

Club name and district (if applicable)

THE CONSTITUTION

Date

CONTENTS

1	NAME OF CLUB	3
2	OBJECTIVES	3
3	EXECUTIVE AND MANAGEMENT COMMITTEE	3
4	DEFINITIONS	6
5	MEMBERSHIP / CESSATION / RESIGNATION OF MEMBERSHIP	7
6	REGISTER OF MEMBERS	9
7	FEES AND SUBSCRIPTIONS	9
8	MEMBERS' LIABILITIES	9
9	RESOLUTION OF INTERNAL DISPUTES	10
10	DISCIPLINING OF MEMBERS	10
11	EXPULSION OF A MEMBER	10
12	RIGHT OF APPEAL OF A DISCIPLINED MEMBER	11
13	POWERS OF THE COMMITTEE	11
14	CONSTITUTION AND MEMBERSHIP	12
15	ELECTION OF MEMBERS	12
16	SECRETARY	13
17	TREASURER	13
18	CASUAL VACANCIES	14
19	REMOVAL OF MEMBER	14
20	MEETINGS	14
21	DELEGATION BY COMMITTEE TO SUB-COMMITTEE	15
22	VOTING AND DECISIONS	16
23	ANNUAL GENERAL MEETINGS – HOLDING OF	16
24	ANNUAL GENERAL MEETINGS – CALLING OF AND BUSINESS AT	17
25	SPECIAL GENERAL MEETINGS – CALLING OF	17
26	NOTICE	18
27	PROCEDURE	18
28	PRESIDING MEMBER	19
29	ADJOURNMENT	19
30	MAKING OF DECISIONS	19
31	SPECIAL RESOLUTION	20
32	VOTING	20
33	APPOINTMENT OF PROXIES	21
34	INSURANCE	21
35	FUNDS – SOURCE	21
36	FUNDS – MANAGEMENT	21
37	ALTERATION OF OBJECTS AND RULES	22
38	CUSTODY OF BOOKS	22
39	INSPECTION OF BOOKS	22
40	SERVICE OF NOTICES	22
41	DISSOLUTION OF THE CLUB	23

1. Name of Club

The organization formed by this constitution and rules shall be known as the

.....
Herein after referred to as the “Club”

2. Objectives

The Club is a non profit organization formed to:

2.1 To participate in, and promote, recreational four wheel driving on public and private property, in a responsible and safe manner.

2.2 Promote the conservation of our natural and cultural heritage and the sustainable use of our Parks and Reserves.

2.3 To encourage friendship and cooperation between club members and the community in general, through the organisation of, and participation in, club meetings, four wheel drive trips, social activities and competitions with other similar clubs.

2.4 Promote and encourage responsibility towards all members of the general public during the course of club activities.

2.5 Conduct classes and meetings where members will be encouraged to obtain knowledge enabling them to become proficient in driving safely, accessing tracks with environmental sensitivity, safe off road handling, navigation, care and maintenance of their vehicle.

2.6 Support all persons, associations, clubs, political party, or any organization with interests of a similar nature to those of this Club.

2.7 Borrow, raise or in any other fashion, permitted by law, find money to further these objects.

2.8 Do all such acts, matters and things permitted by law, and whether similar to or different from the above, which in the opinion of the Club, may assist in any way to achieve the club's objectives and ideals.

3. Executive and Management Committee

3.1 The Executive will be elected by the members in accordance with the rules of the club, and shall consist of the :

President

Vice President

Treasurer
Secretary

A member can only hold one position on the executive at any time.

The Management Committee will comprise of the Executive Members [and 3 other members]. The Executive may appoint club members of good standing to the positions such as:

Trip Co-Ordinator/s
Special Projects Co-ordinators
Equipment & Technical Officer/s
Magazine Editor
Public Relations
Driver Training Officers
Environmental Officers
Aboriginal Liaison Officers
Insurance Officers
Political Liaison Officers
Regional Subcommittee Delegate
State Association Delegate

The holders of these positions may attend any management committee meeting and engage in discussions of any issue.

The day to day management of the Club will be vested in the Management Committee.

