

Incorporation No. A7260

The Suzuki Four Wheel Drive Club of South Australia Incorporated

# **THE SUZUKI FOUR WHEEL DRIVE CLUB OF SOUTH AUSTRALIA INCORPORATED**



# **CONSTITUTION**

(Inc. No: A7260)

Reprinted September 2002

Amended May 2004

Amended February 2007

Amended April 2008

**Amended March 2020**

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**The Suzuki Four Wheel Drive Club of South Australia Incorporated**

The name of the Club formed under the rules shall be **THE SUZUKI FOUR WHEEL DRIVE CLUB OF SOUTH AUSTRALIA Incorporated**, and this Club shall be a non-profit making organization.

## **1. DEFINITIONS**

By definition the term “four-wheel drive”, as used in this constitution, shall include all four-wheel drive and all-wheel drive vehicles.

## **2. OBJECTIVES**

- 2.1.** To promote and encourage friendship, courteous and responsible behavior on/off the road through social gatherings, and touring.
- 2.2.** To promote and encourage social activities and Club functions.
- 2.3.** To conduct meetings and events whereby members may obtain knowledge enabling them to become proficient in the maintenance, care and skill in handling of their vehicle.
- 2.4.** To promote and foster the activity of four wheel and all wheel driving touring/caravanning and camping
- 2.5.** To advise government departments and other organizations that four-wheel driving is a recognized and responsible recreational activity.
- 2.6.** To foster and promote relevant 4wd bodies and any club approved activity, and/or cause which may be beneficial to the Club and its members

## **3. POWERS OF ASSOCIATION**

The Association shall have all the powers conferred by Section 25 of the Act.

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#### **4. MEMBERSHIP**

Membership shall be open to any person interested in furthering the objectives of the Club. Application shall be made in writing and on a form. All members shall be approved by the Committee of the Club.

The various classifications of Membership are defined as follows: -

**MEMBER**: A person who owns a vehicle who is interested in promoting and fostering the activities of the Club.

**FAMILY MEMBER**: Includes Husband/Wife/partners and family

**SOCIAL**: Past member who wishes to keep involved in the club but is unable to attend regular meetings and or has no access to a 4wd

**HONORARY MEMBER**: A person whom the Committee nominates at a General member meeting that has deemed to have assisted the Club in its day to day running in an extraordinary way. The status of Honorary Membership shall be reviewed annually at the AGM

**LIFE MEMBER** A member who had at least twenty-five (25) years of financial membership and is in recognition of outstanding services or contributions to the Club.

*Fees for Members, Social Members and Life Members to be determined at the AGM*

All membership renewals shall be due on the 1st of July of each year and be current for 12 calendar months. Any persons whose membership has not been renewed by the August General Meeting of the same year shall automatically cease to be a member of the Club

The Committee shall have the power to extend the time of renewal of a-membership should the Committee deem such action warranted.

#### **5. VOTING**

All current members are eligible to vote with the exception of HONORARY members and FAMILY members; where FAMILY members are entitled to one (1) vote only. All elected committee members have one (1) vote only at committee meetings

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**6. MANAGEMENT**

The management of the Club shall be vested in the Executive-Committee which shall consist of a President, Vice-President, Secretary and Treasurer. In addition to the Executive committee there shall be a minimum of two (2) Committee members nominated and voted in at the AGM. The Committee may from time to time as it deems necessary appoint two or more club members as a Sub-Committee

**7. COMMITTEE**

- 7.1.** The Committee shall be elected by ballot at the Annual General Meeting (AGM) and shall hold office until the next AGM.
- 7.2.** It shall consist of a President, Vice-President, Secretary and Treasurer who shall be 4WD owners, or shall have access to a 4WD vehicle by reason of their employment, family situation, or any other reason, and minimum two other members .The President ,Vice President, Treasurer must be a member with more than 2 years current continuous financial membership
- 7.3.** Any office becoming vacant during the period of twelve (12) months may be filled by the Committee and the person elected by such Committee shall hold office until the next AGM.
- 7.4.** The Committee shall have the power to invite any other person to attend the Committee meetings whom they consider may be of assistance to them in a professional, technical or other capacity for advice or guidance provided that such person shall not be entitled to vote as a member of such Committee. Any member failing to attend two consecutive meetings without reasonable excuse shall cease to be a member of the Committee.
- 7.5.** The Committee shall have the power to make, repeal and amend such by-laws as they may from time to time consider necessary for the wellbeing of the Club, which shall not be inconsistent with the Constitution and all such by-laws shall be binding upon members until repealed by the Committee or set aside by a resolution of a general Club Meeting.

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**8. MEETINGS**

- 8.1.** The Annual General Meeting (AGM) of the Club shall be held no later than the 31<sup>st</sup> of December in each year, when the Annual Report, Balance Sheet and Honorary Auditor's Report shall be presented, provided however that in event of the business of such meeting not being completed it may be adjourned and the business completed at an adjourned meeting which shall be held no later than the 31<sup>st</sup> of January of the following year.
- 8.2.** Other Special General Meetings (SGM) of the Club can be convened at any time by the Secretary upon being requested to do so by the Committee or by the requisition in writing of at least 2/3 financial members.
- 8.3.** Special General Meetings are to be announced two meetings before and in the Club Magazine and via other digital means to members.
- 8.4.** No other notification need be given.
- 8.5.** A Notice of the AGM or Special GM shall state the time and place of the meeting, and the nature of the business to be transacted.
- 8.6.** No other business other than that of which notice has been given shall be discussed at the meeting.
- 8.7.** At all meetings the President shall be the Chairman, or in their absence the Vice-President or in their absence such member as appointed by the Committee.
- 8.8.** At all AGM's and Special GM's financial members will only be those eligible and shall have the right to vote. In the event of an equal number of votes, the Chair Person shall have a casting vote only. Votes in writing by absentees who are financial members shall be accepted.
- 8.9.** At AGM's and Special General Meetings, a quorum shall consist of a minimum of eight (8) financial members present and entitled to vote.
- 8.10.** All nominations for vacant positions to be contested at an AGM shall be in writing. All such nominations shall be in the hands of the Secretary no later than 14 days prior to the AGM. All nominations must be signed by the Nominee, the Nominator both who must be current members of the Club and not withstanding anything contained in the Constitution is eligible for the position for which they nominate.

