

CONSTITUTION

NORTHERN RIVERS CLASSIC MOTORCYCLE CLUB INCORPORATED

Under the Associations Incorporation Act, 2009

APPLYING FROM 2012

Disclaimer

This publication must not be relied on as legal advice. For more information please refer to the appropriate legislation

CONSTITUTION INDEX

PAGE 1	Cover
PAGE 2	Constitution Index
PAGE 3	Objects of the Association
PAGE 4	Membership of the Association Disciplining of Members
PAGE 5	Management by Committee
PAGE 6	Annual General Meeting Office Bearers Roles and Duties
PAGE 7	Office Bearers Roles and Duties (continued) Public Officer Miscellaneous

Note

Where any matter is not covered in this Constitution, reference must be made to the appropriate Clauses in the Model Constitution, Associations Incorporation Act, 2009

CONSTITUTION
NORTHERN RIVERS CLASSIC MOTOTCYCLE CLUB (INC)

The name of the Association is the Northern Rivers Classic Motorcycle Club (Incorporated) referred to within this document as the Association

The Objects of the Association are

- 1. To encourage the restoration, preservation, and use of motorcycles more than 30 years old and defunct makes**
- 2. To ensure the preservation of records, documents, information and equipment pertaining to old, unusual, and out of production motorcycles**
- 3. To provide through its members and Committee, service and assistance in the restoration of motorcycles, location of parts, services and technical advice**
- 4. To publish a regular magazine for the benefit of members**
- 5. To organise and participate in displays, rallies, and events, and promote the better image of motorcycling**
- 6. To hold regular meetings at a place suitable for the gathering of members for the purpose of official business, discussions, reports, films and social activities of members**

Membership of the Association

- 1. Membership of the Association shall be comprised of the members of the Association immediately prior to the Incorporation, together with such other persons as the Committee admits to membership**
- 2. A person applying for membership must agree to abide by the Association's Objects, Rules and Procedures**
 - a) Complete an application form, and present the form to the Associations Secretary**
 - b) The Committee will consider the application at its earliest opportunity and announce its decision at the following meeting**
- 3. The Committee may refuse membership to any person when the Committee agrees by a majority vote that granting membership to the applicant is not in the best interests of the Association, its members, or the image of motorcycling**
- 4. Any person refused membership by the Committee has a right to appeal to the Committee for a reassessment of their application and may supply any additional information, which may change the outcome. The Committees decision is final after this process**
- 5. Members shall pay such fees as are determined at an Annual General Meeting, and payment of the fee is deemed to be an indication that the member will abide by Associations objects and rules and any alterations to same**
- 6. A Register of membership shall be kept by the Association showing the name, address, date of start of membership, and date of cessation of membership**
- 7. Membership shall cease on resignation, expulsion, or failure to pay outstanding fees within 3 months after the due date**

DISCIPLINING OF MEMBERS

- 1. Members of the Association must abide by the Constitution and Rules of the Association and can be expelled if their conduct is prejudicial to the Association or any of its members, to the image of motorcycling, or if convicted of a criminal offence**
- 2. If the need for discipline arises, the Association will refer to and be guided by Clauses 11 and 12, set out in the Model Constitution, Associations Act 2009**

Management -- By Committee

- 1. The Association will have its affairs controlled and managed by the four annually elected Office Bearers and three other elected members known collectively as the Committee**
- 2. The Office Bearers will be the elected President, Vice President, Secretary, and Treasurer. Additional Committee members may be elected or appointed to assist the Office Bearers or to perform specific duties as determined by the members of the Association. Sub Committees may be appointed as required or necessary to perform a specific task. When a Sub Committees task is completed it shall be disbanded**
- 3. Office Bearers shall be elected at each Annual General Meeting**
- 4. Any vacancy occurring in the Committee may be filled by a member appointed by the Committee until the next elections**
- 5. Each Committee member shall hold office from their election till the following Annual General Meeting**
- 6. Retiring Committee members are eligible for reelection; however any member holding the office of President, Vice President, Secretary, or Treasurer may only do so for three consecutive years. They can be reelected to that same Office Bearers position after a period of twelve months from leaving the position has elapsed. A committee person is eligible for election to any other official position when their three year term in one position is completed.**
- 7. A member of the Committee ceases to hold office upon resignation in writing, removal as a member of the Association, or absence from three successive Committee meetings without approval from the Committee**
- 8. The Committee shall meet as often as necessary to conduct the business of the Association with a minimum of three meetings a year**
- 9. The quorum for meetings of the Committee shall be one half of the elected Committee membership**
- 10. Notice of Committee meetings shall be given at the previous Committee meeting or by other means the Committee agrees on**
- 11. Questions arising at Committee meetings will be decided by the majority of votes of those present, and in case of equal votes, the Chair person of the meeting shall have a casting vote**
- 12. If within thirty minutes of the appointed time for the Committee meeting a quorum is not present, the meeting shall be adjourned to another place, date, and time agreed to by the members present. If at the adjourned meeting, a quorum is not present within thirty minutes of the appointed time, that meeting shall be dissolved**
- 13. The Committee may, where it considers it necessary, convene a special meeting of the Association. A special meeting of the Association must be convened within three months of receiving a written request from at least five percent of the membership.**

