shall subscribe their names as witnesses.

#### **15 ALTERATION TO THE CONSTITUTION AND BY LAWS**

- 15.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting or a Special General Meeting called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members at least twenty one (21) days prior to a Meeting called for such purpose.
- 15.2 Alterations to the By Laws can only be made at Management Committee Meetings provided notice of the proposed alteration/s has been duly notified to Committee Members.
- 15.3 Alterations to the Constitution shall be submitted in writing to the Secretary at least twenty eight (28) days prior to the Meeting
- 15.4 Such motions or any part thereof shall be of no effect unless passed by a seventy-five (75) percent majority (Special Resolution) of those present and entitled to vote at the Annual General Meeting, Special General Meeting or Management Committee Meeting as the case may be.

#### **16 DISSOLUTION**

The Association shall be dissolved in the event of the membership being less than seven (7) members or upon the vote of a 90% majority of the members present at a Special Meeting convened to consider such a question. Upon dissolution, assets and funds on hand may after payment of all expenses and liabilities be handed over to such other club or similar association having objects as are stated in Article II of this Constitution or such a registered charity as a majority of members present at a General Meeting may decide.

#### **17 CODE OF CONDUCT**

- 19.1.1 All persons affiliated to the Association must adhere to the appropriate Code of Conduct listed in the CAMS manual and as per item 17 of the CAMS constitution.

## **BY-LAWS**

Preamble: The enforcement of Association Rules is essential to the protection of all Formula Vee owners. The filing of formal protests, however, as a means of such enforcement, is detrimental to the Association and to the entire Formula Vee programme, and should be avoided except as a last resort. It is therefore the intent of these By-Laws to prevent as many as possible of such protests by providing procedure for considering questions of legality within the Association

1. SEALING :

(a) Purpose: The purpose of sealing a Formula Vee vehicle shall be to signify that immediately prior to assembly the component parts sealed have been inspected by an authorised Association scrutineer and have been found to comply with the Association's eligibility rules..

(b) Method: To be determined by committee and to be conformed with by all Sealers and Scrutineers.

(c) Association Eligibility Scrutineering:

Association Eligibility Scrutineers shall be appointed by the Management Committee. The duties of the Association Eligibility Scrutineers shall be to check Formula Vee vehicles for eligibility:

(i) On initial application for a vehicle log book.

(ii) Immediately prior to seals being affixed.

(iii) At the direction of the Management Committee except where dismantling of sealed components or drive train would be involved.

(d) Professional Sealers:

Additionally, upon recommendation of a General Meeting, the Committee may appoint persons, who may undertake sealing of Formula Vee vehicles on a professional basis. The Committee reserves the right to satisfy itself that the qualifications and integrity of such persons meet the Association's standards at all times. The appointment of such persons may be revoked by the Committee at any time without prejudice to either the appointee/s or the Association.

(e) It shall be a requirement that, to comply with the regulations of the Historic Formula Vee Association, any car shall be sealed in accordance with the foregoing By-Laws.

2. Only vehicles conforming to the regulations of the Formula Vee Association shall be eligible to compete as Formula Vee racing cars.

3. Any person joining the Association agrees; that under no circumstances will he bring legal action against the Association, or any of its Officers for the performance of any act authorised by the Constitution or By-Laws of the Association.

4. The Association shall not be liable for any debts contracted by its officers or members unless authorised by the Official signatories of the Management Committee.