A temporary committee will hold office until the Club has signed its constitution, elected its Executive, secured 4WD NSW & ACT membership, name registration and the books of account, including bank account, and a membership register is established.

Committee members must be financial members of the Club and in good standing, prior to nomination and election of the committee.

A committee member may hold any number of [other] positions at any one time.

Nominations for President will only be accepted up to 30 days before the Annual General Meeting

Nominations for the Executive (other than President) and Committee members will be accepted up to and including the day of the Annual general Meeting (AGM).

Current Committee members will resign at each AGM and may nominate for re-election.

3.2 Responsibilities of Executive Offices

President - To conduct and chair committee meetings and be responsible for the overall organisation of the club and its committee. This will also encompass delegation of responsibilities and duties to committee members as required for the efficient administration of the Club. The President will also assume the responsibility of the Club's Public Officer for various statutory duties.

Vice President - Shall assist the President in the performance of duties and act on their behalf in their absence.

Secretary - Will be responsible for the recording the minutes of committee meetings and for the maintenance of the membership register.

Treasurer - Responsible for all monies received and paid by the Club. Responsibility is extended to maintaining accurate records of all transactions with a monthly [or as otherwise decided by the executive] reconciled statement presented to the committee meetings. On an annual basis the Treasurer is responsible for preparing financial statements as required by the committee and [if applicable] their external auditors.

3.3 Responsibility of other Positions

Trip Co-ordinators - To ensure that all proposed Club trips submitted to the club in the standard format and are subsequently reviewed to ensure members safety and that the trip's purpose is in line with the objectives of the Club. To sanction trips as official Club trips, to arrange or check that trip logs and the classification of trip degree of difficulty, are documented in standard formats and passed on to prospective participants. Trip documentation is to be kept for the club files including a post trip report in line with the Clubs standard format and photographs for our newsletter. Trip coordinators must have completed a driver training course and be in a position to instruct new members where necessary.

Special Projects Co-ordinator- The duties are primarily to plan and organise project relating to the 4WD NSW & ACT's commitment the MOU with the National Parks and Wildlife Service, and other Government Departments. The organising of other projects as agreed by the Management Committee from time to time.

Equipment & Technical Officers - To maintain the Club's equipment and reference material by physical maintenance and tracking members usage by appropriate record keeping and inventory checks. The building of maintenance of a Club reference library of recreational information, maps, trip logs, videos, literature on driving techniques etc is the responsibility of the Equipment & Technical Officers.

Magazine Officer - To coordinate the preparation of a club newsletter periodically as determined by the committee.

Public Relations Officer - To develop and maintain the Clubs Internet home page with the dissemination of correspondence via the home page. All general Club and member correspondence will be coordinated via the Public Relations Officer.

Driver Training Officer – Driver training officers will coordinate the driver training for Club members and ensure the registrar is informed so that membership records can be updated. Also liaise with the Driver Training Unit of 4WD NSW & ACT on behalf of the club.

Environmental Officer - The duties will include education of members regarding the environmental standards required by the committee. Planning and execution of environmental exercises and projects. In co-operation with the Public Relations Officer, the Magazine Officer and the Special Projects Officer, distribution of information about environmental projects undertaken by the club.

Aboriginal Liaison Officer- To liaise with Aboriginal groups, landholders, when planning trips. To educate members regarding the sensitivity of travelling through Aboriginal lands. To liaise with the Aboriginal Officer of 4WD NSW &ACT.

Insurance Officer - To liaise with the Insurance Broker appointed by the ANFWDC and the NSW Insurance Officer appointed by 4WD NSW & ACT. To assist members effect insurance for their vehicles, and handle any issues relating to the public liability, worker accident insurance, and other insurance made available through the ANFWDC.

Political Liaison Officer - To liaise with political parties and 4WD NSW &ACT officers involved in the Access for All movement. To provide information to members regarding issues of a political nature impacting on the club.

State Association Delegate – To attend State meetings whereby voting by clubs affiliated with 4WD NSW & ACT impact the administration of the Association in all manners.

The responsibilities stated above act as a guide to responsibilities of the various officers however may be changed from time to time by the committee as required and as agreed by the committee.