ANNUAL GENERAL MEETING

1. **The Annual General Meeting (hereafter referred to as the AGM) shall be held within six months of the end of the financial year, as per the rules.**
2. **At least fourteen days notice of the AGM must be given to members, and in the case of a special resolution being proposed, twenty-one days notice is required. Notice can be given in writing through the Association magazine, or by post/ electronic means to the members address shown in the member register**
3. **No business other than that specified in the notice of the AGM shall be transacted at that meeting. The following business will be transacted**
 - a. **Confirmation of the Minutes from the previous AGM**
 - b. **Committee reports on activities of the Association for previous year**
 - c. **Consideration of the financial statement required to be submitted to members under the Incorporation Act 2010**
 - d. **Consideration and voting on special resolutions. Voting is by show of hands unless a secret ballot is requested, and decided on a simple majority of members present.**
4. **Election of Office Bearers and other Committee members for the next 12 months: Nomination for Office Bearers and Committee members positions may be made at the AGM or in such other way as determined by members at the AGM**

OFFICE BEARERS (role and duties)

PRESIDENT.

- **To act as Chairperson for each regular meeting, and Committee meeting**
- **To oversee the proper functioning of the Association, and adherence to the Constitution of the Association**
- **To support the Office Bearers and Committees**
- **To be the spokesperson for the Association in all public dealings and matters**

VICE PRESIDENT

- **To chair regular meetings in the Presidents absence and deputise for the chairman when required.**

SECRETARY

- **To act as Minute Recorder at all regular and Committee meetings**
- **To keep records of the Associations business including the rules, register of members, minutes of all meetings, and a file of incoming and outgoing correspondence**
- **To supply in time a copy of the relevant meeting minutes to the Editor of the Associations**

Newsletter

- **To keep a record of other associations, clubs, and organisations that the Association may have contact with, and have these records available for any members inspection on request**
- **To ensure, together with the Public Officer, that all requirements for annual reporting to relevant Government Departments is completed in the required time and on the correct Government Departments Forms**

TREASURER

- **To ensure all monies received are placed in the Associations account as soon as practical**
- **To be responsible for ensuring all outstanding accounts are paid promptly**
- **To pay accounts and outgoings with cheques co signed by any two of the President, Secretary, Treasurer of current Office Bearers**
- **To obtain in advance from the Committee or at a regular meeting the authority for a major or unusual expenditure**
- **To present to each regular meeting an up to date financial report and present an annual financial report to the AGM**
- **To reimburse any reasonable costs incurred by the Committee or members performing Associations duties on presentation of suitable receipts or documents covering that claim**

DUTIES OF THE PUBLIC OFFICER

The Public Officers duties are found in the Incorporation Act, and in the main, relate to ensuring proper and timely reporting as required under that Act on the required forms, being the contact person for the Government Department, and taking possession of the Associations documents and reports from the AGM until the first meeting of incoming new Committee

MISCELLANEOUS

1. **The Committee will affect and maintain insurance which may be required by law and/or regarded as necessary by the Association**
2. **The funds of the Association shall be derived from members fees, donations, grants and other sources approved by the Association**
3. **The members of the Association shall have no liability to contribute to payment of debts and liabilities of the Association or to any costs, charges, and expenses of the winding up of the Association except for unpaid membership fees**
4. **The Association may at any time pass a special resolution determining how any surplus property is to be distributed in the case of the Associations windup. The distribution shall be in accordance with Section 53 of the Association Incorporation Act NSW**
5. **The Associations Rules can be changed only at a general or special meeting, following a minimum of one months notice to all members. Such changes can be instigated by any member or from the Committee**
6. **The Associations financial year will run from the first of July to the thirtieth of June the following year**