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**9. GENERAL AND COMMITTEE MEETINGS**

- 9.1.** The Suzuki Four Wheel Drive Club of South Australia Inc. will hold **General Meetings** at regular intervals.
- 9.2.** The quorum of such meetings will be eight (8) current members.
- 9.3.** The President shall act as the Chairperson, or in their absence the Vice-President, or in their absence any committee member
- 9.4.** Each financial member of the meeting with the exception of the Chairperson shall have one vote and in the event of an equal vote the Chairperson shall have a casting vote.
- 9.5.** Minutes of the proceedings of meetings shall be kept and shall be open for inspection by any member of the Club.
- 9.6.** The Suzuki Four Wheel Drive Club of South Australia Inc. will hold **Committee meetings** at regular intervals with the minimum being bi monthly.
- 9.7.** The quorum of such committee meetings shall be 50% of the committee.
- 9.8.** The President shall act as the Chairperson, or in their absence the Vice-President, or in their absence any committee member.
- 9.9.** Each elected member of the committee with the exception of the Chairperson shall have one vote and in the event of an equal vote the Chairperson shall have a casting vote.
- 9.10.** Minutes of the proceedings of Committee meetings shall be kept and shall be open for inspection by any member of the Club.

**10. FINANCIAL YEAR**

The financial year of the Club shall conclude on the 30th day of June in each year.

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**11. INSURANCE**

- 11.1. Any member engaging in Club activities must ensure that any motor vehicle used in conjunction with such activity is covered by a policy of insurance either for THIRD PARTY PROPERTY DAMAGE or FULL COMPREHENSIVE insurance.
- 11.2. PROOF OF CURRENT INSURANCE may be requested at the time of membership renewal and also by the Trip/Activity organizer.

**12. PUBLIC LIABILITY**

The Club shall keep in force a policy of insurance for the purpose of protecting the Club members, and members of the Committee, against any action brought about through the negligent actions of the Club.

**13. FUNDS**

The funds of the Club shall be deposited in an account with a financial institution and such account operated on by any two of the following- President, Vice-President, Treasurer or Secretary or nominated committee member. The income and property of the Club shall be applied solely towards the promotion of the objects of the Club. No money shall be paid to individual members of the Club unless by way of reimbursement for moneys spent on behalf of the Club or for services rendered at the request of the Club and then only if approved by the Executive Committee.

**14. ACCOUNTS**

All accounts for payment shall be presented to the Committee

**15. INDEMNITY**

- 15.1. Office bearers of the Club who by the authority of the committee accept or incur any pecuniary liability on behalf of the Club shall be held indemnified by the Club against any personal loss in respect to such liability.
- 15.2. On any trip, whilst the Trip Leader has overall responsibility for participating Club Members and vehicles, the ultimate responsibility for a vehicle's capability rests with the owner / driver of that vehicle and the club or trip leader shall not be held liable for damage.

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**16. CONSTITUTIONAL AMENDMENTS**

- 16.1. The Constitution may be amended at any Special General Meeting of which due notice in writing has been given provided that such notice shall specify all proposed amendments and provided further that any amendments shall require a majority of at least two-thirds of those members present and entitled to vote.
- 16.2. Amendments to the Constitution may be proposed by the Committee or any member of the Club provided that any proposed amendment shall be notified in writing to the Secretary not later than two (2) months prior to the date on which the Special General meeting is held

**17. AUDIT**

- 17.1. The Honorary Auditor or Auditors shall be elected at each AGM and it shall be their responsibility to examine all accounts, vouchers, receipt books etc, and to furnish thereon at the Annual General Meeting.
- 17.2. Audits shall be held at regular intervals of twelve months or at any other time the Honorary Auditor shall deem necessary.

**18. MEMBERS CONDUCT**

- 18.1. If the conduct of any member shall in the opinion of the Committee be contrary to the welfare or interest of the Club, the member may be called upon to justify and explain such conduct as outlined in the complaints procedure of the club .When the complaints process is finalized and is of the opinion that the conduct of the member is as charged, the Committee may caution, suspend or expel such member.
- 18.2. If the member so cautioned, suspended or expelled by the Committee so wishes, they may appeal in writing to the Club and request a Special General Meeting of the Club to discuss such appeal. The Special General Meeting so called may alter or reverse the decision of the committee only in the matter on the notice paper, by a majority vote of two thirds of the members present that are entitled to vote. Such decision of the club is final.



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**19. DISSOLUTION**

The Club shall be dissolved in the event of the financial membership being less than four (4) members and upon the vote of three quarters of the members present at a Special General Meeting convened to consider such question.

Upon dissolution, assets and funds on hand may after payment of all expenses and liabilities, be handed over to such Club or similar Association having like objectives to those laid down in this Constitution or such registered Charity as a majority of the members present and entitled to vote at the Special General Meeting may decide.