4 Definitions

4.1 In these rules:

Director-General means the Director-General of the Department of Fair Trading.

ordinary member means a member of the committee who is not an office-bearer of the association, as referred to in rule 14(2).

secretary means:

- (a) the person holding office under these rules as secretary of the club, or
- (b) if no such person holds that office – the public officer of the club.

Special general meeting means a general meeting of the club other than an annual general meeting.

the Act means the Associations Incorporation Act 1984.

the regulation means the Associations Incorporation Regulation 1999.

4.2 In these rules:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

4.3 The provisions of the Interpretation Act 1987 apply to and in under the Act. respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made

5 Membership

5.1 Membership qualifications

A person is qualified to be a member of the club if, but only if:

- (a) the person is a person referred to in section 15(1) (a), (b) or (c) of the Act and has not ceased to be a member of the club at any time after incorporation of the association under the Act,

or

the person is a natural person:

- (i) who has been nominated for membership of the club as provided by rule 3, and
- (ii) who has been approved for membership of the club by the committee of the club.

5.2 Nomination for membership

- 5.2 (1) A nomination of a person for membership of the club:
- (a) must be made by a member of the club in writing in the form set out in Appendix 1 to these rules, and
 - (b) must be lodged with the secretary of the club.
- 5.2 (2) As soon as practicable after receiving a nomination for membership, the secretary must refer the nomination to the committee which is to determine whether to approve or to reject the nomination.
- 5.2 (3) As soon as practicable after the committee makes that determination, the secretary must:
- (a) notify the nominee, in writing, that the committee approved or rejected the nomination (whichever is applicable), and
 - (b) if the committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under these rules by a member as entrance fee and annual subscription.
- 5.2 (4) the secretary must, on payment by the nominee of the amounts referred to in clause (3) (b) within the period referred to in that provision, enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the club.

5.3 Cessation of membership

A person ceases to be a member of the club if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the club.

5.4 Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the club:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

5.5 Resignation of membership

5.5 (1) A member of the club is not entitled to resign that membership except in accordance with this rule.

5.5 (2) A member of the club who has paid all amounts payable by the member to the club in respect of the member's membership may resign from membership of the club by first giving to the secretary written notice of at least one month (or such other period as the committee may

determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

5.5 (3) If a member of the club ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

6 Register of members

6.1 The public officer of the club must establish and maintain a register of members of the club specifying the name and address of each person who is a member of the club together with the date on which the person became a member.

6.2 The register of members must be kept at the principal place of administration of the club and must be open for inspection, free of charge, by any member of the club association at any reasonable hour.

6.3 A member of the club may obtain a copy of any part of the register on payment of a fee of \$1 for each page copied or, if some other amount is determined by the committee, that other amount.

7 Fees and subscriptions

7.1 A member of the club must, on admission to membership, pay to the club a fee of \$1 or, if some other amount is determined by the committee, that other amount.

7.2 In addition to any amount payable by the member under clause (1), a member of the club must pay to the club an annual membership fee of \$2 or, if some other amount is determined by the committee, that other amount:

- (a) except as provided by paragraph (b), before 1 July in each calendar year, or
- (b) if the member becomes a member on or after 1 July in any calendar year – on becoming a member and before 1 July in each succeeding calendar year.

8 Members' liabilities

The liability of a member of the club 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 rule 8.

9 Resolution of internal disputes

9.1 Disputes between members (in their capacity as members) of the club, and disputes between members and the club, are to be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.

9.2 At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

10 Disciplining of members

10.1 A complaint may be made to the committee by any person that a member of the club:

- (a) has persistently refused or neglected to comply with a provision or provisions of these rules, or
- (b) has persistently and wilfully acted in a manner prejudicial to the interests of the club.

10.2 On receiving such a complaint, the committee:

- (a) must cause notice of the complaint to be served on the member concerned; and
- (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
- (c) must take into consideration any submissions made by the member in connection with the complaint.

11 Expulsion of a member

11.1 The committee may, by resolution, expel the member from the club or suspend the member from membership of the club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.

11.2 If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under rule 12.

- 11.3** The expulsion or suspension does not take effect:
- (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - (b) if within that period the member exercises the right of appeal, unless and until the club confirms the resolution under rule 12(5), whichever is the later.

12 Right of appeal of disciplined member

12.1 A member may appeal to the club in general meeting against a resolution of the committee under rule 11, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

12.2 The notice may, but need not, be accompanied by a statement on the grounds on which the member intends to rely for the purposes of the appeal.

12.3 On receipt of a notice from a member under clause (1), the secretary must notify the committee which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.

12.4 At a general meeting of the club convened under clause (3):

- (a) no business other than the question of the appeal is to be transacted, and
- (b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
- (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

12.5 If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

The Committee

13 Powers of the committee

The committee is to be called the committee of management of the club and, subject to the Act, the Regulation and these rules and to any resolution passed by the association in general meeting:

- (a) is to control and manage the affairs of the club, and

- (b) may exercise all such functions as may be exercised by the club, other than those functions that are required by these rules to be exercised by a general meeting of members of the club, and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the club.

14 Constitution and membership

- (1) Subject in the case of the first members of the committee to section 21 of the Act, the committee is to consist of:
 - (a) the office-bearers of the club, and
 - (b) 3 ordinary members,each of whom is to be elected at the annual general meeting of the club under rule 15.
- (2) The office-bearers of the club are to be:
 - (a) the president
 - (b) the vice-president
 - (c) the treasurer, and
 - (d) the secretary
- (3) Each member of the committee is, subject to these rules, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (4) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the club to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

15 Election of members

- (1) Nominations of candidates for election as office-bearers of the club or as ordinary members of the committee:
 - (a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - (b) must be delivered to the secretary of the club at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.

- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

16 Secretary

- (1) The Secretary of the club must, as soon as practicable after being appointed as secretary, lodge notice with the club of his or her address.
- (2) It is the duty of the secretary to keep minutes of:
 - (a) all appointments of office-bearers and members of the committee,
 - (b) the names of members of the committee present at a committee meeting or a general meeting, and
 - (c) all proceedings at committee meetings and general meetings.
- (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.

17 Treasurer

It is the duty of the treasurer of the club to ensure:

- (a) that all money due to the club is collected and received and that all payments authorised by the club are made,
and
- (b) that correct books and accounts are kept showing the financial affairs of the club, including full details of all receipts and expenditure connected with the activities of the club.

18 Casual vacancies

For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member:

- (a) dies, or
- (b) ceases to be a member of the club, or
- (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
- (d) resigns office by notice in writing given to the secretary, or
- (e) is removed from office under rule 19, or
- (f) becomes a mentally incapacitated person, or
- (g) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

19 Removal of member

- (1) The club in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representation be notified to the members of the club, the secretary or the president may send a copy of the representations to each member of the club or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

20 Meetings

- (1) The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any [two] member[s] of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours

(or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.

- (4) Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the committee:
 - (a) the president or, in the president's absence, the vice-president is to preside, or
 - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

21 Delegation by committee to sub-committee

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

- (4) Despite any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn, as it thinks proper.

22 Voting and decisions

- (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to rule 20(5), the committee may act despite any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

General meetings

23 Annual general meetings – holding of

- (1) With the exception of the first annual general meeting of the club, the club must, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the association, convene an annual general meeting of its members.
- (2) The club must hold its first annual general meeting:
 - (a) within the period of 18 months after its incorporation under the Act, and
 - (b) within the period of 6 months after the expiration of the first financial year of the association.

- (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Director-General under section 26(3) of the Act.

24 Annual general meetings – calling of and business at

- (1) The annual general meeting of the club is, subject to the Act and to rule 23, to be convened on such date and at such place and time as the committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (b) to receive from the committee reports on the activities of the association during the last preceding financial year,
 - (c) to elect office-bearers of the association and ordinary members of the committee,
 - (d) to receive and consider the statement which is required to be submitted to members under section 26(6) of the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

25 Special general meetings – calling of

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the club.
- (2) The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the club.
- (3) A requisition of members for a special general meeting:
 - (a) must state the purpose or purposes of the meeting, and
 - (b) must be signed by the members making the requisition, and
 - (c) must be lodged with the secretary, and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a

special general meeting to be held not later than 3 months after that date.

- (5) A special general meeting convened by a member or members as referred to in clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who consequently incurs expenses is entitled to be reimbursed by the association for any expense so incurred.

26 Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the club, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the club, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under rule 24(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

27 Procedure

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Five members present in person [Alternative wording for small clubs: Thirty-three percent of members must be present in person] (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members, is to be dissolved,
and
 - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) is to constitute a quorum.

28 Presiding member

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the club.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

29 Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

30 Making of decisions

- (1) A question arising at a general meeting of the club is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a general meeting of the club, a poll may be demanded by the chairperson or by at least 3 members present in person or by proxy at the meeting.
- (3) If a poll is demanded at a general meeting, the poll must be taken;
 - (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment, or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs,and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

31 Special resolution

A resolution of the association is a special resolution:

- (a) if it is passed by a majority which comprises at least three-quarters of such members of the club as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or
- (b) where it is made to appear to the Director-General that it is not practicable for the resolution to be passed in the manner specified in paragraph (a) if the resolution is passed in a manner specified by the Director-General.

32 Voting

- (1) On any question arising at a general meeting of the club a member has one vote only.
- (2) All votes must be given personally or by proxy but no member may hold more than 5 proxies.
- (3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

- (4) A member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

33 Appointment of proxies

- (1) Each member is to be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy is to be in the form set out in Appendix 2 to these rules.

Miscellaneous

34 Insurance

The club may effect and maintain insurance.

35 Funds – source

- (1) The funds of the club are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the club in general meeting, such other sources as the committee determines.
- (2) All money received by the club must be deposited as soon as practicable and without deduction to the credit of the club's bank account.
- (3) The club must, as soon as practicable after receiving any money, issue an appropriate receipt.

36 Funds – management

- (1) Subject to any resolution passed by the club in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the association, being members or employees authorised to do so by the committee.

37 Alteration of objects and rules

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the club.

38 Custody of books

Except as otherwise provided by these rules, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the club.

39 Inspection of books

The records, books and other documents of the club must be open to inspection, free of charge, by a member of the club at any reasonable hour.

40 Service of notices

- (1) For the purpose of these rules, a notice may be served on or given to a person:
 - (a) by delivering it to the person personally, or
 - (b) by sending it by pre-paid post to the address of the person, or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) for the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:
 - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

41 Dissolution of Club

- (1) The club may be dissolved by special resolution, or in such other manner as permitted or required by *the Law*.
- (2) Upon passing of a special resolution to dissolve the club, the committee must cause the realisation of all assets and discharge of all liabilities of the club and distribute the remaining balance of funds, if any, between the registered charities, four wheel drive clubs, or associations such as the committee may decide.

Appendix 1

APPLICATION FOR MEMBERSHIP OF THE CLUB

..... Incorporated (incorporated under the *Associations Incorporation Act 1984*.)

I,.....
(*full name of applicant*)

of.....
(*address*)

.....hereby apply to become
(*occupation*)

a member of the abovenamed incorporated association. In the event of my admission as a member, I agree to be bound by the rules of the club for the time being in force.

.....
Signature of applicant

Date.....

I,..... a member for the club,
(*full name*)

nominate the applicant, who is personally known to me, for membership of the club.

.....
Signature of proposer

Date.....

I,..... a member for the club,
(*full name*)

second the nomination of the applicant, who is personally known to me, for membership of the club.

.....
Signature of seconder

Date.....

.....
Signature of seconder

Appendix 2

FORM OF APPOINTMENT OF PROXY

I,.....of
(full name) *(address)*

being a member of
(name of incorporated association)

hereby appoint of
(full name of proxy) *(address)*

being a member of that incorporated club, as my proxy to vote for me on my behalf at the general meeting of the club (annual general meeting or special general meeting, as the case may be) to be held on the

.....day of.....
(month and year)

and at any adjournment of that meeting.

* My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).

* to be inserted if desired.

.....
Signature of member appointing proxy

Date.....

NOTE: A proxy vote may not be given to a person who is not a member of the club.